

# China Spring Middle School

Student-Parent Handbook

2022-2023



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## CHINA SPRING ALMA MATER

THIS OUR SONG OF LASTING TRIBUTE,  
 THROUGH THE YEARS WILL RING.  
 HAIL TO THEE, OUR ALMA MATER.  
 HAIL TO CHINA SPRING.  
 ALMA MATER, ALMA MATER,  
 MAY WE LONG BE TRUE.  
 EVER KEEP OUR FIGHTING SPIRIT,  
 WE GIVE OUR BEST TO YOU!

### China Spring ISD Mission Statement

The mission of the China Spring Independent School District is to provide a quality education to each of the students in the district. The district recognizes the need for a well-rounded, disciplined, educational environment including academic, extra-curricular, and social experiences in order that students may become effective, participating members of society.

The district is committed to the belief that all children can learn and must be provided the opportunity to master the basic skills, develop thinking and problem-solving skills, and realize individual potential.

As education is a lifelong process, the district seeks to orient its educational opportunities toward preparing students to meet the complex situations they will face as adults, both as individuals and as citizens in a democracy.

### CHINA SPRING INDEPENDENT SCHOOL DISTRICT ADMINISTRATION 2020-2021

Superintendent of Schools, Dr. Marc Faulkner	836-1115	<a href="mailto:Marc@chinaspringisd.net">Marc@chinaspringisd.net</a>
Deputy Superintendent, Dr. Kevin Pitts	836-1115	<a href="mailto:KPitts@chinaspringisd.net">KPitts@chinaspringisd.net</a>
Asst. Superintendent of Curriculum, Instruction, & Assessment, Jennifer Crook	836-1115	<a href="mailto:JCrook@chinaspringisd.net">JCrook@chinaspringisd.net</a>
Executive Director of Business & Finance, Logan Poteet	836-1115	<a href="mailto:LPoteet@chinaspringisd.net">LPoteet@chinaspringisd.net</a>
Executive Director of Special Programs, Dr. Nickolas Smith	836-1115	<a href="mailto:NSmith@chinaspringisd.net">NSmith@chinaspringisd.net</a>
Executive Director of Human Resource, Leslie Smith	836-1115	<a href="mailto:LSmith@chinaspringisd.net">LSmith@chinaspringisd.net</a>
Director of Athletics, Josh Gregory	836-0025	<a href="mailto:JGregory@chinaspringisd.net">JGregory@chinaspringisd.net</a>

Director of Technology, Braden Herring	836-1115	<a href="mailto:BHerring@chinaspringisd.net">BHerring@chinaspringisd.net</a>
Innovative Learning Design Coordinator, Melissa Adams	836-1115	<a href="mailto:MAdams@chinaspringisd.net">MAdams@chinaspringisd.net</a>
High School Principal, Dr. Max Rutherford	836-1771	<a href="mailto:MRutherford@chinaspringisd.net">MRutherford@chinaspringisd.net</a>
High School Associate Principal, Haily Rambo	836-1771	<a href="mailto:HRambo@chinaspringisd.net">HRambo@chinaspringisd.net</a>
High School Assistant Principals, Kandace Beckham, Jarratt Shipp	836-1771	<a href="mailto:JShipp@chinapringisd.net">JShipp@chinapringisd.net</a> <a href="mailto:kbeckham@chinaspringisd.net">kbeckham@chinaspringisd.net</a>
Middle School Principal, David Ellis	836-4611	<a href="mailto:David.Ellis@chinaspringisd.net">David.Ellis@chinaspringisd.net</a>
Middle School Assistant Principal, Brooke Bartee	836-4611	<a href="mailto:sbartee@chinaspringisd.net">sbartee@chinaspringisd.net</a>
Intermediate Principal, Heather Jenkins	759-1200	<a href="mailto:HJenkins@chinaspringisd.net">HJenkins@chinaspringisd.net</a>
Intermediate Assistant Principal, Dr. April Harris	759-1200	<a href="mailto:aharris@chinaspringisd.net">aharris@chinaspringisd.net</a>
Elementary Principal, Kristen Dutschmann	836-4635	<a href="mailto:KDutschmann@chinaspringisd.net">KDutschmann@chinaspringisd.net</a>
Elementary Assistant Principals, Zabrina Lard, Kari McNew	836-4635	<a href="mailto:zlard@chinaspringisd.net">zlard@chinaspringisd.net</a> <a href="mailto:kmcnew@chinaspringisd.net">kmcnew@chinaspringisd.net</a>
Primary School Principal, Ashlee Peacock		<a href="mailto:apeacock@chinaspringisd.net">apeacock@chinaspringisd.net</a>
Primary School Assistant Principal, Randi Connor		<a href="mailto:rconnor@chinaspringisd.net">rconnor@chinaspringisd.net</a>
DAEP / TAG Principal, Jennifer Sharp	836-0676	<a href="mailto:jsharp@chinaspringisd.net">jsharp@chinaspringisd.net</a>

## **BOARD OF TRUSTEES**

Mr. Rick Hines, President

Mr. Jeff Bradburn, Vice-President

Mrs. Holly Dunham, Secretary

Mr. Chris Gerick

Mr. Bubba Galvan

Mr. Trey Oakley

Mr. Travis Louge

### **Board of Trustee Information**

Texas law grants the Board of Trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, and employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by state and federal law and regulations.

The Board of Trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Trustees are elected by place and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Trustees usually meet at 6:30 p.m. on the third Monday of each month at the district's administration building. In the event a large attendance is anticipated, the board may meet in the China Spring High School cafeteria. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the administration office at least 72 hours prior to the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

All meetings are open to the public. Under the following circumstances, Texas law permits the board to go into a closed session. Closed sessions may occur for such things as discussing prospective gifts or donations, real property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with an attorney regarding pending litigation.

## **Parent Involvement Policy**

Education succeeds best when there is a strong partnership and communication between home and schools. As key players in the education of their children, parents should be involved in developing a policy, which will promote ties between home and school so that children will benefit from their time at school and the services provided. The parent involvement policy is one that needs to be reviewed annually to remain effective in meeting the needs of children who live in a constantly changing society. Parents and school personnel should work together to achieve such a policy.

## **China Spring ISD**

- involves parents in the joint development of the plan
- supports the Parent Teacher Association
- expects faculty and staff to communicate with parents
- expects open lines of communication between home, school and community
- encourages coordination of all programs, federal, state and local
- evaluates the parent involvement policy annually
- encourages parents to participate in school activities

## **Description of the district**

China Spring ISD covers 75 square miles and is generally considered to be a suburb of Waco. The district is projected to serve approximately 2,900 students and is experiencing continuous growth. CSISD has high academic goals and standards for its students as evidenced by its strong commitment to instructional improvement and staff development. All campuses have received high marks from the Texas Education Agency for outstanding student performance on the STAAR (State of Texas Assessments of Academic Readiness) exams. Please visit the district's website at [www.chinaspringisd.net](http://www.chinaspringisd.net) for more information regarding district programs.

## Facts and Figures (2021-2022 data):

Assessed taxable values \$1,038,824,855.  
Tax Rate \$ 1.26576  
Operating budget \$ 33,364,814.  
Certified Teachers 209  
Educational Aides/Support Staff 182

## Enrollment (2021):

Elementary PPCD – 3<sup>rd</sup> grade 932  
Intermediate 4<sup>th</sup> grade – 6<sup>th</sup> grade 675  
Middle School 7<sup>th</sup> grade – 8<sup>th</sup> grade 448  
High School 9<sup>th</sup> grade – 12<sup>th</sup> grade 903  
Total 2,870

## Ethnic Background (2021):

Anglo/Non Hispanic 65.45%  
Hispanic 22.45%  
African-American 6.32%  
Native American 0.34%  
Asian 1.59%  
Hawaiian / Pacific Islander 0.00%  
Two or More 3.85%

## Mission statement, goals, and objectives

Policy AE

*The mission of the China Spring Independent School District is to provide a quality education to each of the students in the District. The District recognizes the need for a well-rounded, disciplined, educational environment including academic, extracurricular and social experiences in order that students may become effective, participating members of society.*

## Helpful contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

Accounts Payable/Receivables	Missy Eckenrode	836-1115; fax 836-4299
Athletic Department	Jennifer Hughes, Secretary	836-0025
Band Director	Marc Nichelson (HS)	836-1771
Cheer Sponsors	Kandace Beckham, CSHS Varsity	836-1771
	Jessica Collier, JV	836-1771
	Rebekah Patrick, 7 <sup>th</sup> & 8 <sup>th</sup>	836-4611

Chief of Police	Shanna Sanders	836-1771
Choir Director (MS, HS)	Daniel Farris	836-4611
	Rachel Johnson	836-4611
Counselors	Rebecca Bilz (Elem)	836-4635
	Carrie Featherston (Elem)	836-4635
	Anne Trevino (Int.)	759-1200
	Amanda McAdams (MS)	836-4611
	Jami Bihl (HS)	836-1771
	Megan Harvey (HS)	836-1771
Counselors' Assistant	Vanessa Hopkins (HS)	836-1771
	Candi Allen (HS)	836-1771
	Tiffany Brummet	836-1115
Curriculum Coaches	Sara Odajima	836-1115
	Melania Villa	836-1771
Dance Director	Melania Villa	836-1771
District Testing Coordinator	Jennifer May	759-1200
Theater Director	Mandy Conner	836-1771
Facility Use	Sherry Oliver	836-1115
Innovation Specialists	Shriena Ghazzagh	836-1115
		836-4635
Maintenance Director	EJ Tatsch	836-1771
Director of Technology	Braden Herring	836-1115
Nurses	Cherrie Stone (Primary)	
	Halley Harvey (Elem)	836-4635
	Emilie Downing (Int.)	759-1200
	Ashley Havard (MS)	836-4611
	Ashley Ellis (HS)	836-1771
Payroll	Jo Wilson	836-1115; fax 836-4299
PEIMS Coordinator	Lorna Horstman	836-1115



Personnel	Marilyn Banik	836-1115; fax 836-0559
Receptionist, Admin Bldg.	Sherry Oliver	836-1115; fax 836-0559
Special Education/LSSP	Adriane Carpenter	836-1115
Special Education/LSSP	Barbie Knoll-Allen	836-1115
Special Education/Diagnostician	Desiree Matthews	836-1115
Special Education/Diagnostician	Laura Sheppard	836-1115
Special Education/Diagnostician	Sarah Blair	836-1115
Transportation (Bus only)	EJ Tatsch	836-1115; fax 836-0559
Transportation Requests	Sherry Oliver	836-1115; fax 836-0559
High School	Elissa Henderson, Secretary	836-1771; fax 836-1418
	Allison Crawford, Secretary	836-1771
Middle School	Susan Palmer, Secretary	836-4611; fax 836-4777
	Cindy McCollum, Secretary	836-4611
Intermediate	Marcy Bradford, Secretary	759-1200; fax 836-0675
	Ariel Maddox, Secretary	759-1200
Elementary	Kelly Warner, Secretary	836-4635; fax 836-4637
	Judy Kemp, Secretary	836-4635
Primary	Brandy Hampton, Secretary	
	Lisa Mayes, Secretary	

## PREFACE

To Students and Parents:

Welcome to the 2022-2023 school year! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

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

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

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

**Section III—MIDDLE SCHOOL GENERAL INFORMATION**—organized alphabetically by topic for quick access when searching for information specific to the middle school camps.

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

Both students and parents should become familiar with the China Spring ISD Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found as an attachment to this handbook and is posted on the district website at [www.chinaspringisd.net](http://www.chinaspringisd.net) and a hard copy is available upon request.

The Student Handbook is designed to align with law, board-adopted policy, and the Student Code of Conduct, a board-adopted document intended to promote school safety and an atmosphere for learning. The Student Handbook is not meant to be a complete statement of all policies, procedures, or rules in any given circumstance.

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

The Student Handbook is updated annually; however, policy adoption and revisions may occur throughout the year. The district encourages parents to stay informed of proposed policy changes by attending board meetings and reviewing newsletter and other communications explaining changes in policy or other rules that affect Student Handbook provisions. The district reserves the right to modify the Student Handbook at any time. Notice of revisions will be provided as is reasonably practical.

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

A hard copy of either the Student Code of Conduct or Student Handbook can be requested at China Spring Middle School.

**Note:** References to board policy codes are included for ease of reference. The hard copy of the district’s official policy manual is available for review in the China Spring Administration Building and an unofficial electronic copy is available at [www.chinaspringisd.net](http://www.chinaspringisd.net).

The policy manual includes:

- Legally referenced (LEGAL) policies that contain provisions from federal and state laws and regulations, case law, and other legal authorities that provide the legal framework for school districts.
- Board-adopted (LOCAL) policies that articulate the board’s choices and values regarding district practices.

For questions about the material in this handbook, please contact [lboykin@chinaspringisd.net](mailto:lboykin@chinaspringisd.net).

Also, please complete and return to your child’s campus the following required forms that will be provided in the forms packet during the registration process:

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

[See **Objecting to the Release of Student Information** on page 22 and **Student Records** on page 25 for more information.]

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

## **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact the China Spring Administration at 254-836-1115.

## **SECTION I: PARENTAL RIGHTS AND RESPONSIBILITIES**

This section of the China Spring Middle School Student Handbook includes information related to certain rights of parents as specified in state or federal law.

### **Consent, Opt-Out, and Refusal Rights**

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

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

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

#### **Consent to Provide a Mental-Health Care Service**

The district will not provide a mental health care service to a student or conduct a medical screening of a student as part of the district's intervention procedures except as permitted by law.

The district has established procedures for recommending to a parent an intervention for a student with early warning signs of mental health concerns, substance abuse, or suicide risk. The mental health liaison 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 provide information about available counseling options.

The district has also established procedures for staff to notify the mental health liaison regarding a student who may need intervention.

The mental health liaison 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.

#### **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 Receive Parenting and Paternity Awareness Instruction if a Student is under Age 14**

A student under age 14 must have parental permission to participate in the district's parenting and paternity awareness program. This program was developed by the Office of the Texas Attorney General and the State Board of Education (SBOE) to be incorporated into health education classes.

### **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.

**Note:** Please note that parents and visitors to a classroom, both virtual and in person, may not record video or audio or take photographs or other still images without permission from the teacher or other school official.

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

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

However, in accordance with law, the district may not administer corporal punishment if a student's parent submits a signed, written statement prohibiting its use.

A parent who does not want corporal punishment administered to his or her child must submit a written statement to the campus principal stating this decision. This signed statement must be submitted each school year. A parent may revoke this prohibition at any time during the school year by providing a signed statement to the campus principal.

**Note:** District personnel may use discipline methods other than corporal punishment if a parent requests that corporal punishment not be used.

- If the district knows that a student is in temporary or permanent custody of the state (through foster care, kinship care, or other arrangements), corporal punishment will not be administered, even when the student's caregiver or caseworker has not submitted a signed statement prohibiting its use.

### **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 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 may use any form of electronic media **except** any electronic media platform or application that automatically deletes messages or communications (e.g., Snapchat). Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  - The employee is required to include the student's parent as a recipient on all text messages.
  - The employee is required to include his or her immediate supervisor and the student's parent as recipients on all text messages.
  - The employee is required to send a copy of the text message to the employee's district email address.

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 Directory Information**

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated "directory information" from a student's education records without written consent.

"Directory information" is information that, if released, is generally not considered harmful or an invasion of privacy. Examples include:

- A student's photograph (for publication in the school yearbook);
- A student's name and grade level (for communicating class and teacher assignments);
- The name, weight, and height of an athlete (for publication in a school athletic program);
- A list of student birthdays (for generating school wide or classroom recognition);
- A student's name and photograph (posted on a district-approved and managed social media platform); and
- The names and grade levels of students submitted by the district to a local newspaper or other community publication (to recognize the A/B honor roll for a specific grading period.)

Directory information will be released to anyone who follows procedures for requesting it.

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

The district has identified the following as directory information: **student name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees; honors and awards received; dates of**

**attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams.** If a parent objects to the release of the student's information included on the directory information response form, this objection also applies to the use of that information for school-sponsored purposes, such as: Honor roll, School newspaper, Yearbook, Recognition activities, News releases, and Athletic programs.

**Note:** Review **Authorized Inspection and Use of Student Records** on page 26.

## **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 by military recruiters or institutions of higher education for the student's:

- Name,
- Address, and
- Telephone listing.

See a document in the forms packet for this purpose.

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

### **Consent Required Before Student Participation in a Federally Funded Survey**

The Protection of Pupil Rights Amendment (PPRA) provides parents certain rights regarding participation in surveys, the collection and use of information for marketing purposes, and certain physical exams.

A parent has the right to consent before a student is required to submit to a survey funded by the U.S. Department of Education that concerns any of the following protected areas:

- 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;
- Relationships privileged under law, such as relationships with lawyers, doctors, 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 to participate in or receive financial assistance under a program.

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

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

The Protection of Pupil Rights Amendment (PPRA) gives parents the right to receive notice and an opportunity to opt a student out of:

- 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 non-emergency, 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 examination 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.

The ED provides extensive information about the Protection of Pupil Rights Amendment, including a PPRA Complaint Form

## **Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction**

### **Human Sexuality Instruction**

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

State law requires that the district provide written notice before each school year of the board's decision to provide human sexuality instruction.

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

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

Per state law, here is a summary of the district's curriculum regarding human sexuality instruction:

China Spring Middle School utilizes Unit 4 in the Glencoe Health textbook(2005) *“Promoting Safe and Healthy Relationships,”* as an academic resource for students.

A parent is entitled to review the curriculum materials. In addition, a parent may remove his or her child from any part of the human sexuality instruction without academic, disciplinary, or other penalties. A parent may also choose to become more involved with the development of this curriculum by becoming a member of the district’s SHAC. (See the campus principal for details.)

### **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).]

### **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.

[See **Pledges of Allegiance and a Minute of Silence** on page 73 and policy EC(LEGAL).]

### **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.

### **Tutoring or Test Preparation**

A teacher may determine that a student needs additional targeted assistance for the student to achieve mastery in state-developed essential knowledge and skills based on:

- Informal observations,
- Evaluative data such as grades earned on assignments or tests, or
- Results from diagnostic assessments.

The school will always attempt to provide tutoring and strategies for test-taking in ways that prevent removal from other instruction as much as possible.



In accordance with state law and policy EC, districts must obtain parental permission before removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

Under state law, students with grades below 70 for a reporting period are required to attend tutorial services—if the district offers these services.

[For questions about school-provided tutoring programs, see policies EC and EHBC, and contact the student's teacher.]

## **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. If the school determines that sufficient availability exists to grant the request, 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 policy FO(LEGAL) and the Student Code of Conduct.]

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

In accordance with the 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 4, 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.

For more information about how to file a complaint, see <https://studentprivacy.ed.gov/file-a-complaint>.

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 unless the school receives a copy of a court order terminating parental rights or the right to access a student’s education records. A parent’s rights regarding access to student records are not affected by the parent’s marital status.

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 district officials have what federal law refers to as a "legitimate educational interest" in a student's records. School officials would include:

- § Board members and employees, such as the superintendent, administrators, and principals;

- § Teachers, school counselors, diagnosticians, and support staff (including district health or 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.

"Legitimate educational interest" in a student's records includes working with the student; considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official's professional responsibility to the school and the student; or investigating or evaluating programs.

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. [To prohibit this disclosure, see **Objecting to the Release of Student Information** on page 22.]

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

The principal is custodian of all records for currently enrolled students at the assigned school. The superintendent 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 superintendent's office is: **12166 Yankie Rd. China Spring, TX 76633.**

The address of the principal's office is: **7201 N. River Crossing China Spring, TX 76633.**

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 Finality of Grades at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 74, and **Complaints and Concerns** on page 41.]

The district's student records policy is found at policy FL(LEGAL) and (LOCAL) and is available at the principal's or superintendent's office [www.chinaspringisd.net](http://www.chinaspringisd.net).

**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](#).

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

### **Multiple-Birth Siblings**

State law permits a parent of multiple-birth siblings (e.g., twins, triplets) assigned to the same grade and campus to request in writing that the children be placed in either the same classroom or separate classrooms.

Written requests must be submitted by the 14th day after the students' enrollment. [See policy FDB(LEGAL).]

### **Safety Transfers / Assignments**

Safety Transfers/Assignments As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying, which includes cyberbullying, as defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. See the superintendent for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the board decides to transfer your child to another classroom or campus. Transportation is not provided for a transfer to another campus.

[See Bullying on page 38, and policies FDB and FFI.]

- Request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE.]
- Request the transfer of your child to another district campus if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.

### **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 who is currently in the conservatorship (custody) of the state and who enrolls in the district after the beginning of the school year will be allowed credit-by-examination opportunities at any point during the year.

The district will assess the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district.

The district will award partial course credit when the student only passes one half of a two-half course.

A student who is currently in the conservatorship of the state and who is moved outside of the district's or school's attendance boundaries, or who is initially placed in the conservatorship of the state and who is moved outside the district's or school's boundaries, is entitled to continue in enrollment at the school he or she was attending prior to the placement or move until the student reaches the highest grade level at the particular school.

In addition, if a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district. In addition, 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 any applications for admission or for 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 any examination fees by the DFPS; and
- Coordinate contact between the student and a liaison officer for students who were formerly in the conservatorship of the state.

[See **Credit by Examination** on page 44, and **A Student in the Conservatorship** on page 30 for more information.]

### **A Student Who Is Homeless**

A student who is homeless will be provided flexibility regarding certain 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;
- Assessment of the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district;
- Awarding partial credit when a student passes only one half of a two-half course;
- Eligibility requirements for participation in extracurricular activities; and
- Graduation requirements.

Federal law allows a homeless student 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 homeless student 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 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.

[See **Credit by Examination for Advancement/Acceleration** on page 44, and **A Student in Conservatorship** on page 30 for more information.]

### **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 individuals listed below 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.

### **Special Education Referrals**

If a parent makes a **written request** for an initial evaluation for special education services to the 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. 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 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 Dr. Nickolas Smith at 254-836-1115.

### **Section 504 Referrals**

Each school district must have standards and procedures in place for the evaluation and placement of students in the district's Section 504 program. Districts must also implement a system of procedural safeguards that includes:

- Notice,
- An opportunity for a parent or guardian to examine relevant records,
- An impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and
- A review procedure.

### **Contact Person for Section 504 Referrals**

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is Dr. Nickolas Smith at 254-836-1115.

[See **A Student with Physical or Mental Impairments Protected under Section 504** on page 33.]

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](#)



## **Notification to Parents of Intervention Strategies for Learning Difficulties Provided to Students in General Education**

In accordance with state law, the district will annually notify parents if their child receives assistance for learning difficulties. Details of such assistance can include intervention strategies. This notice is not intended for those students already enrolled in a special education program.

### **A Student Who Receives Special Education Services with Other School-Aged Children in the Home**

If a student is receiving special education services at a campus outside his or her attendance zone, state law permits the parent or guardian to request that other students residing in the household be transferred to the same campus—if the grade level for the transferring student is offered on that campus.

The student receiving special education services would be entitled to transportation; however, the district is not required to provide transportation to other children in the household.

The parent or guardian should contact the school principal regarding transportation needs prior to requesting a transfer for other children in the home. [See policy FDB(LOCAL).]

### **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.

[See **English Learners** on page 53 and **Special Programs** on page 80.]

### **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 31 for more information and policy FB for more information.]

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

Topics in this section of the handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. Should you be unable to find the information on a particular topic, please contact Dr. Nickolas Smith at 254-836-4611.

## **ABSENCES/ATTENDANCE**

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

### **Compulsory Attendance**

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

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

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

### **Compulsory Attendance--Exemptions**

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

As listed in Section I at Children of Military Families, absences of up to five days will be excused for a student to visit with a parent, stepparent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments. [See page 29.]

### **Compulsory Attendance--Failure to Comply**

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

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

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

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

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

[See policies FEA(LEGAL) and FED(LEGAL).]

### **Attendance for Credit**

To receive credit or a final grade in a class, a student in kindergarten–grade 12 must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit or a final grade for the class if he or she completes a plan, approved by the principal, who allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

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

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

- If makeup work is completed, absences for the reasons listed above at Exemptions to Compulsory Attendance will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will review absences incurred based on the student's participation in board-approved extracurricular activities. These absences will be considered by the attendance committee as extenuating circumstances in accordance with the absences allowed under FM(LOCAL) if the student made 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 absences were for reasons over which the student or the student's parent could exercise any control.

- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.

- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.

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

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

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

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

Official attendance is taken every day at 9:30am, which is during the second instructional hour as required by state rule.

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

### **Excuse for Absences (All Grade Levels)**

If it is necessary for a student to be absent from school, please follow these procedures:

1. Parents should telephone the school office **on the day** of the absence. It is not necessary to call after the date has passed. Give the student's name, his/her teacher's name, and the reason for the absence. We then notify the teacher of the absence. This phone call **does not** excuse the absence; a note must accompany the student upon returning to school.
2. On returning to school, the student **must** bring a note signed by the parent or health care professional which states the date(s) missed and the reason for being absent. If your child fails to bring a note **within 3 school** days of his/her return to school, the absence will remain **unexcused**.
3. If the student goes to the doctor for any reason **during the school day**, the student **must** bring a note from the health care professional to the secretary and the student will be considered in attendance.
4. In case of an extended absence, the parent may be contacted to determine the well-being of the student. A doctor's note may be required in this instance for the student to return to school.
5. All excuses for absences must be presented to the attendance secretary upon arrival at the school.

Should a student become ill or need medical attention during the school day, the parent will be

notified. All parents should provide the school with correct phone numbers at home and work. A

correct phone number of a nearest relative or friend should also be provided in case the parent

cannot be reached. **It is the responsibility of the parent to maintain current phone numbers on file in the school office.**

**Please note that only 4 Parent Contacts (parent signed excuse) per semester will be accepted as and excused absence.**

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

Within 3 days of returning to school, a student absent for more than 3 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. Otherwise, the student's absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

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

[See policy FEC(LOCAL).]

## **Participation in School Activities the Day of Absence**

Any student who is scheduled to participate in a school-sponsored activity (practice or competition) must be in regular attendance for four academic periods at the middle school prior to departure on the day of the scheduled activity unless the student is under the care of a health care official. In such cases, the student must inform the sponsor prior to the close of the school day or the announced time for departure to participate in the activity. Failure to comply with this policy will result in disallowing the student to make the trip and restricting the student from participating in the activity. The sponsor directly in supervision will check the record of attendance for all students in their charge on the day of the activity. Students who are participating in extracurricular events that are ineligible to participate due to the absence in the school are eligible to attend that game or performance. The principal may consider extenuating circumstances.

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

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

## **ACADEMIC PROGRAMS**

The school counselor provides students and parents' information regarding academic programs to prepare for higher education and career choices. [For more information, see **Academic Counseling** on page 44 of this handbook and policies at EIF.]

## **Accountability under State and Federal Law (All Grade Levels)**

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

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;
- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA; and
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

This information can be found on the district's website at [www.chinaspringisd.net](http://www.chinaspringisd.net). Hard copies of any reports are available upon request to the district's administration office.

TEA also maintains additional accountability and accreditation information at [TEA Performance Reporting Division](#).

## **ANNOUNCEMENTS**

Announcements will be made daily. It is the student's responsibility to listen and to be aware of information contained in the announcements. Announcements should be submitted to the office by 8:30 a. m. the day before the announcement is to be made and must be signed by an adult sponsor. In compliance with state law, the school instructional day will not be interrupted by spot announcements.

### **Bullying (All Grade Levels)**

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 by 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, or any other internet-based communication tool.

The district is required to adopt policies and procedures regarding:

- 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;
- 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
- 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.

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

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct. 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. A student may anonymously report an alleged incident of bullying by utilizing the China Spring ISD See Something, Say Something on the China Spring ISD district website, [www.chinaspringisd.net](http://www.chinaspringisd.net).

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action and may notify law enforcement in certain circumstances. 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 these individuals, as well as to any students who have been identified as witnesses to the bullying.

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

Upon the recommendation of the administration, the board may transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the board may transfer the student to another campus in the district. The parent of a student who has been determined by the district to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See **Safety Transfers/Assignments** on page 30.]

A copy of the district's policy is available in the principal's office, superintendent's office, and on the district's website, and is included at the end of this handbook in the form of an appendix. Procedures related to reporting allegations of bullying may also be found on the district's website.

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

[See **Safety Transfers/Assignments** on page 30, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 45, **Hazing** on page 58, policy FFI, the district's Student Code of Conduct, and the district improvement plan, a copy of which can be viewed in the campus office.]

### **Celebrations (All Grade Levels)**

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

[See **Food Allergies** on page 62.]

### **Child Sexual Abuse and Other Maltreatment of Children(All Grade Levels)**

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

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

A child who has experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of

physical abuse and neglect, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you.

Parents, if your child is a victim of sexual abuse or other maltreatment, the school counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (DFPS) also manages early intervention counseling programs. [To find out what services may be available in your county, see [Texas Department of Family and Protective Services, Programs Available in Your County.](#)]

Be aware that children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See **Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)** on page 45.]

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

- [Child Welfare Information Gateway Factsheet](#) (pdf)
- [KidsHealth, For Parents, Child Abuse](#)
- [Texas Association Against Sexual Assault, Resources](#)

Reports of abuse or neglect may be made to:

The CPS division of the DFPS (1-800-252-5400) or on the web at [Texas Abuse Hotline Website](#).

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

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

[See **Schedule Changes** on page 76 for information related to student requests to revise their course schedule.]

### **Communications—Automated**

#### **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 purpose may include early dismissal or delayed opening because of severe weather or another emergency, or if the campus must restrict access due to a security threat. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

[See **Safety** on page 75 for information regarding contact with parents during an emergency situation.]

#### **Non-emergency**

Your child's school will request that you provide contact information, such as your phone number and email address, for the school to communicate items specific to your child, your child's school, or the district. If you consent to receive such information through a landline or wireless phone, please ensure that you notify the school's administration office immediately upon a change in your phone number. The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or email communications that are closely related the school's mission, so prompt notification of any change in contact information will be crucial to maintain timely communication with you. Standard messaging rates of your phone carrier may apply. If you have specific requests or needs related to how the district contacts you, please contact your child's principal. [See **Safety** on page 75 for information regarding contact with parents during an emergency.]



## **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 handled so easily, the board has adopted a standard complaint policy at FNG(LOCAL) in the district's policy manual, available on the district's website at [www.chinaspringisd.net](http://www.chinaspringisd.net). A copy of the complaint forms may be obtained in the principal's or superintendent's office [www.chinaspringisd.net](http://www.chinaspringisd.net).

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

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

### **Applicability of School Rules**

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

### **Campus Behavior Coordinator**

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The campus behavior coordinator at China Spring Middle School is listed below:

- Brooke Bartee

### **Consequences for Misbehavior**

Morning, lunch, and after school detentions are used as a disciplinary measure. Parents are notified when a student is assigned detention.

The In School Suspension (ISS) program is an alternative educational placement used as a disciplinary measure. Students assigned to ISS will be given class assignments to complete and will be expected to follow a very structured schedule. ISS for Middle School students is held in the ISS room at the high school campus. Students are walked to the ISS room in the morning. Parents are notified when a student is assigned ISS.

Out of School suspension may be assigned by the principal or designee. A student could be required to stay away from the campus for a period of time from one to three days. During that time, the student is responsible for any assigned academic work.

China Spring ISD has implemented an alternative school for the district. Information regarding the location of the facility can be provided by the principal upon request. This school will house students that commit offenses requiring placement in an alternative educational setting or who have exhausted all campus disciplinary actions. Transportation will not be provided for alternative school students. This is not an inclusive list but provides an overview of some of the consequences that can be assigned by the principal or designee.

### **Deliveries**



## Social Events

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

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

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

## DANCES

In order to attend any school sponsored dance a student must meet the following stipulations:

- Must be a currently enrolled CSMS student (**No students from other schools allowed**).
- A student must attend school a **minimum of four academic periods** the day of the dance.
- Dress code will be enforced (unless themed dance, ex: Halloween where costumes are allowed).
- Students are not allowed to leave the dance before it is over. If a student needs to leave before the dance is over, the Principal/Assistant Principal will make sure the student leaves with his/her parent.
- If a student is asked to leave the dance (ex: discipline reasons), a parent must come and pick up the student. The student will not be allowed to stay until the end.
- Students with severe discipline/grade issues are not allowed to attend unless approved by CSMS administration.
- CSMS administration will monitor all dances.

## 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**

### **Middle School Grade Levels**

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

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

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

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, emotional or mental health issues, or substance abuse. A student who wishes to meet with the school counselor should contact Mrs. Sue Brooke Bartee. 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.

[See **Substance Abuse Prevention and Intervention** on page 81, **Suicide Awareness and Mental Health Support** on page 81, and **Child Sexual Abuse and Other Maltreatment of Children and Dating Violence** on page 40.]

### **Credit by Examination**

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

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

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

If a student is granted approval to take an examination for credit, the student must score at least 70 on the examination to receive credit for the course or subject.

[For further information, see the school 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 take an examination to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The examinations offered by the district are approved by the district's board of trustees. The dates on which examinations are scheduled during the 2020–21 school year will be published in appropriate district publications and on the district's website. The only exceptions to the published dates will be for any examinations administered by another entity besides the district or if a request is made outside of these time frames by a

student experiencing homelessness or by a student involved in the foster care system. When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific examination only once.

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. [For further information, see policy EHDC.]

### **Students in Grades 6–12**

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

### **Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)**

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

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

#### **Dating Violence**

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

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

#### **Discrimination**

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

## **Harassment**

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

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

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

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

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

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

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

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

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

## **Retaliation**

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

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

## **Reporting Procedures**

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

Upon receiving a report of prohibited conduct as defined by policy FFH, the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined by that policy. If not, the district will refer to policy FFI to determine if the allegations, if proven, would constitute bullying, as defined by law and that policy. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying as defined by law and policy FFI, an investigation of bullying will also be conducted. [See **Bullying** on page 38]

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**

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

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

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

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

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

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

## **Discrimination**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 45.]

## **Distance Learning All Grade Levels**

Distance learning and correspondence courses include courses that encompass the state required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, Internet, video-conferencing, and instructional television. The distance learning opportunities that the district makes available to district students are Correspondence Coursework through Texas Tech Online High School (Paid for by the parents) and the Texas Virtual School

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

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

The Texas Virtual School Network (TXVSN) has been established by the state as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TXVSN to earn course credit for graduation. Depending on the TXVSN course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [See Extracurricular Activities, Clubs, and Organizations on page 53.] In addition, for a student who enrolls in a TXVSN course for which an end-of-course (EOC) assessment is required, the student must still take the corresponding EOC assessment. If you have questions or wish to make a request that your child be enrolled in a TXVSN course, please contact the school counselor. Unless an exception is made by the campus principal, a student will not be allowed to enroll in a TXVSN course if the school offers the same or a similar course. A copy of policy EHDE will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the campus principal.

### **Distribution of Literature, Published Materials, or Other Documents (All Grade Levels)**

#### **School Materials**

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

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

#### **Non-school Materials**

##### **From Students**

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

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

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

[See FNG(LOCAL) for student complaint procedures.]

##### **From Others**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA.



To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the campus principal for prior review. The campus principal will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at DGBA or GF.]

The campus principal has designated the middle school office as the location for approved non-school materials to be placed for voluntary viewing or collection.

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

### **Dress and Grooming (All Grade Levels)**

The district's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards, prepare students for the workforce, and teach respect for the educational environment. School is a place of business, not a social club. Therefore, the dress and grooming of a student should reflect the serious intent of one who is going to work with an important job to do. Accordingly, dress and grooming standards should promote a businesslike atmosphere that is comfortable, but not too casual, free from disruption, easily enforced by teachers and administrators so as not to take away from instruction, and easily self-monitored so that students and parents can ensure that the standards are met prior to the student coming to school. The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interfere with normal school operations. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

1. Clothing should be worn for the purpose for which it was designed.
2. Articles of clothing with suggestive writing or pictures, or inappropriate advertising, slogans, or symbols are prohibited.
3. Students will not wear or have in their possession items that are inappropriate for school.
4. Any clothing which may relate to gang symbols is prohibited.
5. Shoes must be worn at all times. House shoes, cleated shoes, or any shoes that mark or damage floor coverings, are not allowed.
6. Caps, hats, visors, and sunglasses are not to be worn inside school buildings.
7. Hemlines on all dresses, skirts, and shorts must not be shorter than mid-length (typically no shorter than 7" inseam).
8. Pants may not have holes above mid-thigh length. No sagging pants are allowed.

9. Tights, leggings, or spandex may only be worn with a shirt, skirt, dress, or shorts that cover both the front and the back (no sheer panels; no skin may show through).
10. Jackets or coats must not be longer than mid-thigh length.
11. Tank tops (less than two inches wide on the shoulder strap), halters, midriff tops, tube tops are not allowed.
12. Open knit or unlined fishnet jerseys are not allowed unless they are worn over a T-shirt or blouse, or completely covered with a jacket.
13. Shirts with sleeves cut out are not allowed.
14. Excessively tight or baggy clothing are not allowed.
15. All undergarments must be covered.
16. Students' hair must be clean, neat, and well-groomed. Hairstyles must not obstruct the student's vision or a view of the student's face. Unnatural colors are not allowed.
17. Piercing for the ear(s) and a single stud in the nose are allowed. Any other visible body piercings, including gauges, are not allowed.
18. Visible tattoos or fake tattoos are not allowed. Tattoos or fake tattoos must be covered while attending school.
19. No blankets may be brought to school and worn around the student's body.
20. No facial hair allowed.

#### SECONDARY-SPECIFIC GUIDELINES

1. Girls must wear bras.
2. Tops which reveal cleavage or midriff are not allowed.

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

The Board of Trustees delegates to the campus principal the authority to make final determinations as to whether clothing or grooming is or is not within this Code. The ruling of the campus principal regarding compliance/noncompliance with this Code and corresponding consequences assigned for violation for the Code is final and may not be appealed to the Superintendent, his/her designee, or the Board.

### **Electronic Devices and Technology Resources (All Grade Levels)**

#### **Google Apps for Education**

The district employs Google Apps for Education and Google Classroom to provide district-wide email for students and staff and provide a virtual classroom environment. These services are deemed necessary for district functions. **A parent signature on the acknowledgement form in the Student Handbook serves as record that you grant consent for your child to use these services under school district supervisor.**

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

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

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

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The student or parent may pick up the confiscated telecommunications device from the principal's office for a fee of \$5 and \$15 for each time after the first confiscation.

**The use of mobile telephones or any device capable of capturing images is strictly prohibited in the 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 parent will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 96 and policy FNF.]

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

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

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

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 96 and policy FNF.]

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

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

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

## Acceptable Use of District Technology Resources

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

## Unacceptable and Inappropriate Use of Technology Resources

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

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

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

## English Learners (All Grade Levels)

A student who is an English learner is entitled to receive specialized services from the district. To determine whether the student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be formed, which will consist of both district personnel and at least one parent representative. The student's parent must consent to any services recommended by the LPAC for an English learner. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at **Standardized Testing** on page 80, may be administered to an English learner for a student up to grade 5. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

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

## **Extracurricular Activities, Clubs, and Organizations (All Grade Levels)**

Participation in school-sponsored activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships.

Some extracurricular activities may include off-campus events. Students are required to use transportation provided by the district to and from the events. Exceptions may only be made with the approval of the activity's coach or sponsor. [See **Transportation 82**]

Eligibility for many of these activities is governed by state law and the rules of the University Interscholastic League (UIL), a statewide association overseeing interdistrict competition. If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students and parents can access the UIL Parent Information Manual at [UIL Parent Information Manual](#). A hard copy can be provided by the coach or sponsor of the activity on request.

To report alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or [curriculum@tea.texas.gov](mailto:curriculum@tea.texas.gov).

[See [UIL Texas](#) for additional information on all UIL-governed activities.]

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

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an Advanced Placement (AP) or International Baccalaureate (IB) course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or languages other than English—may not participate in extracurricular activities for at least three school weeks.
- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student is allowed in a school year up to 12 absences not related to post-district competition, a maximum of 5 absences for post-district competition prior to state, and a maximum of 2 absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

## **Standards of Behavior**

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a

violation of school rules, the consequences specified by the Student Code of Conduct or by board policy will apply in addition to any consequences specified by the organization's standards of behavior.

## **Fees (All Grade Levels)**

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student health and accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles** on page 82.]
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TXVSN).

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

Class dues for the purpose of the 8th grade field trip taken at the end of the students 8th grade year will be collected in August during registration. Class Dues/Class Fees are **NOT** required to be paid to complete the registration process. However, they

must be paid prior to their need by your student to participate in the activity. Collecting them before school starts is just a convenience for parents and school staff. The dues should be paid as follows:

- 7th Grade- \$10
- 8th Grade- \$10

### **Fundraising (All Grade Levels)**

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes in accordance with administrative regulations. [For further information, see policies FJ and GE.]

### **Gang-Free Zones (All Grade Levels)**

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

### **Gender-Based Harassment**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 45.]

### **Grading Guidelines (All Grade Levels)**

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

[See **Report Cards/Progress Reports and Conferences** on page 74 for additional information on grading guidelines.]

### **GRADE CLASSIFICATION**

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

<b>Credits Earned</b>	<b>Classification</b>
Promotion	Grade 7
Promotion	Grade 8
Promotion	Grade 9
5	Grade 10 (Sophomore)
10	Grade 11 (Junior)

## Grading Guidelines

Grades in all subjects and classes shall be reported to parents and students at the end of each six weeks period. Grades will be reported to parents numerically. In grades 7 – 8, achievement is reported to parents as:

90-100 = A 80-89 = B 75-79 = C 70-74 = D 69 - below = F

At the end of the first three weeks of a grading period, the school district shall provide (by way of the student) a notice of progress to the parent of the student whose grade average in any class is failing or in danger of failing. The parent is to sign both the three-week progress report and the six-week report card and return it to the teacher (by way of the student).

Conduct grades are reported to parents as:

Excellent = E Satisfactory = S Needs Improvement = N Unsatisfactory = U

## Retesting Procedures

In order to qualify for retesting, the student must have made below a 70 on the original testing opportunity. The grade on the retest may result in a grade no higher than 70. The retest grade will stand alone (the grade will not be averaged with the original grade, but the higher of the two grades will be recorded). Retesting may occur immediately following re-teaching or may be incorporated within later tests. All retests must be comparable in content and format to the original examination. Retests will not generally be allowed for final semester examinations unless there are extenuating circumstances that have been approved or identified by the building principal to allow for retesting. A test can only be retaken once.

Advanced Tier courses receiving weighted credit are not required to offer retesting.

## Incomplete Grades

When a student receives an "I" on his/her report card, it is an indication that certain required work had not been completed before the report card was sent home. Generally speaking, this is the result of absence and/or failure to turn in assignments or take examinations. The student will be ineligible for extracurricular activities until the "I" is removed. The incomplete must be cleared by the student before the Friday after report cards are distributed or the student will remain ineligible until the next three week reporting period. The work to remove an "I" (incomplete) from the report card should be finished and handed to the teacher as soon as possible. Incomplete items not submitted by the next grade reporting period (three weeks) will become zeros.

## Late Work

In an effort to establish a policy to deter students from turning work in late, the following guidelines will be followed in regard to late assignments for **all classes**.

1. One day late- Twenty-five (25) point grade reduction.
2. Two days late- Fifty (50) point grade reduction **if accepted by the teacher.**
3. Teachers will drop the **lowest (homework/daily)** grade each six weeks before averaging grades.

Teachers have the discretion to accept late work without grade reduction based on individual conferences, agreements, and/or arrangements made with the student and his/her parent. Deadline to accept late work past two days is established by the individual teacher.



## **Make Up Work Due to Absences**

Students absent for any reason are encouraged to make up specific assignments missed assigned by the teacher to meet subject or course requirements. 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. Generally a student has one day to make up work for everyday he/she is absent (ex: two days absent = two days to make up work).

A student absent only one day should turn in any assignment the day he/she returns if the assignment was due the day he/she was absent. If a student has been notified in advance of a test date and is then absent on the test date, the teacher may require the test to be taken the day the student returns to school. When a student is to be absent for three or more days, parents may call the CSMS office to arrange for assignments. If a call for assignments is made first thing in the morning, assignments will be ready for pick up after school.

## **Harassment**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 45.]

## **Hazing (All Grade Levels)**

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; an
- 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.

[See **Bullying** on page 38 and policies FFI and FNCC.]

## **HEALTH-RELATED MATTERS**

### **Communicable Diseases**

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.

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

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

A parent should contact the school nurse if a student has been diagnosed with COVID-19 or may have COVID-19.

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

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

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

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

### **CSISD Health Services**

It is the goal of CSISD Health Services to provide an environment that is as conducive to learning and health as possible. In order to provide this type of environment, it is necessary to use the following guidelines.

**Your child could be sent home or should remain at home if they exhibit the following symptoms:**

- Fever of 100 degrees or more
- Vomiting or diarrhea
- Persistent cough
- Undiagnosed rash
- Open or draining lesions
- Inflamed, itchy, and /or draining eyes
- Presence of live lice in the hair
- Suffering from a reportable disease, as defined by the Texas Board of Health
- Undiagnosed scaly patches on the body or scalp
- Any symptom or condition not listed is at the discretion of the School Nurse.

A student may return to school after being excluded from a communicable disease by submitting a physician's note stating that the student does not currently have signs or symptoms of a communicable disease or that the disease is not communicable in a school setting.

**Parents of students with a communicable or contagious disease are asked to notify the school nurse's office.**

### **Fever**

If your student has a temperature of 100 or greater, please keep them at home. If your student experiences high fever please allow them to stay at home until they have been fever free for 24 hours. Students will be sent home if they present with 100 degrees or more of temperature.

### **Vomiting**

Please have your student stay at home if they vomit during the night.

### **Diarrhea**

Episodes of diarrhea, whether infectious or noninfectious, are a source of E-Coli which could be transmitted quickly and with consequences in a communal environment. An isolated incident, that is properly maintained and contained, and is not recurring and no other symptoms are present, could allow a student to remain in a classroom setting. The student should not exhibit and any other symptoms or present with and elevated temperature in order to remain in school. However, when a student experiences multiple episodes of diarrhea (3-4 loose stools), there are health concerns which exist for the student, classmates, and the caregivers. When such instances occur, the parents of the student will be asked to keep their student at home until he/she is without further episodes for 24 hours.

### **Bacterial Infections**

If your student has been prescribed an antibiotic for illnesses such as strep or pink eye, please allow them to complete 24 hours of antibiotic treatment before returning to school.

### **Conjunctivitis**

Both "pink eye" and allergic conjunctivitis present with red (Pink eye) itchy, watery eyes. However, when a bacterial infection is present, the eyelids are often swollen and red: the discharge is purulent and causes a crust to form during the night. A person will often complain of itching, burning, and pain. When these symptoms are present, the student must be excluded from school until the condition has been under a physician's treatment for 12-24 hours. The eye must not be patched. It is advised that bed linens be changed and washed in hot water.

### **Dehydration**

Students are allowed and encouraged to drink plenty of water throughout the school day. Students may bring water bottles and/or clear containers to the classroom as long as they do not become a distraction to the educational environment. Water is the only permissible substance that can be brought into the classroom. Students must understand that the contents of their water bottle and/or containers may be searched at any time.

### **Strep Throat**

Strep throat will often present as a severe sore throat not preceded by nasal drainage. It is common for the individual to have a high fever, complain of neck pain or a stomach ache and generally feels very ill. When these symptoms are present, the student must be excluded from school until the condition has been under a physician's treatment for 12-24 hours.

### **Flu**

The student will present with fever, headache, sore throat, and cough, chills, stomachache, and muscle aches. Flu is spread by coughing, sneezing, and any direct contact with nose or throat discharges. It is also airborne. Flu may last 2-7 days. The student should be kept at home until the symptoms and fever subside.

### **Viral Meningitis**

The student will present with sudden onset of fever, headache, usually with some vomiting. The student may return to school when the fever subsides. With Bacterial Meningitis, the student will experience a sudden onset of high fever, headache, and a

stiff neck, usually with some vomiting. The student must have written permission from the doctor to return to school. Family members and close contacts may be treated prophylactically.

### **Hepatitis A**

Hepatitis A presents with nausea, vomiting, headache, fever, chills, and abdominal discomfort. The symptoms may last 3-7 days or for 3 weeks with jaundice. Students should be kept at home until symptoms subside. Vaccine is available.

### **Hepatitis B**

Students will experience nausea, abdominal discomfort, malaise, enlarged tender liver, and jaundice. Vaccine is state mandated in Texas.

### **Chicken Pox**

Students will present with fever and rash consisting of blisters that may appear first on the head then spread to the body. Students are excluded from school until blisters have crusted over. Vaccine is available.

### **Fifth Disease**

Students will present with redness of the cheeks (“slapped face appearance”) and body. There may be a low grade fever and students should be excluded until fever subsides.

### **Pertussis**

Pertussis presents with a low grade fever, runny nose, and cough that may last 2 weeks, followed by a paroxysmal coughing spell a “whoop” on inspiration. Students should be excluded until the completion of 5 days of antibiotic therapy.

### **Head 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.

The district does not require or recommend that students be removed from school because of lice or nits.

If careful observation indicates that a student has head lice, the school nurse will contact the student’s parent 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 lice from returning.

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

State law requires the district to provide information about bacterial meningitis:

#### **What is meningitis?**

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is common, and most people recover fully. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

#### **What are the symptoms?**

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

Children (over 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

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

### **How serious is bacterial meningitis?**

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

### **How is bacterial meningitis spread?**

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. They are spread when people exchange respiratory or throat secretions (such as by kissing, coughing, or sneezing).

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

### **How can bacterial meningitis be prevented?**

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

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

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

You should seek prompt medical attention.

### **Where can you get more information?**

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the websites for the [Centers for Disease Control and Prevention](#) (CDC), particularly the CDC's information on [bacterial meningitis](#), and the [Texas Department of State Health Services](#).

**Note:** DSHS requires at least one meningococcal vaccination on or after the 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.

[See **Immunization** on page 66 for more information.]

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

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

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

[See policy FFAF and **Celebrations** on page 39.]

### **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;
- 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 FFEB for more information.]

For related information, see:

- **Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service** on page 19 for the district's procedures for recommending a mental health intervention and the mental health liaison's contact information;
- **Counseling** on page 43 for the district's comprehensive school counseling program;
- **Physical and Mental Health Resources** on page 64 for campus and community mental and physical health resources; and
- **Policies and Procedures that Promote Student Physical and Mental Health** on page 64 for board-adopted policies and administrative procedures that promote student health.

## **Physical Activity Requirements**

### **Middle School**

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in middle or junior high school will engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters.

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

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

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

### **Physical and Mental Health Resources (All Grade Levels)**

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

- The China Spring Middle School full-time nurse, Mrs. Ashley Havard, at 254-836-4611.
- The China Spring Middle School full-time school counselor, Mrs. Sue Brooke Bartee, at 254-836-4611.
- The local public health authority, Waco-McLennan Health District, which may be contacted at 225 W Waco Dr., Waco, TX 76707 (254)750-5450.
- The local mental health authority, Heart of Texas MHMR Klaras Center for Families, which may be contacted at 1105 W. Jefferson Ave., Waco, TX 76701 (254) 752-7889.

## **Policies and Procedures that Promote Student Physical and Mental Health (All Grade Levels)**

Policies and Procedures that Promote Student Physical and Mental Health 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 [www.chinaspringisd.net](http://www.chinaspringisd.net)

- 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. The district has developed administrative procedures as necessary to implement the above policies and plans. Please contact the Deputy Superintendent, Dr. Kevin Pitts, at (254) 836-1115 for further information regarding these procedures and access to the District Improvement Plan.

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

During the preceding school year, the district's School Health Advisory Council (SHAC) held meetings. Additional information regarding the district's SHAC is available from Dr. Kevin Pitts, Deputy Superintendent.

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

[See policies at BDF and EHAA. See **Human Sexuality Instruction** on page 23 for additional information.]

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

China Spring ISD is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement the policy. You are encouraged to contact Dr. Kevin Pitts with questions about the content or implementation of the district's wellness policy and plan.

### **Other Health-Related Matters**

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



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

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

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off-campus school-related activity. The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school property and at school-sponsored and school-related activities. If a student is found to be in possession of an e-cigarette device, or using an e-cigarette device, the student(s) will be placed in the China Spring ISD Alternative campus. [See the Student Code of Conduct and policies at FNCD and GKA.]

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

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district’s Asbestos Management Plan is available in the superintendent’s office. If you have any questions or would like to examine the district’s plan in more detail, please contact Dr. Kevin Pitts, the district’s designated asbestos coordinator, at 254-836-1115

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

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

All pesticides used are registered for their intended use by the 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 Dr. Kevin Pitts, the district’s IPM coordinator, at 254-836-1115.

**Students who are Homeless (All Grade Levels)**

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

For more information on services for homeless students, contact the district’s homeless education liaison, Dr. Kevin Pitts, at 254-836-1115

[See **Students Who Are Homeless** on page 31.]

**Homework (All Grade Levels)**

Homework shall be used to support, enrich, or reinforce topics covered in class and should satisfy at least one of the following objectives:

- To provide a drill that helps the student practice the basic skills of a subject.
- To give students practice and extension of concepts learned in class.
- To extend learning beyond the material that can be covered in class.
- To develop effective study methods.
- To help the student prepare for classroom work.
- To allow student to make up work after absences.
- To provide a means of re-teaching TEKS--Texas Essential Knowledge and Skills.

Parents are responsible for ensuring that their child does the homework assigned each day. Regular monitoring of the homework provides a good overview of how and what the student is doing in various subjects. Homework provides a regular channel of communication between the parent and the teacher. To avoid grade reductions students are responsible for making arrangements with each teacher for any extenuating circumstance.

## Illness

[See **Student Illness** under **Health-Related Matters** on page 59.]

## Immunization (All Grade Levels)

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the district. This form may be obtained online at [Affidavit Request for Exemption from Immunization](#) or 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; measles, mumps, and rubella; polio; hepatitis A; hepatitis B; varicella (chicken pox); and meningococcal. The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by TDSHS. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. registered and licensed physician stating that, in the doctor's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or 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**, 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 or other vaccination requirements.

[For further information, see policy FFAB(LEGAL) and the DSHS website: [Texas School & Child Care Facility Immunization Requirements](#).]

## Law Enforcement Agencies (All Grade Levels)

## **Questioning of Students**

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

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

## **Students Taken into Custody**

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

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation.
- 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.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety.
- To comply with a properly issued directive 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 will verify the officer's identity and, to the best of his or her ability, will verify the official's authority to take custody of the student.

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

## **Notification of Law Violations**

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.

- All instructional and support personnel who have regular contact with a student who is thought to have committed certain offenses or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors that occur in school, on school property, or at a school-sponsored or school-related activity on or off school property. These personnel will also be notified if the principal has reasonable grounds to believe the student has engaged in certain conduct.
- All appropriate district personnel regarding a student who is required to register as a sex offender.

[For further information, see policy GRAA(LEGAL).]

### **Leaving Campus (All Grade Levels)**

Please remember that student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a student 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 district has put the following procedures in place to document parental consent:

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

### **During Lunch**

China Spring Middle School is a closed campus. Under this policy students are not to leave the campus during lunch hours without checking with the principal or designee. Students who leave campus without permission will be punished accordingly. In order to leave campus, a student must be signed out in the front office by his/her parent/guardian.

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

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

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

### **Lost and Found (All Grade Levels)**

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

### **Makeup Work**

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

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

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

A student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time, including absences for extracurricular activities, so that the teacher and student may plan any work that can be completed before or shortly after the absence. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold regarding the state laws surrounding “attendance for credit or final grade.” [See **Attendance for Credit** on page 35.]

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.

#### **DAEP Makeup Work Middle School Grade Levels**

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

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

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

## Medicine at School (All Grade Levels)

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

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

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

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

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

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

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

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

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

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

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

## Psychotropic Drugs

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

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

### **Nondiscrimination Statement (All Grade Levels)**

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

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: Dr. Kevin Pitts, Deputy Superintendent, 12166 Yankie Rd., 254-836-1115. 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, the Title IX Coordinator will promptly respond in accordance with the process described at 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: Mrs. Lisa Howard, Executive Director of Special Programs, 12166 Yankie Rd., 254-836-1115.
- For all other concerns regarding discrimination, see the superintendent, Dr. Marc Faulkner, 12166 Yankie Rd., 254-836-1115.

[See policies FB, FFH, and GKD for more information.]

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

#### **Working Together**

Both experience and research tell us that a child's education succeeds best when there is good communication and a strong partnership between home and school. Your involvement 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 44.]
- 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 25-836-4611 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 74.]
- Becoming a school volunteer. [For further information, see policy GKG and **Volunteers** on page 86.]
- Participating in campus parent organizations. Parent organizations include: China Spring Middle School PTA.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. [For further information, see policies at BQA and BQB, and contact campus principal.]
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction and other wellness issues. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council (SHAC)** on page 46.]
- Being aware of the school's ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

## **Physical Examinations / Health Screenings**

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

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

This examination is required in the first year of middle school competition and the first and third years of high school competition. During the alternate years, the student must complete a medical appraisal form, and the results of this appraisal may prompt the district to require a physical examination.

### **Spinal Screening Program**



School-based spinal screening helps identify adolescents with abnormal spinal curvature and refer them for appropriate follow-up by their physician. Screening can detect scoliosis at an early stage, when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities.

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 in 5th and 8th grade. For information on spinal screening by an outside professional or exemption from spinal screening based on religious beliefs, see policy FFAA(LEGAL) or contact the superintendent.

Spinal screening is non-invasive and conducted following the most recent, nationally accepted and peer-reviewed standards for spinal screening.

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

- Vision and hearing screenings will be conducted on all students in grades Pre-K, K, 1st, 3rd, 5th, 7th as well as all students who are new to Texas Public Schools. Students, parent/guardian, and teachers may request a screening anytime during the school year. If problems are found a parent/guardian will be notified by letter, phone, or e-mail.
- Fitness testing will be given at all grade levels.

[See policy FFAA.]

### **Pledges of Allegiance and a Minute of Silence (All Grade Levels)**

Each school day, students will recite the Pledge of Allegiance to the U.S. 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 24.]

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

[See policy EC for more information.]

### **Prayer (All Grade Levels)**

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

### **Promotion and Retention**

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

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**

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 course that earns high school credit and for which an end-of-course (EOC) assessment will be administered, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. 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 grades 3-8 shall be assessed at least once in high school with the ACT or the SAT if the student completes the high school end-of-course assessments in mathematics, reading/language arts, or science prior to high school.

[See **Standardized Testing page 80.**]

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

Certain students—some with disabilities and some 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.

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

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

## **Remote Instruction**

The district may offer remote instruction when authorized by TEA.

All district policies, procedures, guidelines, rules, and other expectations of student behavior will be enforced as applicable in a remote or virtual learning environment.

## **Release of Students from School**

[See **Leaving Campus** on page 67.]

## **Report Cards / Progress Reports and Conferences (All Grade Levels)**

Report cards with each student's grades or 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 if their child's performance in any course/subject area is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** on page 71 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the principal pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL) and **Grading Guidelines** on page 56.]

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

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

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 2 days. The district may use an electronic program to communicate academic information about your child, including for report card and progress reporting purposes. An electronic signature of the parent will be accepted by the district, but you are entitled to request the option to provide a handwritten signature of acknowledgment instead.

## **Retaliation**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 45.]

## **Safety (All Grade Levels)**

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

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

- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

## **Accident Insurance**

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

## **Insurance for Career and Technical Education (CTE) Programs**

The district may purchase accident, liability, or automobile insurance coverage for students and businesses involved in the district's CTE programs.

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

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

## **Emergency Medical Treatment and Information**

All parents are asked each year to complete an emergency care authorization consent form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

The district may consent to medical treatment , which includes dental treatment, if necessary, for a student if:

- The district has received written authorization from a person having the right to consent;
- That person cannot be contacted; and
- That person has not given the district actual notice to the contrary.

The emergency care authorization form will be used by the district when a student's parent or authorized designee is unable to be contacted. A student may provide consent if authorized by law or court order.

Regardless of parental authorization for the district to consent to medical treatment, district employees will contact emergency medical services to provide emergency care when required by law or when deemed necessary, such as to avoid a life-threatening situation.

## **Emergency School-Closing Information**

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

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. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

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, local radio, campus social media pages, and local TV station. The district will also send out a telephone call informing everyone of school closings, or delay.

[See **Communications-Automated, Emergency** on page 40 for more information.]

## **SAT, ACT, and Other Standardized Tests**

[See **Standardized Testing** on page 80.]

## **Schedule Changes (Middle School Grade Levels)**

Students may select classes that they would like to take during the school year. This process begins in the spring prior to the next school year. The state requires all students take certain classes, but each student may select electives. A parent/guardian signature is required to validate the request.

If for some unforeseen reason or unusual circumstances it becomes apparent that a student should drop a course, it will be considered by the parent, the teacher, and the principal. If they all believe that it would be best for the student and for the class, the student may be allowed to drop the course. The principal will make the final decision.

In extenuating circumstances, changes may be made with permission of the principal or the ARD committee. Courses dropped after the first two weeks of each semester with a failing average will cause a student to be ineligible for the next six week period.

Students are encouraged to make their class choices carefully during spring pre-registration. Changes to the schedule after registration will be limited. Students may change their schedules, with written approval from the parent, only through the tenth class day in a semester. **AFTER THE 10TH CLASS DAY, NO CHANGES WILL BE ALLOWED UNTIL MID-TERM WITHOUT THE APPROVAL OF THE CAMPUS PRINCIPAL.** Many classes will be filled by registration restricting the number of changes that can be made. The principal or counselor must approve changes. The teacher may also be consulted. Students may not add a different course after the 10th day of classes. A parent must also approve changes that involve changing graduation plans or dropping core classes.

## **School Facilities**

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

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

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

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

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

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

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

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

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

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

Free and reduced-price meals are available based on financial need or household situation. Information about a student's participation is confidential. The district may share information such as a student's name and eligibility status to help enroll eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent notifies the district that a student's information should not be disclosed. Participating students will be offered the same meal options as their peers and will not be treated differently from their peers.

See the middle school front office to apply for free or reduced-price meal services.

Parents are strongly encouraged to continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student will be allowed to continue purchasing meals according to the grace period set by the school board, and the district will present the parent with a schedule of repayment for any outstanding account balance and an application for free or reduced meals. If the district is unable to work out an agreement with the student's parent on replenishment of the student's meal account and payment of any outstanding balance, the student will receive a meal. The district will make every effort to avoid bringing attention to the student.

## **Library (All Grade Levels)**

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use during the following times with a teacher permit:

1. The library is open each school day from 7:30 a.m. to 3:30 p.m. except during the librarian's lunch period.
2. All books will circulate for two weeks unless marked otherwise. Encyclopedias and large dictionaries will not circulate outside the library. Newspaper and magazines will not circulate outside the library.
3. **IMPORTANT:** Period books must be checked in at the end of the period in which they are checked out.
4. A student may have a maximum of two books checked out at one time unless approved by the librarian.
5. Fines for books kept overtime are 10¢ per day. Fines must be paid before the student is allowed to check out another book.
6. Any articles used must be replaced in the library. Pupils will be fined for failure to replace such articles.
7. Students must remain quiet at all times. The library is a place for study, not for visiting.
8. All books must be checked out before being taken from the library.
9. Teachers must inform the librarian which books should be reserved as period books (those checked out for the period).
10. Students should help keep the library clean, neat, and attractive by taking care of furniture, books, and magazines.

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

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

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

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

## **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.

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.

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

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may occasionally conduct searches.

District officials may conduct searches of 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, voluntary consent, or pursuant to district policy providing for suspicionless 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.

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

The district will 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.

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

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

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

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

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

The purpose of the China Spring ISD mandatory drug testing program is to insure the health and safety of our students and to serve as a deterrent to the use of drugs by those students. It is recognized that drug abuse is a major health problem in adolescents across this country. By participating in the drug testing program, the student will be subjected to the risk of detection and its consequences to help offset the ordinary pressures concerning drug abuse.

Implementing is intended for the students that we do care about them as individuals and what they do to their bodies. It is a clear indication that the China Spring Independent school District will not tolerate drug abuse in its extracurricular programs.

This program requires that any student in grades 7-12 desiring to attend or participate in any district extracurricular program, consent to mandatory random drug testing as described in this document in the drug testing program if parental consent is provided.

[See **Steroids page 80.**]

### **Sexual Harassment**

[See **Dating Violence, Discrimination, Harassment, and Retaliation on page 45.**]

### **Special Programs (All Grade Levels)**

The district provides special programs for gifted and talented students, homeless students, students in foster care, bilingual students, migrant students, English learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact counselor.

### **Standardized Testing (Secondary Grade Levels)**

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

##### **Grades 3–8**

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

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8



- Writing, including spelling and grammar, in grades 4 and 7
- Science in grades 5 and 8
- Social Studies in grade 8

Successful performance on the reading and math assessments in grades 5 and 8 is required by law for the student to be promoted to the next grade level, unless the student is enrolled in a reading or math course intended for students above the student's current grade level. Exceptions may apply for students enrolled in a special education program if the admission, review, and dismissal (ARD) committee concludes the student has made sufficient progress in the student's individualized education plan (IEP). [See **Promotion and Retention** on page 73 for additional information.]

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

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

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

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

### **Students in Foster Care (All Grade Levels)**

In an effort to provide educational stability, the district will assist 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) with the enrollment and registration process, as well as other educational services throughout the student's enrollment in the district.

Please contact Mrs. Bianca Martinez, who has been designated as the district's foster care liaison, at 254-836-1771 with any questions.

[See **Students in the Conservatorship of the State** on page 30 for more information.]

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

The district provides students the opportunity to introduce at school assemblies. If a student meets the eligibility criteria and wishes to introduce one of the school events listed above, the student should submit his or her name in accordance with policy FNA(LOCAL)

### **Substance Abuse Prevention and Intervention (All Grade Levels)**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The Texas Department of State Health Services (DSHS) maintains information regarding children's mental health and substance abuse intervention services on its website: [Mental Health and Substance Abuse](#).

### **Suicide Awareness and Mental Health Support (All Grade Levels)**

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please visit [Texas Suicide Prevention](#) or contact the school counselor for more information related to suicide prevention services available in your area.

You may also contact the National Suicide Prevention Lifeline at 1-800-273-8255.

### **Summer School (Middle School Grade Levels)**

Summer school for Middle School students will be provided for China Spring ISD students who fail to meet the requirements to be promoted to the next grade level or, under certain circumstances, for those students that fail to meet the state requirement of 90% class attendance. **In order to be eligible to attend summer school at China Spring ISD, the student must have been enrolled the entire final Six weeks grading period.**

### **Tardies (All Grade Levels)**

A student who is tardy to class by more than 3 times per grading period may be assigned to after school detention or given another appropriate consequence. A student is considered tardy after 8:00 am or after the tardy bell rings. A student is considered absent from 1st period after 8:20 am.

### **Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)**

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

### **Transfers (All Grade Levels)**

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

The superintendent is authorized to investigate and approve transfers between schools.

[See **Safety Transfers/Assignments** on page 30, **Bullying** on page 38, and **Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services** on page 31, for other transfer options.]

### **Transportation (All Grade Levels)**

#### **School-sponsored Trips**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. As approved by the principal, a coach or sponsor of an extracurricular activity may establish procedures related to making an exception to this requirement when a parent requests that the student be released to the parent or to another adult designated by the parent. [See **School-sponsored Field Trips** on page 78 for more information.]

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

The district makes school bus transportation available to all students. This service is provided at no cost to students. **Students can be transported to one of three places (their home, licensed day care facility, or grandparents' home if they go there**

every day). **China Spring ISD does not accept notes stating that a student may ride the bus home with another student.** Bus routes and any subsequent changes are posted at the school. Further information may be obtained by calling Jim Ditto, Transportation Director, at 836-0679 or 836-1115.

See the **Student Code of Conduct** for provisions regarding transportation to the Disciplinary Alternative Education Program (DAEP).

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

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

When students ride in a district van or passenger car, seat belts must be fastened at all times.

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

## **School Bus Rules**

**The following rules apply to regular bus routes, field trips, and extracurricular trips.**

1. The bus driver is in absolute charge at all times.
2. The conduct of the students on the bus is expected to be the same as that demanded in the classroom. Any conduct that is distracting to the driver will not be tolerated.
3. Students must be at the bus stop on time. Buses will **not** be able to wait for riders.
4. Students waiting for the bus to arrive must stand back from the roadway to be protected from traffic and, if necessary, so that the bus may pull off the roadway to load the students.
5. Students must show respect for the rights of others property while on the bus and at the bus stop locations.

6. Students must remain seated at all times while the bus is moving. Students cannot change seats at any time during the bus route without the permission of the bus driver. With the driver's permission, students may only change seats when the bus has stopped.
7. For the protection of everyone on the bus, all students must be seated on their bottom. Standing or riding on the knees is not allowed.
8. Students must not place anything outside of the bus window including arms, hands, head, and any other objects.
9. Each student is responsible for maintaining the cleanliness of the bus. Students who discard trash on the bus must pick it up and place it in the bus' trash can.
10. Profanity, sexual comments, or harassment is unacceptable on the bus.
11. Any act of vandalism which results in the defacing or other damage to a school bus will result in the parents being required to pay for the damage(s). The student's riding privilege will be revoked until the parent pays for the damage(s).
12. Tobacco in any form is not allowed on the bus.
13. Pens and pencils must not be carried on the bus by hand. These items must be in a book bag or a notebook while on the bus.
14. Students must never bring knives or any other sharp/cutting instrument onto the bus. If these items are discovered or displayed; they will be confiscated and given to the campus principal.
15. No items are allowed to be thrown on the bus or out of the bus window.
16. The rear emergency door, emergency roof hatch, and emergency windows of the bus must remain closed unless the driver directs a student to open it or unless an actual emergency occurs.
17. A student suspended from a regular bus route may ride the bus for field trips or extracurricular trips unless the student's behavior on the bus is poor during these trips.
18. Any severe rule infraction, such as fighting, may result in an immediate bus suspension. Other disciplinary action may also be taken by the student's campus principal.
19. Cameras may be used on school buses.
20. Students may take bottled water on the bus.
21. The district's student code of conduct is in effect while riding the school bus.

### **Consequences for Violating Bus Rules**

Students are under the Code of Student Conduct when they are on any school transportation. Any student who violates that code or the established rules of conduct while on school transportation may be denied transportation services and will be disciplined. **A conference with the principal, the student, the transportation director, and the parent(s) may be required. The principal may suspend the student's bus-riding privileges. If so, the parents will be notified prior to the time the suspension takes effect.**

### **China Spring Middle and High School Bus Consequences**

Consequences for bus violations:

- A bus conduct report will be submitted and the student will receive disciplinary action such as detention, ISS, suspension of bus privileges, or other measures deemed appropriate by the administrator. **Campus administration has final say on discipline action.**

In the case of serious misconduct that endangers the safety of other passengers or the driver, the driver has the authority in an emergency to put the student off the bus or to call for law enforcement assistance; the principal and parents will be notified of the situation as soon as possible. The student will not be allowed to ride the bus until a conference involving all persons listed above has been held.

**Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student's Individual Education Plan (IEP) or other individually designed program.**

### **Vandalism (All Grade Levels)**

The taxpayers of the community have made a sustained financial commitment for the construction and upkeep of school facilities. To ensure that school facilities can serve those for whom they are intended—both this year and for years to come—littering, defacing, or damaging school property is not tolerated. Students 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.

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

The district has adopted and implemented the state and federal policies and guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see Jill Sanders at the China Spring Administration Office. [See policies at CO and FFA.]

### **Video Cameras (All Grade Levels)**

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

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

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 your child receives special education services. For more information or to request the installation and operation of this equipment, speak with the principal or Mrs. Lisa Howard, Director of Special Programs, who the district has designated to coordinate the implementation of and compliance with this law.

[See EHBAF(LOCAL).]

[For video and other recording by parents or visitors to virtual or in-person classrooms, see **Consent to Video or Audio Record a Student when Not Already Permitted by Law**].

### **Visitors to the School (All Grade Levels)**

#### **General Visitors**

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and must comply with all applicable district policies and procedures. When arriving on campus, all parents and other visitors should be prepared to show identification.

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

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

[For video and other recording by parents or visitors to virtual or in-person classrooms, see **Consent to Video or Audio Record a Student when Not Already Permitted by Law**].

## **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 entry 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 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 FNG(LOCAL) or GF(LOCAL).

[See the Student Code of Conduct.]

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

### **Business, Civic, and Youth Groups**

The district may invite representatives from patriotic societies listed in Title 36 of the United States Code to present information to interested students about membership in the society.

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

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact Mrs. Sherry Oliver for more information and to complete an application.

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

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

### **Withdrawing from School (All Grade Levels)**

When a student under age 18 withdraws 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.

## **SECTION III: Middle School Policies and Procedures**

### **ADMISSION**

A student (or the student's parent) who wants to enroll in the District should contact the office of the appropriate grade level campus. China Spring Independent School District does not accept transfer students who do not reside within the district boundaries. Any student moving into the China Spring Independent School District who is under suspension or expulsion from another school system shall not be admitted until his or her suspension term has ended in the other district. Questions concerning residency requirements may be addressed to the superintendent.

Students enrolling from something other than an accredited school or who haven't taken a class before enrolling at CSMS:

- Enrolling before the first grading cycle - students will be placed in classes based on their age, parent input, and placement testing.
- Enrolling after the first grading cycle - students will be placed in classes based on their age, parent input, and any educational records (if available).
- Enrolling during the second grading cycle of a semester – a semester average will be calculated based on the 2 cycle grades earned.
- Enrolling during the third grading cycle of the semester – if it is during the first semester of a year-long course, a year average will be obtained by averaging the 4 cycle grades earned; otherwise, no semester or year average will be calculated.

### **ATTENDANCE**

At the Middle School we take attendance every period. A student has to be present every period for the entire period to be counted present for that day. Per our District Attendance Policy only 4 parent notes per semester will be counted as excused absences. Any parent notes beyond 4 per semester will be counted as unexcused.

### **ARRIVAL AT THE MIDDLE SCHOOL**

The school building will be open to students at 7:00 a.m. Students are encouraged to attend tutorials from 7:30 to 7:55 for reinforcement of instruction. Students not attending tutorials will be required to report to the cafeteria. Students will not be permitted to enter the academic hall after 7:40 a.m. The first bell rings at 7:55 a.m. and classes begin at 8:00 a.m.

### **ASSEMBLIES**

A student's conduct in assemblies must meet the same standard as in the classroom. A student who is tardy or who does not follow District rules of conduct during an assembly will be subject to disciplinary action. Students will report quickly to a scheduled assembly just as they would report to class. Absence from assembly will be treated the same as absence from a class.

### **CAFETERIA**

The length of the school lunch period will be thirty minutes. While students are not required to buy lunch in the cafeteria, they may choose to purchase the hot, nutritionally balanced lunch prepared daily. Students may bring their own lunch or purchase milk and other items from the snack bar. Parents are allowed to eat with students. Siblings (with Principal approval) may eat in the conference room if the conference room is available during the lunch period.

While in the cafeteria for breakfast or lunch, students are expected to maintain order so that everyone can go through the line and enjoy the meal. Please observe the following rules:

1. Enter the cafeteria in an orderly manner
2. Keep your place in line, but do not “save places” or get breakfasts/lunches for other students
3. Feel free to talk or visit with friends, but avoid loud talking, loud laughing, or “horse-play”
4. Demonstrate good table manners
5. Keep food and drinks inside the cafeteria
6. Keep passageways open
7. Clean your table and surrounding area when you have finished eating

Students may charge for breakfast or lunch through the Middle School cafeteria. A student may not charge if he/she has two (2) unpaid charges. Students must receive permission to charge their meal from the cafeteria staff prior to picking up their meal. Students who cannot charge a lunch will have an option to receive an alternate lunch.

**Do not bring any food into any building to be eaten except in the cafeteria. There will be NO SHARING of food. Students who bring their lunches must eat in the cafeteria. Do not take food, drinks, or candy out of the cafeteria.**

### **CARE OF SCHOOL PROPERTY**

Students are responsible for the proper use and care of school property. Defacing or destroying books, furniture, windows or any school property is poor citizenship in action. Students damaging school property will be assessed a sum sufficient to repair or replace what has been damaged and will receive disciplinary action appropriate to the improper citizenship. Defacement of building and equipment often is the result of improper posting of banners, exhibits and advertisement materials. **Principal approval is required prior to posting items in or around the building. Approved signs and posters can be taped to tile walls but not on painted walls.** Every precaution should be taken by both teachers and students to avoid marring doors and walls in any way.

Everyone should take pride in keeping the campus as neat and attractive as possible, never dropping paper or rubbish anywhere except in a proper receptacle and by picking up anything that has been left by a “litter bug.”

### **CELL PHONE POLICY**

At the Middle School cell phones need to be powered off and put away in backpacks during the school day. If a phone is out, it will be taken up. The first time it is \$5 to get it back and \$15 to get it back every time after that.

### **CHANGE OF ADDRESS OR TELEPHONE NUMBER**

Any change of address or telephone number during the school year should be reported to the office secretary and the principal's office immediately. **THIS IS VERY IMPORTANT FOR THE CARE AND SAFETY OF YOUR STUDENT AND TO MAINTAIN CHANNELS OF COMMUNICATION BETWEEN YOU AND YOUR STUDENT'S SCHOOL.**

### **CHEATING/PLAGIARISM/ACADEMIC DISHONESTY**

Plagiarism is the use of another person's original ideas or writing as one's own without giving credit to the true author. Plagiarism will be considered cheating and the student will be subject to academic disciplinary action that may include loss of credit for the work in question. Teachers who have reason to believe a student has engaged in cheating or other academic dishonesty will



determine the academic penalty to be assessed. The use of academic penalties is not governed by the policies pertaining to student discipline, but students and parents may appeal the teacher's decision, using the student complaint policy.

## **CLASS INTERRUPTIONS**

Nonacademic activities that interrupt and distract from the academic process shall be avoided whenever possible. The principal of each school shall be charged with enforcing this policy. Restrictions that apply are listed below:

1. Announcements, other than emergency announcements, shall be made over the public address system only once a day.
2. Non-emergency telephone and other messages for students shall not be delivered. Emergency messages shall be delivered upon receipt.
3. Flowers and gifts will not be delivered to students during the school day. These items may be picked up from the school office at the end of the day.
4. Selling or solicitation shall not be permitted during any class period. Fund raising by school organizations shall be conducted before school, after school, or at lunch.

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

Only students who have been authorized by the District and who are under direct supervision of designated District employees are permitted to use a District computer or to access any local network or outside telecommunications services such as TENET or the Internet. Prior to such authorization, the student and the student's parent must sign and return the "District Acceptable Use Form" acknowledging their responsibilities and the consequences of violation.

## **CONFERENCES**

Students and parents may expect teachers to request a conference

1. If the student is not maintaining passing grades or achieving the expected level of performance
2. If the student presents any other problem to the teacher, or
3. In any other case the teacher considers necessary.

A student or parent who wants information or wants to raise a question or concern should confer with the appropriate teacher, counselor, or principal. A parent who wishes to confer with a teacher may call the office for an appointment during the teacher's conference period or request that the teacher call the parent during a conference period or at another mutually convenient time. Upon request by a parent, school email addresses for a child's teachers will be made available.

## **CORPORAL PUNISHMENT**

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

A parent/guardian may request corporal punishment and will be notified prior to the administration of corporal punishment.

## **DISCIPLINE MANAGEMENT PLAN**

China Spring Middle School utilizes several types of consequences. The consequence will be appropriate based on the actions of the student. Campus administration will take into account the severity as well as regularity when deciding the appropriate course of action. Campus administration has final say when it comes to deciding appropriate punishment.

## **DETENTION-ADMINISTRATIVE/TEACHER**

A student may be assigned detention outside of school hours, including Saturdays from 8:00 a.m. to 12:00. Teachers also have the ability to assign classroom D-Hall. This D-Hall is assigned and kept by the teacher. Failure to complete teacher D-Hall may result in administrative actions.

### **Administrative D-Hall Rules**

1. Students are not to sleep, but to work on something constructive.
2. Students are not to talk or read newspapers or magazines.
3. Missed detentions will result in a Saturday School assignment and/or ISS.

## **DUE PROCESS**

A student shall be expelled by written order setting the term of the expulsion. Before the expulsion, the superintendent shall provide the student an opportunity for a hearing at which the student is afforded due process, which shall include the following:

1. Prior notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation.
2. Right to a full and fair hearing before the Board or its designee.
3. Right to an adult representative or legal counsel.
4. Opportunity to testify and present evidence and witnesses in his or her defense.
5. Opportunity to examine the evidence presented by the school administration and question the administration's witnesses.

The notice shall be in writing and shall advise of the nature of the evidence and the names of any witnesses whose testimony may be used against the student. The decision shall be based exclusively on evidence presented at the hearing.

The final decision shall be communicated promptly to the student and parent. If the board's designee conducts the hearing, a tape recording or transcript of the proceedings shall be made for the board's review on appeal, if the matter is appealed to the board.

The superintendent shall set a term for the expulsion based on the seriousness of the offense and other relevant factors. The expulsion may not exceed beyond the end of the school year unless the conduct directly leading to the expulsion occurred during the final grading period of the school year, in which case the expulsion may extend beyond the end of the current school year but not beyond the end of the first semester of the next school year.

A student who is to be expelled for the first time for possession, use, or for being under the influence of an alcoholic beverage may not be expelled beyond the end of the semester, unless the conduct directly leading to the expulsion occurred during the final grading period of a semester, which may result in expulsion not to extend beyond the end of the next regular semester.

## **IN SCHOOL SUSPENSION (ISS)**

The In School Suspension program (ISS) is an alternative educational placement used as a disciplinary measure. ISS is housed on the high school campus. Students assigned to ISS will be given jobs (class assignments, writing from the handbook, community service performed at school, behavior worksheets, etc.) to complete and will be expected to follow a very structured schedule. Students while in ISS will be suspended from extracurricular activities from the time the assignment to ISS is made until the time the student completes the ISS assignment. Parents of students placed in the program will be notified by a campus

administrator and will receive a copy (by way of student) of the discipline referral. While in ISS, students will be expected to complete all class assignments. Students are responsible for make-up work as stated on Make Up Work Policy.

The student, while in ISS, will also be suspended from extracurricular activities. The suspension from extracurricular activities starts when the student is assigned to ISS. The suspension is over at the time the student completes the ISS assignment.

## **SATURDAY SCHOOL**

The Saturday School program can be used as a disciplinary measure and also used in the event of excessive absences. Students assigned to Saturday School will be given academic work to complete and will be expected to follow a very structured schedule. Parents of students placed in the program will be notified by a campus administrator. Saturday School begins at 8:00 a.m. and dismisses at 12:00.

## **DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP)**

China Spring ISD has implemented an alternative school for the district. The facility for our alternative school is at 412 E. Cougar Lane, China Spring. Mr. Rob Rogers is the principal. This school will house students that commit offenses requiring placement in an alternative education setting or who have exhausted all district discipline actions. Transportation will not be provided for alternative school students. Parent or adult guardian must provide the transportation to and from DAEP. Students will not be allowed to drive themselves.

## **GIFTED AND TALENTED**

Students may be nominated for the gifted and talented program by teachers, counselors, parents, or other interested persons. Parents may schedule individual conferences upon request.

## **HONORS COURSES**

China Spring Middle School offers Honors courses in ELAR, Math, and Science. To be placed into these courses you must meet the following requirement(s):

**7th Grade Honors Math:** To qualify for 7<sup>th</sup> Grade Honors Math students would have to have been in 6<sup>th</sup> grade Honors Math, kept a 90% average in Honors Math, and scored masters on their 6<sup>th</sup> grade math STAAR test.

**7th Grade Honors Science:** To qualify for 7<sup>th</sup> Grade Honors Science students who were in 6<sup>th</sup> Grade Honors Science need to have completed 6<sup>th</sup> Grade Honors Science with a 90% average and score in the top 25% on the 6<sup>th</sup> Grade End of the Year Science Exam based on the scoring rubric. Students who were in regular 6<sup>th</sup> grade Science will qualify for 7<sup>th</sup> Grade Honors Science if they completed 7<sup>th</sup> grade Science with a 92% average and score in the top 25% on the 6<sup>th</sup> Grade End of Year Science Exam based on the scoring rubric.

**7th Grade Honors English:** To qualify for 7<sup>th</sup> Grade Honors English students who were in 6<sup>th</sup> Grade Honors English need to have completed 6<sup>th</sup> Grade Honors English with a 90% average, score masters level on their 6<sup>th</sup> Grade Reading STAAR test, and score a 3 on an End of the Year Writing assessment based on the scoring rubric. Students who were in regular 6<sup>th</sup> grade English will qualify for 7<sup>th</sup> Grade Honors English if they completed 6<sup>th</sup> grade English with a 92% average, score masters level on the 6<sup>th</sup> Grade Reading STAAR test Exam based on the scoring rubric, and score a 3 on an End of the Year Writing assessment based on the scoring rubric.

**8th Grade Honors Science:** To qualify for 8<sup>th</sup> Grade Honors Science students who were in 7<sup>th</sup> Grade Honors Science need to have completed 7<sup>th</sup> Grade Honors Science with a 90% average and score in the top 25% on the 7<sup>th</sup> Grade End of the Year Science Exam based on the scoring rubric. Students who were in regular 7<sup>th</sup> grade Science will qualify for 8<sup>th</sup> Grade Honors Science if they completed 7<sup>th</sup> grade Science with a 92% average and score in the top 25% on the 7<sup>th</sup> Grade End of Year Science Exam based on the scoring rubric.

**8th Grade Honors English:** To qualify for 8<sup>th</sup> Grade Honors English students who were in 7<sup>th</sup> Grade Honors English need to have completed 7<sup>th</sup> Grade Honors English with a 90% average, score masters level on their 7<sup>th</sup> Grade Reading STAAR test, and score a 3 on an End of the Year Writing assessment based on the scoring rubric. Students who were in regular 7<sup>th</sup> grade English will qualify for 8<sup>th</sup> Grade Honors English if they completed 7<sup>th</sup> grade English with a 92% average, score masters level on the 7<sup>th</sup> Grade Reading STAAR test Exam based on the scoring rubric, and score a 3 on an End of the Year Writing assessment based on the scoring rubric.

**Honors Algebra I:** To qualify for Honors Algebra students would have to have completed 7<sup>th</sup> Grade Honors Math with a 92% average and score masters level on their 7<sup>th</sup> Grade math STAAR test. Honors Algebra **does count** for High School credit and **does count** towards their High School GPA.

**Science Fair:** 90% yearly average in 6<sup>th</sup> OR 7<sup>th</sup> grade science, score in the Top 25% on their End of Year exam based on the scoring rubric, & Prior Participation in Science Fair Students (must meet 2 of 3 criteria)

**\*Due to the Covid-19 Pandemic we will consider all students for Honors Courses based on parent request. We will consider previous years grades and progress prior to the extended break in the Spring of 2020. If a student was enrolled in Honors Courses in the previous academic year they will remain in Honors unless the parent/guardian requests for the student to be removed.**

## **INAPPROPRIATE ITEMS AT SCHOOL**

A discipline management technique is the confiscation of items that disrupt the educational process. Among others, items which will be confiscated on secondary campuses are: caps, hoodies, hats worn in the building, bandannas, tobacco products, and clothing symbolic of a prohibited secret society and prohibited items obtained during searches by drug dogs. These items will not be released to the student under any circumstances, but will be returned only to a parent or guardian in person or law enforcement agent as appropriate.

## **LEAVING CLASS OR LEAVING SCHOOL**

**Leaving Class:** Students are not allowed out of class without a hall pass (written). This pass must be shown before the student can conduct business in any office. Any student on the campus or in the building without proper authorization is subject to disciplinary action.

**Leaving School:** A student must be signed out by an approved person from their list.

## **LOCKS ON LOCKERS**

Students are required to have a combination lock on their school locker at all times. School lockers are equipped with locks. Failure to properly use a lock may result in a student losing their belongings. Students may qualify to use a lock other than the school issued lock. The principal's permission is required in order to use a lock other than a school issued lock.

## **NOTICE REGARDING ALCOHOL**

A student who sells, gives, or delivers to another person an alcoholic beverage; or commits a serious act or offense while under the influence of an alcoholic beverage may be expelled or placed in the alternative school. Also, school officials will immediately call law enforcement officers and present to them all available evidence.

## **NOTICE REGARDING DRUGS**

The Crime Control Act of 1990 instituted amendments to supplement the Drug-Free Schools and Communities Act of 1986. Congress has enacted legislation making it a Federal offense to possess controlled substances with intent to distribute them on school property or within 1,000 feet of school property. Severe penalties of imprisonment and fines are applicable to such offenses.

A student, who sells, gives, delivers to another, possesses, uses, or is under the influence of marijuana or a controlled substance, a dangerous drug, including any anabolic steroid, abusable glue or aerosol paint or volatile chemical may be expelled. Also, school officials will immediately call law enforcement officers and present to them all available evidence.

## **NOTICE REGARDING DRUG FREE SCHOOLS**

The China Spring ISD believes that student use of alcohol and illicit drugs is both wrong and harmful. Consequently, the district has established a “Code of Student Conduct” that prohibits illicit drugs by students on school premises or as part of any school activity, regardless of its location. Compliance with this code of conduct is mandatory, and students shall be disciplined if they are found to have violated this code of conduct.

The District’s policies and its Discipline Management Plan provide a range of disciplinary sanctions for alcohol and drug related offenses. Students may be suspended for up to three school days or expelled. In addition, they may be referred to appropriate law enforcement officials for criminal prosecution. Procedural requirements for the imposition of suspension and expulsion are set out in the District’s Board policies. The principal of your school will be glad to provide you access to or a copy of these policies.

If a student is suspected of violating the drug free schools provision (example: drugs or paraphernalia found during drug dog or other searches), a parent may be asked to consider drug testing by the family physician. Our philosophy is that if a student is clear on such a test, we must only pursue the reasons for possession, but if a test is positive, we want to join with the parent to provide any help possible for the existing problem.

Depending on the nature and severity of a drug or alcohol related offense; a student may be required to complete an appropriate rehabilitation program at the expense of the parent either in lieu of or in addition to other school discipline. The principal or counselor of your school can provide you with information about rehabilitation and re-entry programs that are available in our community or within reasonable access of our community.

## **PARTIES AND SOCIAL EVENTS**

The rules of good conduct and grooming will be observed at school social events held outside the regular school day. Guests are expected to observe the same rules as students attending the event, and the person inviting the guest will share responsibility for the conduct of the guest. A student attending a party or social event may be asked to sign out when leaving before the end of the party; anyone leaving before the official end of the party will not be readmitted.

## **DANCES**

In order to attend any school sponsored dance a student must meet the following stipulations:

- o Must be a currently enrolled CSMS student (**No students from other schools allowed**).
- o A student must attend school a **minimum of four academic periods** the day of the dance.
- o Dress code will be enforced (unless themed dance, ex: Halloween where costumes are allowed).
- o Students are not allowed to leave the dance before it is over. If a student needs to leave before the dance is over, the Principal/Assistant Principal will make sure the student leaves with his/her parent.
- o If a student is asked to leave the dance (ex: discipline reasons), a parent must come and pick up the student. The student will not be allowed to stay until the end.
- o Students with severe discipline/grade issues are not allowed to attend unless approved by CSMS administration.
- o CSMS administration will monitor all dances.

## **PERFORMING GROUPS**

Following the mandates of House Bill 72 and the interpretations of the State Board of Education, the activities (practices and performances) for cheerleaders, drum majors and band are considered to be extracurricular activities. The eligibility requirements to participate in extracurricular activities call for the student to be passing all subjects the prior six weeks grading period. Also see Cheerleader Guidelines available from the varsity cheerleader sponsor. Ineligible students may participate in tryouts and in practices after school before or after tryouts. All students and parents must be aware that the eligibility requirements must be met continually to be able to participate in the extracurricular activities during the school year.

These performing groups represent the school. Misconduct, therefore, becomes a visible reflection on the school and threatens to tarnish the distinguished reputation these groups may establish through hard work. Consequently, performing groups may establish rules of behavior--and consequences for misbehavior-- which are more stringent than those for students not participating in the group. If the violation is also a violation of school rules, the consequences specified by the school shall apply IN ADDITION TO any consequences specified by the organization.

Each student named to a performing group imposing such standards shall be notified of the standards of behavior and the specific consequences of violating those standards. The student and parents shall be required to sign an acknowledgment of those standards as a condition for participation.

## **PROTECTION OF STUDENT RIGHTS**

The school will notify parents of the right to inspect all instructional materials to be used in connection with a survey, analysis, or evaluation as part of a federally funded program. Notice will be sent home before such a survey, analysis, or evaluation is administered, and parent consent (or student consent if 18 or older) will be requested if information regarding any of the following is part of the survey, analysis, or evaluation:

- Political affiliations.
- Mental and psychological problems potentially embarrassing to the student or family.
- Sex behavior and attitudes.
- Illegal, anti-social, self-incriminating, and demeaning behavior.
- Critical appraisals of other individuals with whom the student or the student's family has close family relationship.
- Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers.
- Income, other than as required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

## **Section IV: STUDENT CODE OF CONDUCT**

### **STUDENT CODE OF CONDUCT**

#### **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact the campus principal.

## 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), or expulsion from school.

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

In accordance with state law, the Code 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 Web site. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

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:

- During the regular school day and while the student is going to and from school or school sponsored or school-related activity on district transportation;
- During lunch periods in which a student is allowed to leave campus;
- While the student is in attendance at any school-related activity, regardless of time or location;
- For any school-related misconduct, regardless of time or location;
- When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
- When a student engages in cyberbullying, as provided by Education Code 37.0832;
- When criminal mischief is committed on or off school property or at a school-related event;
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
- When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and

- When the student is required to register as a sex offender.

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

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

### **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 [www.chinaspringisd.net](http://www.chinaspringisd.net).

### **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.

### **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 employs police officers, school resource officers (SROs), and/or security personnel. 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).

### **Revoking Transfers**

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

### **"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:

- 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 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** 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. Chapter 37 requires the Code to include standards that schools expect from students. Modify the list to emphasize conduct the district would like to encourage.

## **General Conduct Violations**

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

### **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 page 105.)
- 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 four 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 page 105.)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means. 13
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion page 105.)

### **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 is intended to be used as a weapon or could reasonably be perceived as a 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; 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/or Expulsion for Certain Offenses. 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 in violation of district and campus rules.

## **Illegal, Prescription, and Over-the-Counter Drugs**

Students shall not:

- Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion page 105.)
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess or sell look-alike drugs or attempt to pass items off as drugs or contraband. Abuse the student’s own prescription drug, give a prescription drug to another student, or 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 district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including 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 the internet or other electronic communication 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 techniques. Discipline shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

### **Students with Disabilities**

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law shall prevail. 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 or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or "time-out", in accordance with law.

- Seating changes within the classroom or vehicles owned 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 Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- 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 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 age 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 or campus administration, 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 or the central administration office or through Policy On Line at the following address [www.chinaspringisd.net](http://www.chinaspringisd.net).

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including Title IX formal complaint process. See policies FFH (LEGAL) and (LOCAL).

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal 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 principal's office as a discipline management technique. The principal or principal designee 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 appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The 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:

3. Self-defense (see glossary),
4. Intent or lack of intent at the time the student engaged in the conduct,
5. The student's disciplinary history,
6. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
7. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
8. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and co-curricular 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 6 and secondary classification shall be grades 7–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

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

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

- Self-defense (see glossary),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- The student's status in the conservatorship of DFPS (foster care), or
- 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.
- Assault (no bodily injury) with threat of imminent bodily injury
- Assault by offensive or provocative physical contact
- Using or in possession of any type of e-cigarette device or product
- In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

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

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
- Engages in conduct punishable as a felony.
- Commits an assault (see glossary) under 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. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.

- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  - The student receives deferred prosecution (see glossary),
  - A court or jury finds that the student has engaged in delinquent conduct (see glossary), or 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 principal or assistant principal.

### **Conference**

When a student is removed from class for a DAEP offense, the 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 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:

- Self-defense (see glossary),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, or
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- A student's status as homeless.

### **Placement Order**

After the conference, if the student is placed in the DAEP, the appropriate administrator 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 duration of a student's placement in a DAEP shall be determined by the campus principal or assistant principal.

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

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

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.

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

### **Exceeds School Year**

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

For placement in a DAEP to extend beyond the end of the school year, the principal or assistant principal must determine that:

- The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
- 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. Appeals regarding the decision to place a student 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 or the central administration office or through Policy On Line at the following address [www.chinaspringisd.net](http://www.chinaspringisd.net).

Appeals shall begin at Level One with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the Level One appeal will be filed with the campus principal. Level Two appeals will be handled by Dr. Kevin Pitts, Deputy Superintendent CSISD. Appeals shall begin at Level III with the school board.

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

## **Restrictions during Placement**

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP or Section 504 plan.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program shall continue through graduation, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities.

## **Placement Review**

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

## **Additional Misconduct**

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

## **Notice of Criminal Proceedings**

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

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

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 district may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the appropriate administrator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

### **Newly Enrolled Students**

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

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

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

### **Emergency Placement Procedure**

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, 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 Serious Offenses**

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

## Registered Sex Offenders

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

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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 its designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;



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

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

- The date on which the student's conduct occurred,
- The location at which the conduct occurred,
- Whether the conduct occurred while the student was enrolled in the district, or
- 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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:

- The student graduates from high school,
- The charges are dismissed or reduced to a misdemeanor offense, or
- 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 district will take into consideration:

- Self-defense (see glossary),

- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the DFPS (foster care), or
- A student's status as homeless.

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

#### **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:

- 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. (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:
  - Public lewdness under Penal Code 21.07;
  - Indecent exposure under Penal Code 21.08;
  - Criminal mischief under Penal Code 28.03;
  - Hazing under Education Code 37.152; or
  - 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

### **Federal Law**

A student **must** be expelled for bringing to school a firearm, as defined by federal law, when the offense occurs on school property or while attending a school-sponsored or school-related activity on or off school property. "Firearm" under federal law includes:

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

### **Texas Penal Code**

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

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

- A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.
- An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, a zip gun, or a tire deflation device. (See glossary.)

Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Aggravated robbery.

- Manslaughter.
- Criminally negligent homicide.
- Continuous sexual abuse of a young child or children.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

## **Under Age Ten**

When a student under the age of ten engages in behavior that is expellable behavior, the student 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 principal 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 principal 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:

- 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,
- An opportunity to testify and to present evidence and witnesses in the student's defense, and
- An opportunity to question the district's witnesses.

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

The board of trustees delegates to the superintendent authority to conduct hearings and expel students.

## **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 will 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**

After the due process hearing, the school board or the board's designee shall take into consideration:

- Self-defense (see glossary),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- 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 superintendent, or designee, shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

## **Length of Expulsion**

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

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

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

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

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

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

## **Withdrawal during Process**

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

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

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

### **Additional Misconduct**

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

### **Restrictions during Expulsion**

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

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

### **Newly Enrolled Students**

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

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

- The out-of-state district provides the district with a copy of the expulsion order, and
- 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:

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

### **Emergency Expulsion Procedures**

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

### **DAEP Placement of Expelled Students**

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

### **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(LLEGAL) and FODA(LLEGAL) 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 Texas Penal Code 29.03(a) when a person commits robbery and causes serious bodily injury to another;

- Uses or exhibits a deadly weapon; or
- 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:
  1. 65 years of age or older, or
  2. A disabled person.

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

**Arson** is:

- A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
  - Any vegetation, fence, or structure on open-space land; or
  - Any building, habitation, or vehicle:
    - Knowing that it is within the limits of an incorporated city or town,
    - Knowing that it is insured against damage or destruction,
    - Knowing that it is subject to a mortgage or other security interest,
    - Knowing that it is located on property belonging to another,
    - Knowing that it has located within it property belonging to another, or
    - When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
- 3. 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
- 4. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - o Recklessly damages or destroys a building belonging to another, or
  - o Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another, TPC 22.01 (a)(2) as intentionally, knowingly threatening another with imminent bodily injury; and TPC 22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.



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

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

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

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

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

**Cyberbullying** is the use of any electronic communication device to engage in bullying or intimidation.

**Dating violence** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

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

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

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

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

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

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

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

- o Cause action by an official or volunteer agency organized to deal with emergencies;
- o Place a person in fear of imminent serious bodily injury; or
- o Prevent or interrupt the occupation of a building, room, or place of assembly.

**Firearm silencer** means any device designed, made, or adapted to muffle the report of a firearm.

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

**Harassment** is:

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

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

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

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

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

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

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

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

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

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

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

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

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

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.

- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.
- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- 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;
- Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

**Tire deflation device** is defined in part by Section 46.01 of the Penal Code as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

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

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

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

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



## Appendix: Freedom from Bullying Policy

**Note to Student Handbook developer:** Because state law requires that the district's policy on bullying be distributed in its Student Handbook(s), the following has been formatted for you to more easily insert the district's FFI(LOCAL) policy here rather than in the body of the handbook itself.

Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit [www.chinaspringisd.net](http://www.chinaspringisd.net). Below is the text of China Spring ISD's policy FFI(LOCAL) as of the date that this handbook was finalized for this school year.

### Student Welfare: Freedom from Bullying

Policy FFI(LOCAL) adopted on 10/31/2017

#### Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

##### Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

#### Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

##### Examples

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

#### False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

#### Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

#### Reporting Procedures

##### Student Report

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, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

##### Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

## Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

## Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

## Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

## Investigation of Report

### Concluding the Investigation

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

### Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

## District Action

### Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

### Discipline

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. The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

### Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

### Transfers

The principal or designee shall refer to FDB for transfer provisions.

### Counseling

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

### Improper Conduct

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

### Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

### Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

### Records Retention

Retention of records shall be in accordance with CPC(LOCAL).

### Access to Policy and Procedures

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

# China Spring ISD

## Mandatory Drug Testing Program for Students

### Participating in Extracurricular Activities

**“One is too many!”**

Board Policy FNF (Local)	Pages 1-4
Administrative Procedures	Pages 5-10
Parental Notification and Consent Form	Pages 11-12

Para recibir información en español, favor de ponerse en contacto con la escuela de su hijo/hija.

The China Spring Independent School District does not discriminate on the basis of race, color, national origin, sex, age or disability in the admission to the educational programs, services or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of its operation. The China Spring Independent School District also does not discriminate in its hiring or employment practices and is an equal opportunity employer. Questions, complaints, or requests for additional information may be forwarded to the compliance coordinator:

El Distrito Escolar Independiente de China Spring no discrimina personas de acuerdo con su raza, color, nacionalidad, sexo, edad o incapacidad para la admisión a programas educacionales, servicios, o actividades, en el acceso a éstos, en el trato a individuos con incapacidades o en ningún aspecto de su modo de operar. El Distrito Escolar Independiente de China Spring tampoco discrimina en cuanto a su manera de contratar empleados, o a sus métodos de trabajo, y contrata de acuerdo con la oportunidad equitativa de empleo. Favor de dirigir preguntas, protestas o pedidos de información a la coordinadora de nivel de calidad:



Approved by China Spring ISD School Board: Monday, May 17, 2004

Revisions approved by China Spring ISD School Board: Monday, July 14, 2008

Revisions approved by China Spring ISD School Board: Monday, September 21, 2009

Revisions approved by China Spring ISD School Board: Monday, December 17, 2012

Revisions approved by China Spring ISD School Board: Monday, April 15, 2013

Revisions approved by China Spring ISD School Board: Monday, June 30, 2014

FNF (Local) – Drug testing addition:

Drug Testing for Students The District shall implement a mandatory drug testing program

Participating/Attending for all students participating and attending extracurricular activities in grades 7-12.

### **Extracurricular Activities**

For the purposes of this policy, extracurricular activities are any activities sponsored by the UIL and/or listed in the Administrative Procedures for the China Spring ISD Mandatory Drug Testing Program for Students Participating or attending Extracurricular Activities. Students competing for future offices, positions, or team/squad memberships shall be considered to be students participating in extracurricular activities. Students who wish to drive and park on campus must participate in the testing program as well. Any other student in grades 7-12 may participate in the drug testing program if parental consent is provided.

### **Program Admittance**

A student must be enrolled in the Student Drug Testing Program by September 15 each school year to be eligible to attend or participate in any school related activity. If a student enrolls in the district after the September 15 deadline they have 10 days from the day they enroll to sign up for the program.

### **Release from the Program**

Once a student is signed up for the Drug Testing Program they must remain in the program until the last day of school for the current year enrolled.

### **Goals**

The goals of the drug testing program are described below:

1. Encourage students to avoid illegal and life-threatening substance abuse by holding students who voluntarily participate or attend extracurricular activities accountable through a drug testing program and its consequences.
2. Prevent the detrimental effects of illegal drug use on the health and safety of China Spring ISD students.
3. Ensure that our school community and educational environment are free of illegal drugs.

## Process

Students selected for each testing occurrence will be determined by use of a computerized method that insures randomization. A representative of the district may request that a specific student be selected for testing based on criteria developed by the district.

The testing shall be conducted by a laboratory certified for administering drug testing by the Substance Abuse and Mental Health Administration (SAMHSA). Testing may be conducted up to 20 times per year. The superintendent or designee will provide a list of available testing dates for selection by the contracted service provider.

The testing sample shall be documented through a “chain of custody” program to ensure the identity and integrity of the sample throughout the collection, transportation and testing process. A medical review officer will investigate the use of over-the-counter and prescription drugs in the validation of a positive test.

Drugs that may be tested for include, but are not limited to:

1. Alcohol
2. Amphetamines – methamphetamines
3. Opiates - morphine and codeine
4. Cocaine
5. Phencyclidine – PCP
6. Steroids
7. Tobacco
8. Delta 9 – tetrahydro-cannabinal (marijuana)
9. MDMA (Ecstasy)

Any student who refuses to submit the District’s consent form for drug testing will not be permitted to attend or participate in any District extracurricular activity. Any student who refuses to submit the District’s consent form for drug testing will not be permitted to drive or park on campus. If a student refuses to submit to a drug test after signing the consent form, the refusal shall constitute a positive test. The failure to produce a sample or a medical written explanation from a physician when selected for testing shall constitute a positive test. Tampering or adulteration of samples will be considered a positive test.

**Privacy and Confidentiality** All aspects of the drug testing program, including the collection of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize the intrusiveness of the procedure. Testing results shall be kept confidential and disclosed only to the student, his or her parent(s) / guardian(s), and school officials designated by the superintendent. Confidentiality shall be maintained at all levels. Results shall not be placed in student permanent records.

## Results of Tests

All positive results shall be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps shall be taken:

1. The student and his/her parent(s)/guardian(s) will have the opportunity to provide any information on currently or recently used prescription or non-prescription drugs or other relevant medical information.
2. The medical review officer shall determine whether there may be a legitimate medical explanation for the positive test. In the event the medical review officer concludes that the positive test is the result of a legitimate medical cause, the result of the test shall be reported as negative.
3. The medical review officer shall notify the superintendent's designee of any confirmed positive results.
4. The superintendent's designee shall notify the student and the student's parent(s) / guardian(s) of the confirmed positive results of the test.

### Sanctions for Positive Test

The first confirmed positive test will result in the following consequences:

1. The student and parent(s) / guardian(s) will participate in a mandatory conference with the campus principal.
2. The student and parent(s) / guardian(s) will participate in a mandatory conference with a district-employed counselor.
3. The student must agree to mandatory testing during the next three random periods.
4. The student will be suspended from attending and competing and/or publicly performing in all extracurricular activity(ies) for six school weeks from the date that he/she is first informed of the confirmed positive test results. If a student tests positive within the final six weeks of the school year, the six-week suspension will continue into the summer for as many weeks as performances or competitions occur, with any remainder of the six weeks to continue the following school year. The six weeks suspension shall not prevent students from competing for future offices, positions, or team/squad memberships. The student may not drive or park on campus for the duration of the suspension.

The second confirmed positive test will result in the following consequences:

1. The student will be suspended from attending and participating in all extracurricular activities for 12 months from the date that he/she is first informed of the second confirmed positive test results. Students will not be allowed to compete for future offices, positions, or team/squad memberships during the 12-month suspension. The student may not drive or park on campus for the duration of the suspension.
2. The student must successfully complete, at the expense of the parent(s) / guardian(s), a drug counseling program approved by the superintendent's designee.
3. The superintendent's designee shall re-admit the student into extracurricular participation after the student has successfully completed the one-year suspension and the drug counseling program.

4. If the student is readmitted, the student must agree to mandatory testing during the next six random testing periods.
5. The student will serve a 45 day placement in the DAEP.

The third confirmed positive test and any subsequent confirmed positive test will result in permanent suspension from all extracurricular participation and attendance and a 90 day placement in DAEP. The student may not drive or park on campus.

### **Early Re-Entry**

After a student's second positive test (or after any positive test beyond the second) he/she may be allowed to complete the early re-entry program to regain eligibility back in the drug testing program before the suspension time is complete. This can only be completed one time during a student's 7<sup>th</sup>- 12<sup>th</sup> grade career. The following requirements must be met before the student will be readmitted.

1. The student and parent/guardian must set up a meeting with the superintendent or designee to begin the process of re-entry and a follow up meeting to confirm completion of requirements.
2. The student and parent/guardian must complete the outpatient substance abuse treatment program with Cenikor or another district approved program (Information about the program will be obtained from the superintendent or his designee). The program will be paid for by the parent/guardian.
3. The student must have a passing grade in all of his/her classes from the date of the student/parent/guardian re-entry meeting through the date of re-entry. The student must submit satisfactory proof of the student's passing grades to the superintendent or designee.
4. The student must show that they have had negative drug tests on his/her last 6 tests as administered by the school district.
5. The student must complete 30 community service hours at a superintendent or designee approved location. The location must be pre-approved by the superintendent or designee.

If the student completes the above requirements the student will be reinstated in the drug testing program and eligible for participation in school sponsored events.

### **Prior Violations**

Confirmed positive test results are cumulative from grades 7-12. Previous violations, regardless of elapsed time / years, shall be a precursor for determining penalties for subsequent violations.

**Refusal to test** If a student refuses to test he/she will be suspended from attending and competing and/or publicly performing in all extracurricular activity(ies) for 6 school weeks from the date that he/she is first informed of the confirmed positive test results. The 6 week suspension shall not prevent students from competing for future offices, positions, or team/squad memberships. The student may not drive or park on campus for the duration of the suspension.

**Tampering/Altering/or Non-Authorized Urine** If a student tampers/alters/deceives or attempts to tamper/alter/ or deceive the test or sample at any time regardless of testing dates they will be suspended from attending and competing and/or publicly performing

in all extracurricular activity(ies) for 6 school weeks from the date that he/she is first informed of the tampering/altering/deception for the first offense. The offense will count as a positive test. The 6 week suspension shall not prevent students from competing for future offices, positions, or team/squad memberships. The student may not drive or park on campus for the duration of the suspension. If a student tampers/alters/ deceives or attempts to tamper/alter/ or deceive the test or sample a second time regardless of testing dates they will be suspended from attending and competing and/or publicly performing in all extracurricular activity(ies) for 12 months from the date that he/she is first informed. The offense will count as a second positive test.

**Specimen Suppliers** If a student provides his or her urine or other specimen to another student to use for any reason the student providing the urine will be treated as if the student tested positive for a drug test. All sanctions for the positive tests will be applied to both the student providing the specimen and the student who was to receive the specimen.

**Admitted Positive Tests** If a student acknowledges to the administrator that they will test positive the student does not have to take the test and will move to a positive test result with parent approval.

**Appeal** The parent(s) / guardian(s) may appeal for a retest, within 10 calendar days, of the original sample. The laboratory conducting the retest must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). The cost of the retest shall be at the expense of the parent(s) / guardian(s).

Parent(s) / guardian(s) may appeal the consequences of a positive test as outlined in board policy FNG (legal) and FNG (local). Any sanctions imposed will remain in effect during the appeal.

Nothing in this policy limits or prohibits the application of other District policy, including the District Student Code of Conduct, regarding student possession, use, or distribution of illegal drugs or alcohol on school property or at school activities or events.

# SCHOOL - STUDENT - PARENT COMPACT

## 2020-2021 PARTNERSHIP PLEDGE

The most effective learning takes place when schools, parents, and students work together, communicating in a mutually respectful manner.

Therefore:

### China Spring Middle School pledges to:

- Provide a safe place for children to learn
- Teach the Texas Essential Knowledge and Skills so children can achieve to their maximum educational potential
- Strive to be aware of children's unique needs and create a safe and productive environment
- Communicate regularly with parents on their child's progress
- Involve parents regularly in decisions relating to the education of their children

### Student pledges to:

- Attend school regularly
- Be an active participant in his/her own learning
- Be a responsible learner
- Complete all classwork and homework
- Follow school rules and promote school safety

### Parents pledge to:

- Send child to school on time and prepared to learn
- Be active and participate in school activities, such as annual Title I Meeting, parent/teacher conferences, parent education programs, and activities
- Encourage child to complete all assignments at school and ensure child completes all homework assignments
- Work closely with classroom teachers to ensure the success of their child
- Support school rules
- Take a stand against drug and alcohol abuse

Student: \_\_\_\_\_

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

## ESCUELA - ESTUDIANTE - PACTO PARA LOS PADRES

### 2020-2021 COMPROMISO DE ASOCIACIÓN

**El aprendizaje más efectivo se lleva a cabo cuando las escuelas, los padres y los estudiantes trabajan juntos y se comunican de manera mutuamente respetuosa.**

Por lo tanto:

**China Spring Middle School se compromete a:**

- Proporcionar un lugar seguro para que los niños aprendan.
- Enseñar los conocimientos y habilidades esenciales de Texas para que los niños puedan alcanzar su máximo potencial educativo.
- Luchar para estar al tanto de las necesidades únicas de los niños y crear un entorno seguro y productivo.
- Comunicarse regularmente con los padres sobre el progreso de sus hijos
- Involucrar a los padres regularmente en las decisiones relacionadas con la educación de sus hijos

**El estudiante se compromete a:**

- Asistir a la escuela regularmente.
- Ser un participante activo en su propio aprendizaje.
- Ser un estudiante responsable.
- Completar todo el trabajo en clase y la tarea.
- Seguir las reglas de la escuela y promover la seguridad escolar.

**Los padres se comprometen a:**

- Enviar al niño a la escuela a tiempo y estar preparados para aprender
- Manténgase activo y participe en las actividades escolares, como la reunión anual de Título I, las conferencias de padres / maestros, los programas de educación para padres y las actividades
- Anime al niño a completar todas las tareas en la escuela y asegúrese que el niño completa todas las tareas asignadas
- Trabaja en estrecha colaboración con los maestros del aula para garantizar el éxito de sus hijos
- Apoye las reglas de la escuela
- Adopte una postura en contra del abuso de drogas y alcohol

**Estudiante:** \_\_\_\_\_

**Padre:** \_\_\_\_\_

**Director de la escuela: Dr. Nickolas Smith**