

New Caney Independent School District



Student Handbook & Code of Conduct 2024-2025

NEW CANEY INDEPENDENT SCHOOL DISTRICT
21580 Loop 494
New Caney, Texas 77357
281-577-8600
www.newcaneyisd.org

If you have difficulty accessing the information in this document because of disability, please contact the District at communications@newcaneyisd.org 281-577-8600.

It is the policy of the New Caney Independent School District not to discriminate on the basis of race, color, national origin, sex, age, or disability in its general and vocational programs, services and activities, or its employment practices. Lack of English skills will not be a barrier to admission and participation in all educational and vocational programs. For more information about your rights or grievance procedures, contact the Title IX Coordinator, 21580 Loop 494, New Caney, Texas 77357, and/or the Section 504 Coordinator, 21580 Loop 494, New Caney, Texas 77357, 281-577-8600.



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New Caney ISD Vision & Mission

Vision

Preparing our learning community for the REALITY of tomorrow.

Mission

Graduate students who are equipped to thrive in the REALITY of their future.

Core Values

WE BELIEVE that our students and staff must be:

Responsible Citizens

Effective Communicators

Academically Prepared

Lifelong Learners

Interpersonal Collaborators

Thinking with Innovation

Yes Minded!

Goals

- NCISD will increase the achievement of all students and prepare all students for post-secondary education and the workplace through high quality, student-centered programs.
- NCISD will provide a safe and orderly environment that promotes student learning for all students.
- NCISD will engage in proactive planning and visioning to respond to the changing educational needs of the district and to maximize our resources.
- NCISD will increase opportunities for parent/community involvement in all educational processes of our district.

PREFACE

Parents and Students:

Welcome to the new school year! Education is a team effort. Students, parents, teachers and other staff members working together will make this a successful year.

The Handbook and Student Code of Conduct for New Caney Independent School District is available at newcaneyisd.org. It is designed to provide relevant and important information regarding the education of your student, and to inform you and your student of the type of conduct expected in New Caney ISD. It is important that you and your student review this together so that you will clearly understand all the information contained in this handbook, the rules of acceptable conduct, and the consequences of violation of established rules. With your support and encouragement, we are confident your student will meet all requirements and behavioral expectations of the District.

The Handbook and Student Code of Conduct is divided into three sections:

Section I - REQUIRED NOTICES AND INFORMATION FOR PARENTS - includes notices that the District must provide to all parents, as well as other 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 - INFORMATION FOR STUDENTS AND PARENTS - organized for quick access when searching for information on a specific issue.

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

Section III - STUDENT CODE OF CONDUCT- Both students and parents should become familiar with the New Caney Independent School District Code of Conduct which is a document adopted by the board and intended to promote school safety and an atmosphere for learning.

The Acknowledgement of Receipt of the Student Handbook and Code of Conduct will be available electronically as part of the online enrollment process. It is highly recommended that you review this Handbook with your student(s).

The Handbook and Student Code of Conduct (“The Handbook”) is designed to be in harmony with board policy and state and federal law. Please be aware that The Handbook is updated yearly, while policy adoption and revision may occur throughout the year. Changes in policy or other rules that affect handbook provisions will be made available to students and parents through newsletters and other communications. The District encourages parents to stay informed of proposed board policy changes by attending board meetings and reviewing newsletters and other communications explaining changes in policy or other rules that affect The Handbook provisions. The District reserves the right to modify provisions of The Handbook at any time, whenever it is deemed necessary. Notice of any revision or modification will be given as is reasonably practical under the circumstances.

In case of conflict between board policy and The Handbook, the provisions of board policy that were most recently adopted by the board are to be followed.

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

NOTE: References to policy codes are included for ease of reference to board policy. A copy of the District’s policy manual is available for review at the central administration office or online at [New Caney ISD Policy Online](#).

- 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:

Scott Castleberry
Executive Director of Student Services
21580 Loop 494
New Caney, TX 77357
scastleberry@newcaneyisd.org
281-577-8600

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SECTION I: PARENTAL RIGHTS, NOTICES, INFORMATION

This section describes certain parental rights as specified in state or federal law and includes notices that the District is required to provide to you, as well as other information on topics of interest to you as a parent.

ACCESSIBILITY

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

Scott Powers
Executive Director of Communications
21580 Loop 494, New Caney, TX 77357
spowers@newcaneyisd.org
281-577-8600

NONDISCRIMINATION STATEMENT

In its efforts to promote nondiscrimination and as required by law, New Caney Independent School 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 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 and prohibits sex discrimination in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the District's Title IX Coordinator (see below), to the U.S. Department of Education's Office for Civil Rights 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's nondiscrimination policy and grievance procedures are in the FFH series of policies in the District's policy manual, available at [Policy Online](#).

The District has designated and authorized the following employees 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.

Title IX Coordinator:
Christie Gates, Executive Director of Human Resources
21580 Loop 494, New Caney, Texas 77357
cgates2@newcaneyisd.org
281-577-8600

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 in the FFH series of policies.

For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator:

Evelyn Sifford, Director of Special Programs
22500 Loop 494, New Caney, Texas 77357
esifford@newcaneyisd.org
281-577-8600

For all other concerns regarding discrimination see the superintendent:

Matt Calvert, Superintendent of Schools
21580 Loop 494, New Caney, Texas 77357
mcalvert@newcaneyisd.org
281-577-8600

[See policies FB, FFH and GKD.]

NOTICE REGARDING DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA) governs NCISD's release of directory information regarding students. "Directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. 34C.F.R§99.3.

Certain information about District students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want NCISD to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within ten school days of your child's first day of instruction for this school year. NCISD has designated the following information 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.

Other than for school-related purposes that support the District's mission, NCISD shall not release directory information except to: 1) organizations required by the Elementary and Secondary Education Act, as amended, Section 8025 Armed Forces Recruiter Access to Student and Students' Recruiting Information; 2) accredited colleges or institutions of higher learning; and 3) groups that are affiliated with the District that need such information to provide educational services to students.

Parents may choose to allow the release of their child's directory information for school-sponsored purposes only (*yearbook, school pictures, graduation related services and products, campus directories, newsletters, school/District website, awards, honors, local newspaper/media, artwork that is not considered an education record, displays, extracurricular programs or events, school/District photos, school/District videos*) or parents may choose to prohibit the release of their child's directory information for any purpose, including School District publications and positive publicity (*selecting this option means your child will not be included in the school yearbook and will not appear in other District publications for awards or accomplishments*).

Parents of secondary children may also choose to prohibit the release of their child's directory information to military recruiters and institutions of higher education upon their request. The District is required by federal law to comply with a request by a military recruiter or an institution of higher education for students' names, addresses, District-provided email address and telephone listings, unless parents have advised the District not to release their child's information without prior written consent. Military recruiters may also have access to a student's District-provided email address, unless a parent has advised the District not to release this information.

Parents may make designations regarding directory information by completing and submitting the form found on the next page or on the District's website ([Directory Information Form](#)) or in the school's main office. The form should be returned to the campus main office within 10 days of the child's first day of this school year.

The District requests that families living in a shelter for survivors of family violence or trafficking notify District personnel that the student currently resides in such a shelter. Families may want to opt out of the release of directory information so that the District does not release any information that might reveal the location of such a shelter.

*****YOU ONLY NEED TO COMPLETE THIS FORM IF YOU DESIRE TO RESTRICT OR LIMIT THE RELEASE OF DIRECTORY INFORMATION*****

**NEW CANEY INDEPENDENT SCHOOL DISTRICT
DIRECTORY INFORMATION RESTRICTION FORM
FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT**

The Family Educational Rights and Privacy Act (FERPA) governs NCISD's release of directory information regarding students. "Directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. 34 C.F.R. § 99.3.

Certain information about District students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want NCISD to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within ten school days of your child's first day of instruction for this school year. NCISD has designated the following information 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.

*****YOU ONLY NEED TO COMPLETE THIS FORM IF YOU DESIRE TO RESTRICT OR LIMIT THE RELEASE OF INFORMATION*****

Please select **one** of the following statements regarding your child's directory information *if you choose to limit or restrict the release of information*:

NCISD may release my child's directory information for **school-sponsored/District-sponsored purposes only** (*yearbook, school pictures, graduation related services and products, campus directories, newsletters, school/District website, awards, honors, local newspaper/media, artwork that is not considered an education record, displays, extracurricular programs or events, school/District photos, school/District videos*). *Example: If you select this option, your child will be included in the school yearbook, but his/her information will not be released to vendors who may offer products and services.*

NCISD may **NOT** release my child's directory information for any purpose, including school/District publications and positive publicity (*yearbook, newsletters, school/District website, awards, honors, local newspaper, artwork displays, extracurricular programs or events, class rosters given to other parents, school/District photos, school/District videos*) without my prior consent. *Example: If you select this option, your child's name would not appear in the District newsletter if he/she won an award and **he/she will NOT be included in the school yearbook.***

SECONDARY STUDENTS ONLY

Federal law requires school districts to provide a military recruiter or an institution of higher education, on request, with the name, address, and telephone number of a secondary student unless the parent has advised the District that the parent does not want the student's information disclosed without the parent's prior written consent.

Please select this box if you do **NOT** want NCISD to release your secondary student's name, address, and telephone listing to military recruiters and institutions of higher education upon their request.

Student Name (printed)

Parent/Guardian Name (printed)

Parent/Guardian Signature

Date

PARENT AND FAMILY ENGAGEMENT

Working Together

Both experience and research tell us that a student'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 student to put a high priority on education and working with your student every day 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 student's school activities and with the academic programs, including special programs offered in the District.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your student.
- Reviewing the requirements of the graduation programs with your student once your student begins enrolling in courses that earn high school credit.
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school.
- Becoming a school volunteer. For further information, see policies at GKG and contact your student's principal.
- Participating in campus parent organizations.
- Serving as a parent representative on the District-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement.

For more information, see policies at BQA and BQB, and contact:

Brande Bass
Director of Grants and Special Programs
21580 Loop 494, New Caney, Texas 77357
bbass@newcaneyisd.org
281-577-8600

- Serving on the School Health Advisory Council (SHAC) and assisting the district in aligning local community values with health education instruction, human sexuality instruction, instruction on prevention of child abuse, family violence, dating violence, and sex trafficking, and other wellness issues. See School Health Advisory Council (SHAC) and policies BDF, EHAA, FFA for more information.
- Attending board meetings to learn more about District operations. Regular board meetings are held on the third Monday of the month at 6:00 p.m. at Randall Reed Stadium Community Room at 21360 Valley Ranch Parkway, New Caney, TX 77357. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at 21580 Loop 494 and online at the [District website](#). [See policies at BE and BED.]

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 for child abuse investigations and reports.

Opting Out of Human Sexuality Instruction

To remove your student from human sexuality instruction, please contact the campus principal.

Annual Notification

As a part of the District's curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

State law also requires any instruction related to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome must:

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

The curriculum content shall be delivered in a developmentally and age-appropriate manner and shall include the most current and scientifically accurate information.

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

Grade 4 (Instruction provided during February)

- Changes that occur in males and females during puberty and adolescent development
- The menstrual cycle

Grade 5 (Instruction provided during November)

- The characteristics of healthy romantic relationships
- How to set and respect personal boundaries to reduce the risk of sexual abuse and harassment
- The processes of adolescent development, fertilization, and healthy fetal development

Grades 6-8 (Instruction provided during April)

- The characteristics of healthy romantic relationships
- How to set and respect personal boundaries to reduce the risk of sexual harassment, sexual abuse, and sexual assault
- Adolescent development, the process of fertilization, and healthy fetal development
- Risks associated with sexual activity and that abstinence from sexual activity is the only 100% effective method to avoid risks.

The District curriculum meets the Texas Essential Knowledge and Skills.

As a parent, you are entitled to review the curriculum materials. In addition, you may remove your student from any part of the human sexuality instruction with no academic, disciplinary, or other penalties.

You may also choose to become more involved with the development of curriculum used for this purpose by becoming a member of the District's SHAC. (See the campus principal for additional details.)

Consent Before Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking

Before a student receives instruction on the prevention of child abuse, family violence, dating violence and sex trafficking, the district must obtain written consent from the student's parent. Parents will be sent a request for written consent at least 14 days before the instruction will begin.

Annual Notification

Students receive instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

In accordance with SB 9, TEC §115 and upon the recommendation of the SHAC, middle school students will receive instruction in the following content related to the prevention of child abuse, family violence, dating violence, and sex trafficking:

- Identify how exposure to family violence can influence behavior and the importance of reporting suspected abuse.
- Identify forms of family violence, including physical, mental, and emotional violence.
- The student understands how to set and respect personal boundaries to reduce the risk of sexual harassment, sexual abuse, and sexual assault.
- Identify that physical, emotional, and sexual abuse and exploitation are all forms of abuse.
- Define dating violence and the characteristics of unhealthy or harmful relationships, including anger, controlling behavior, jealousy, manipulation, and isolation.
- Identify protective strategies for avoiding unsafe situations that heighten the risk of sexual harassment, sexual abuse, sexual assault, sex trafficking, and teen dating violence.
- Identify the social and emotional impacts of sexual harassment, sexual abuse, sexual assault, and sex trafficking.
- Identify ways of reporting suspected sexual abuse involving self or others such as telling a parent or another trusted adult.
- Explain how laws protect victims of sexual harassment, sexual abuse, and sexual assault.
- Examine the legal ramifications of sexual offenses such as sexual harassment, sexual abuse, and sexual assault.
- Identify how technology is used to recruit or manipulate potential victims of sex trafficking.
- Describe legal aspects of sexual activity with a minor person, including the legal age of consent, statutory rape, aggravated sexual assault, sexual assault, sexual abuse, and indecency with a child.

Specific curriculum to address the content will be created by the NCISD Instruction Department in collaboration with SHAC. In accordance with state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials. As required by law, any curriculum materials in the public domain used in this instruction will be posted on the district's website.
- Remove his or her child from any part of this instruction without academic, disciplinary, or other penalties.
- Become involved in the development of this curriculum by becoming a member of the district's SHAC or attending SHAC meetings. (See the campus principal for details.)
- Use the district's grievance procedure concerning a complaint. See Complaints and Concerns and FNG for information on the grievance and appeals process.

See Consent to Human Sexuality Instruction; Dating Violence; and Child Sexual Abuse, Neglect, Trafficking, and Other Maltreatment of Children.

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. After the district's mental health liaison learns that a student has displayed early warning signs, the student's parent will be notified within a reasonable amount of time and provided information about available counseling options.

Students who exhibit early warning signs of mental health concerns, including the risk of suicide or substance abuse will be referred to the appropriate school counselor or assistant principal.

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

Janet Graczyk
Director of Counseling
21580 Loop 494, New Caney, TX 77357
jgraczyk@newcaneyisd.org
281-577-8600

The mental health liaison can provide further information regarding these procedures as well as curriculum 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
- 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 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](https://www.texasattorneygeneral.gov/child-support/programs-and-initiatives/parenting-and-paternity-awareness-papa/papa-educators/papa-curriculum) (<https://www.texasattorneygeneral.gov/child-support/programs-and-initiatives/parenting-and-paternity-awareness-papa/papa-educators/papa-curriculum>). 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 Otherwise Permitted by Law

State law permits the school to make a video or voice recording without parental permission when the recording is to be used for:

- School safety;
- Classroom instruction or a co-curricular or extracurricular activity;
- Media coverage of the school; or
- Promotion of student safety as provided by law for a student receiving special education services in certain settings.

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

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.

Opting Out of Advanced Mathematics in Grades 6-8

The district will automatically enroll a student in grade 6 in an advanced mathematics course if the student performed in the top 40 percent on the grade 5 mathematics STAAR or a local measure that demonstrates proficiency in the student’s grade 5 mathematics course work.

Enrollment in an advanced mathematics course in grade 6 will enable students to enroll in Algebra I in grade 8 and advanced mathematics in grades 9-12.

The student’s parent may opt the student out of automatic enrollment in an advanced mathematics course.

Limiting Electronic Communications with Students by District Employees

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

An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests. [See policy DH(LOCAL).]

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

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

A parent may inspect the survey or other instrument and any instructional materials used in connection with such a survey. [See policy EF(LEGAL).]

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

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

- Activities involving the collection, disclosure, or use of personal information gathered from the child for the purpose of marketing, selling, or otherwise disclosing that information to others.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student.

Exceptions are hearing, vision, or spinal screenings, and 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 Education Department provides extensive information about the [Protection of Pupil Rights Amendment \(https://studentprivacy.ed.gov/resources/protection-pupil-rights-amendment-ppra-general-guidance\)](https://studentprivacy.ed.gov/resources/protection-pupil-rights-amendment-ppra-general-guidance), including a [PPRA Complaint Form \(https://studentprivacy.ed.gov/file-a-complaint\)](https://studentprivacy.ed.gov/file-a-complaint).

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

See **Consent to Human Sexuality Instruction** for information on a parent's right to remove a student from such instruction.

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

As a parent, you may request that your student be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing.

State law does not allow your student to be excused from participation in the required moment of silence or silent activity that follows. [See policy EC(LEGAL).]

Reciting a Portion of the Declaration of Independence

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

- Instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution
- 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 any of the following apply:

- 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.
- A parent is a representative of a foreign government to whom the U.S. government extends diplomatic immunity.

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

Religious or Moral Beliefs

You may remove your student temporarily from the classroom if an instructional activity in which your student is scheduled to participate conflicts with your religious or moral beliefs.

The removal may not be used to avoid a test and may not extend for an entire semester. The student must also 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 school days on which the class is offered.

If a district offers tutorial services to students, state law requires a student with a grade below 70 for a reporting period to attend.

[For questions about school-provided tutoring programs, contact the student's teacher and see policies EC and EHBC. See Standardized Testing for information regarding required accelerated instruction, including supplemental instruction, after a student fails to perform satisfactorily on certain state-mandated tests.]

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

Parent review of 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 to your student, whether instruction is delivered in-person, virtually or remotely.

The district will make instructional materials available for parent review no later than 30 days before the school year begins and for at least 30 days after the school year ends. However, tests that have not yet been administered will not be made available for parent examination.

The district will provide login credentials to each student's parent for any learning management system or online learning portal used in instruction to facilitate parent access and review.

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

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

District Review of Instructional Materials

A parent may request that the district conduct an instructional material review in a math, English Language Arts, science, or social studies class in which the parent's student is enrolled to determine alignment with state standards and the level of rigor for the grade level.

The district is not required to conduct an instructional material review for a specific subject area or grade level at a specific campus more than once per school year.

For more information about requesting an instructional material review, contact the campus principal.

Notices of Certain Student Misconduct to Noncustodial Parent

A non-custodial 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 your student's misconduct that may involve placement in a Disciplinary Alternative Education Program (DAEP) or expulsion. [See policy FO(LEGAL).]

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 their child's records, including:

- Attendance records
- Test scores
- Grades
- Disciplinary records
- Counseling records
- Psychological records
- Applications for admission
- Health and immunization information
- Other medical records
- Teacher and counselor evaluations
- Reports of behavioral patterns
- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with your student, as the term intervention strategies is defined by law
- State assessment instruments that have been administered to your student
- Teaching material and tests used in your student's classroom

You are also entitled to request that the school allow your student to take home any instructional materials used by the student. If the school determines that sufficient availability exists to grant the request, the student must return the materials at the beginning of the next school day if requested to do so by the student's teacher.

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.

Authorized Inspection and Use of Student Records

A federal law, known as the Family Educational Rights and Privacy Act (FERPA), affords parents and eligible students certain rights regarding the student's 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 in *Notice Regarding Directory Information*, 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 (<https://studentprivacy.ed.gov/file-a-complaint>) with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements.

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

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

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

Inspection and release of student records is primarily restricted to an eligible student or a student's parents 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 a student meets one of the following criteria:

- Reaches the age of 18,
- is emancipated by a court, or
- enrolls in a postsecondary 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 school officials have what federal law refers to as a "legitimate educational interest" in a student's records.

Legitimate educational interest may include:

- Working with the student;
- Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
- Compiling statistical data;
- Reviewing an educational record to fulfill the official's professional responsibility; or
- Investigating or evaluating programs.

School officials may include:

- Board members and employees, such as the superintendent, administrators, and principals;
- Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff);
- A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
- A person appointed to serve on a team to support the district's safe and supportive school program;
- A parent or student serving on a school committee; or
- A parent or student assisting a school official in the performance of his or her duties.

FERPA also permits the disclosure of personally identifiable information without written consent:

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General's office, the U.S. Attorney General's office, the U.S. Secretary of Education, TEA, the U.S. Secretary of Agriculture's office, and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- To individuals or entities granted access in response to a subpoena or court order.

- To another school, school district/system, or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.
- In connection with financial aid for which a student has applied or which the student has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the District discloses information it has designated as directory information.

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 campus 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 wishes to inspect the student’s records should submit a written request to the custodian of records identifying the records he or she wishes to inspect.

Records may be reviewed in person during regular school hours. The custodian of records or designee will respond to reasonable requests for explanation and interpretation of records.

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.

You may contact the custodian of records for currently enrolled students at:

Jonathan Powell, Principal
New Caney High School
 21650 Loop 494, New Caney, Texas 77357
jpowell@newcaneyisd.org
 281-577-2800

Dr. Bart Miller, Principal
Porter High School
 22625 Sandy Lane, Porter, Texas 77365
bmiller@newcaneyisd.org
 281-577-5900

Bridgett Heine, Principal
West Fork High School
 180 Sorters McClellan Rd., Kingwood, Texas 77339
bheine@newcaneyisd.org
 281-577-5900

Erica Sykes, Principal
Infinity Early College High School
 26751 Sorters Road, Porter, Texas 77365
esykes@newcaneyisd.org
 281-577-2890

Dr. Donda Slaydon, Principal
Keefer Crossing Middle School
 21460 Gene Campbell Road, New Caney, Texas 77357
dslaydon@newcaneyisd.org
 281-577-8840

Crystal Mayes, Principal
White Oak Middle School
24161 Briar Berry Lane, Porter, Texas 77365
cmayes@newcaneyisd.org
281-577-8800

Dan Carr, Principal
Woodridge Forest Middle School
4540 Woodridge Parkway, Porter, Texas 77365
dcarr@newcaneyisd.org
281-577-8880

Kesha Cauley, Principal
Pine Valley Middle School
22784 US Highway 59, Porter, Texas 77365
kcauley@newcaneyisd.org
281-577-880

Ruth Ann Anderson, Principal
Bens Branch Elementary
24160 Briar Berry Lane, Porter, Texas 77365
randerson1@newcaneyisd.org
281-577-8700

Luissana Davis, Principal
Brookwood Forest Elementary School
25545 Sorters Road, Porter, Texas 77365
ldavis@newcaneyisd.org
281-577-8820

Sheri Lowe, Principal
Dogwood Elementary
600 Dogwood Lane, New Caney, Texas 77357
slowe@newcaneyisd.org
281-577-2960

Rodree Carlile, Principal
Kings Manor Elementary
21111 Royal Crossing Drive, Kingwood, Texas 77339
rcarlile@newcaneyisd.org
281-577-2940

Raquel Sessa, Principal
New Caney Elementary
20501 FM 1485, New Caney, Texas 77357
rsessa@newcaneyisd.org
281-577-8720

Julie Knollenberg, Principal
Oakley Elementary
22320 Loop 494, New Caney Texas 77357
jknollenberg@newcaneyisd.org
281-577-5970

Cathy Mueller, Principal
Porter Elementary
24400 Loop 494, Porter, TX 77365
ctooley@newcaneyisd.org
281-577-2920

Teresa Brent, Principal
Robert L Crippen Elementary
18690 Cumberland Blvd., Porter, Texas 77365
tbrent@newcaneyisd.org
281-577-8740

Kindy Tomhave, Principal
Sorters Mill Elementary
23300 Sorters Road, Porter, Texas 77365
ktomhave@newcaneyisd.org
281-577-8780

Kristie Kelley, Principal
Tavola Elementary
18885 Winding Summit Dr., New Caney, Texas 77357
kkelley@newcaneyisd.org
281-577-2900

Terri Trout, Principal
Valley Ranch Elementary
21700 Valley Ranch Crossing Drive, Porter, Texas 77365
ttrout@newcaneyisd.org
281-577-8760

Julie Babbs, Principal
The Learning Center
20419 FM 1485, New Caney, Texas 77357
jbabbs@newcaneyisd.org
281-577-2850

You may contact the custodian of records for students who have withdrawn or graduated at:

Matt Calvert
Superintendent
21580 Loop 494, New Caney, TX 77357
mcalvert@newcaneyisd.org
281-577-8600

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. This request shall be in writing and include the following information: full name with title, address, daytime phone number, description of requested change, fax number, e-mail and supporting documents. If the District refuses the request to amend the records, the requestor has the right to request a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if the board of trustees determines that the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines. [See FINALITY OF GRADES at FNG(LEGAL).]

The district's policy regarding student records can be found at FL(LEGAL) and FL(LOCAL), which are available from the principal's or superintendent's office and the district's web site at www.newcaneyisd.org.

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

Teacher and Staff Professional Qualifications

You may request information regarding the professional qualifications of your student'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; whether the teacher has an emergency permit or other provisional status for which state requirements have been waived; and whether the teacher is currently teaching in the field of discipline of his or her certification. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your student.

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](#).

If you have questions, you may contact:

Kelly Johnson
District Military-Connected Liaison
21580 Loop 494, New Caney, TX 77357
kjohnson@newcaneyisd.org
281-577-8600

Parental Role in Certain Classroom and School Assignments

Multiple Birth Siblings

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

Safety Transfers/Assignments

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

The Board may transfer a student who has engaged in bullying to another classroom. The Board will consult with the parent of a child who has engaged in bullying before deciding to transfer the child to another campus.

Transportation is not provided for a transfer to another campus. See the principal for more information. [See policies FDB and FFI for more information.]

The district will honor a parent's request for the transfer of his or her child to a safe public school in the district if the child attends a school identified by the Texas Education Agency as persistently dangerous or if the child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE for more information.]

The Board will honor a parent's request for the transfer of his or her child to another district campus if the child has been the victim of 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 the assault. In accordance with policy FDE, if the victim does not wish to transfer, the Board will transfer the assailant.

Student Use of a Service/Assistance Animal

A parent of a student who requires a service/assistance animal due to the student's disability must contact the campus principal in writing to obtain the paperwork required to complete for use of a service/assistance animal prior to 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. The campus principal will notify Lori Waldrop, Director of Special Education or Evelyn Sifford, Director of Special Programs, of the parent request. The student's ARD or 504 committee should meet to discuss accommodations for students with disabilities. [See Policy FBA (Legal).]

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

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

A student in the conservatorship (custody) of the state 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. For provisions on partial course credit for students who are not in the conservatorship of the state, see EI(LOCAL).

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

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

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

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

If you have questions, contact:

Kelly Johnson

Homeless & Foster Liaison

21580 Loop 494, New Caney, TX 77357

kjohnson@newcaneyisd.org

281-577-8600

A Student Who is Homeless

A parent is encouraged to inform the district if his or her child is experiencing homelessness. District staff can share resources that may be able to assist families. Please also check the campus website for information related to services available in the area that can help families who are homeless.

A student who is experiencing homelessness 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;
- 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.

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

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

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.

You are encouraged to inform the district if you or your child is experiencing homelessness. District and campus staff can share resources with you that may be able to assist you and your family. The District has a web page located under the "Parent" tab at newcaneyisd.org for further information on homeless resources and transportation.

For more information on services for students who are homeless, contact:

Kelly Johnson
Homeless & Foster Liaison
21580 Loop 494, New Caney, Texas 77357
kjohnson@newcaneyisd.org
281-577-8600

OTHER IMPORTANT INFORMATION FOR PARENTS

A Student Who Has Learning Difficulties or Who Need 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 that a request for a special education evaluation may be made verbally and does not need to be in writing. The District must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of being a child with 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. If the child was absent from school three or more days between the time that the written consent was received and the last instructional day of the school year, the evaluation report must be completed not later than the 45th school day following the date on which the written consent was received plus the number of school days the child was absent. 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 contact person regarding options for a student experiencing learning difficulties or a referral for evaluation for special education is:

Lori Waldrop, Director of Special Education
22500 Eagle Drive, New Caney, Texas 77357
lwaldrop@newcaneyisd.org
281-577-8670

For questions regarding post-secondary transitions, including the transition from education to employment, for students receiving special education services, contact:

Jasmine Matthews, Coordinator of Secondary Instruction
22500 Eagle Drive, New Caney, Texas 77357
jmatthews@newcaneyisd.org
281-577-8600

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:

Evelyn Sifford, Director of Special Programs
22500 Eagle Drive, New Caney, Texas 77357
esifford@newcaneyisd.org
281-577-8600

The following Web sites provide information to those who are seeking information and resources specific to students with disabilities and their families.

- [Legal Framework for the Child-Centered Special Education Process](#)

- [Partners Resource Network](#)
- [Special Education Information Center](#)
- [Texas Project First](#)

Notification to Parent of Intervention Strategies for Learning Difficulties Provided to Student in General Education

The District will annually notify parents that it provides assistance to students, other than those already enrolled in a special education program, who need assistance for learning difficulties, including intervention strategies.

Texas Driving with Disability Program

In accordance with state law, the district will provide notification of the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and receive special education or are covered by Section 504 of the Rehabilitation Act of 1973. This notification will be provided annually to an eligible student aged 16 years or older until the student's graduation or 21st birthday and to the student's parents.

The Texas Driving with Disability Program focuses on improving the interaction between law enforcement and drivers with disabilities that have unique communication needs.

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, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus.

The student receiving special education services would be entitled to transportation; however, the district is not required to provide transportation to the 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 receive language support if they qualify as an emergent bilingual student. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

Contact Person for Emergent Bilingual Students

The designated person to contact regarding questions about emergent bilingual education is:

Dr. Erika Gutierrez
 Director of Multilingual/Migrant/Title III
 22500 Eagle Drive, New Caney, Texas 77357
egutierrez@newcaneyisd.org
 281-577-8600

A Student with Physical or Mental Impairments Protected under Section 504

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

Volunteer Information and Application

The New Caney Independent School District values the contributions made by its many volunteers who diligently work to support our outstanding students, teachers, and programs. It is our goal to provide a safe environment for our

students and visitors. If you are interested in volunteering on one of our campuses, please complete the volunteer application available on the District's web site. Individuals who complete this form must watch a district volunteer orientation video prior to becoming an approved volunteer and receiving a volunteer badge.

All volunteers including parents, grandparents or guardians who wish to assist with field trips, field day, carnivals, etc., must be a designated volunteer. Parents, grandparents, or guardians who wish to attend field trips, field day, carnivals, student performances, assemblies, or conferences with teachers or administrators are not required to be designated volunteers.

The volunteer application packet can be found at [NCISD volunteer program](#). The District will obtain the criminal history record of all prospective volunteers who will be working with students and will have access to student information. The background check is strictly confidential and will be processed through the NCISD Police Department. Volunteers should expect a criminal history check at both the state and national level. When volunteers have passed the criminal history check, principals will be notified of their eligibility to serve as volunteers. Volunteer programs vary from campus to campus. See campus administration for details regarding volunteer opportunities available.

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 front office and must comply with all applicable district policies and procedures.

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

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

SECTION II: INFORMATION FOR STUDENTS AND PARENTS

This section contains important information on academics, school activities, school operations and requirements.

Take a moment with your student to become familiar with the various issues addressed in this section. For guidance on a particular topic, please contact campus administration.

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 from the previous day, 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 important state laws are discussed below, one dealing with compulsory attendance and the other with how attendance affects the award of a student's final grade or course credit.

Compulsory Attendance

School employees must investigate and report violations of the compulsory attendance law.

A student who is absent without permission from school, any class, any required special program, or any required tutorial will be considered in violation of the compulsory attendance law and subject to disciplinary action.

Prekindergarten and Kindergarten

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

Ages 6 Through 18

State law requires that a student who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached their 19th birthday, shall attend school, as well as any applicable accelerated instruction program, extended-year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

State law requires a student in kindergarten–grade 2 to attend any assigned accelerated reading instruction program. Parents will be notified in writing if their child is assigned to an accelerated reading instruction program based on a diagnostic reading instrument.

A student will be required to attend any assigned accelerated instruction program before or after school or during the summer if the student does not meet the passing standards on an applicable subject area state assessment.

Age 19 and Older

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

Compulsory Attendance- Exemptions

State law allows exemptions to the compulsory attendance requirements, as long as the student makes up all work, for the following activities and events:

- Religious holy days including one day travel to and one day travel from
- Required court appearances including one day travel to and one day travel from
- Appearing at a governmental office to obtain U.S. citizenship
- Taking part in a US naturalization oath ceremony including one travel day to and one travel day from
- Serving as an election clerk (maximum 2 days per year)
- Health-care appointments for the student or a child of the student, including absences related to autism services
- Absences resulting from a serious or life-threatening illness or related treatment that makes a student's attendance infeasible, with certification by a physician
- For students in the conservatorship 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
- Visitation with an active-duty parent/guardian who has been continuously deployed for at least four months and is on leave outside of where they regularly reside (maximum 10 days per school year); and
- Participation in a mentorship to complete requirements for the Distinguished Achievement Program
- School sponsored activity with a professional NCISD staff member
- Sounding Taps at a military honors funeral (6th through 12th grade only);
- College or university visits for the purposes of visiting to determine the student's interest in attending the institution (11th and 12th grade only, maximum 2 days per year), if the following conditions are met:
 - The board has authorized such excused absences under policy FEA(LOCAL)
 - The principal has approved the student's absence
 - The student follows campus procedures to verify the visit and completes any work missed
- The District will allow a student who is 15 years of age or older to be absent for one day to obtain a learner license and one day to obtain a driver's license. The student will be required to provide documentation of his or her visit to the driver's license office for each absence and must make up any work missed. If a student 17 years of age or older is pursuing enlistment in a branch of the U.S. armed services or Texas National Guard, provided the absence does not exceed four days during the period the student is enrolled in high school and the student provides verification to the district of these activities
- The district will allow a student to be absent for up to two days during the student's junior year and two days during the student's senior year for a career investigation day to visit a professional at that individual's workplace to determine the student's interest in pursuing a career in the professional's field, provided the student verifies these activities to the district

Note that documented health-care appointments may include telehealth appointments. Students who are physically on campus will not be allowed to participate in telehealth or other online appointments without specific authorization from an appropriate administrator. Students should not use district-issued technology, including wifi or internet, for telehealth appointments because use of district-owned equipment and its network systems is not private and may be monitored by the district. For more information, see **Telecommunication and Other Electronic Devices**.

Compulsory Attendance - Failure to Comply

School employees must investigate and report violations of the state compulsory attendance law.

A student who is 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.

Students with Disabilities

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

Ages 6 to 18

When a student aged 6 to 18 incurs unexcused absences for three or more days or parts of days within a four-week period, the law requires the school to send a notice to the parent.

The notice will:

- Remind the parent that it is the parent's duty to monitor the student's attendance and to require the student to attend school;
- Request a conference between school administrators and parents; and
- 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 an attendance 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 facilitators for the district are:

Everett Simons, Grades PK-8
Director of Student Services
21580 Loop 494, New Caney, TX 77357
esimons@newcaneyisd.com
281-577-8600

Dr. Cesar Condarco, Grades 9-12
Director of Student Services
21580 Loop 494, New Caney, TX 77357
ccondarco@newcaneyisd.org
281-577-8600

If you have questions about your student and the effect of his or her absences from school, please contact the facilitator or any other campus administrator.

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

If a student 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.

Age 19 and older

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

Attendance for Credit

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit for the class if he or she completes a plan, approved by the principal, which 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 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, if appropriate. [See policy FEC.]

Except for absences due to serious or life-threatening illness, 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 consider:

- Whether the student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.
- Whether the student has completed makeup work satisfactorily.
- If the student completes makeup work absences for the reasons listed above at **Exemptions to Compulsory Attendance** and absences for extracurricular activities will be considered extenuating circumstances.
- Whether the student or the student's parent had any control over the absences.
- Any information presented by the student or parent to the committee about the absences.

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

Documentation after an Absence

When a student is absent from school, the student, upon arrival or return to school, must bring a note signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older or is an emancipated minor under state law. An email from the parent may be accepted, but the district reserves the right to require a written note.

The campus will document in its attendance records for the student whether the absence is considered by the district to be excused or unexcused.

NOTE: Unless the absence is for a statutorily allowed reason under compulsory attendance laws, the District is not required to excuse any absence, even if the parent provides a note explaining the absence. A campus administrator may excuse up to 5 absences per semester with a parent note.

An excuse must be submitted to the school within three days following the absence(s). The student's assistant principal may grant an extension of this deadline if there are extenuating circumstances. All notes are retained on file and become evidence in any attendance review and/or court hearing. The Attendance Review Committee will review excessive (more than 5 per semester) parent/guardian notes. The excuse must contain the following:

- Date excuse is written
- Full name of student
- Student ID number
- Date(s) absent
- Reason for absence on each date
- Signature of parent/guardian
- Telephone number of parent/guardian

An excuse may be submitted via Family Access, emailed to the attendance clerk via the campus webpage or a student may turn in excuse notes before class begins on the day they return to school from an absence. Time out of class to clarify absences will not be permitted. If students do not bring a note on the day they return, they will have two additional days to complete this required documentation.

Excused Absences

A note regarding the following reasons must be provided for an absence to be excused.

- Personal illness
- Funeral
- Emergency in immediate family
- Illness of the student's child
- Sent home by school nurse
- Authorized school-sponsored activities. A student may receive excused absences for participating in off-campus school related activities. Without the permission of the student's assistant principal, a student will not be permitted to participate in activities that would result in the student being absent from any class more than 10 times a school year
- Ongoing medical or psychiatric treatment
- Olympic-caliber competition (with application approved by principal; up to 10 days per school year)
- Homeland security and visa appointment (passport/INS/visa/residency; with documentation requiring appearance and proof of attendance)
- Any other absences considered to be exemptions from compulsory attendance

Unexcused Absences

An absence for any reason other than those listed above under Excused Absences shall be classified as unexcused. Absences that are initially classified as unexcused may be changed to excused if the parent/guardian sends or emails a note stating the reason, within three school days after returning from the absence. Campus administrators may review extenuating circumstances other than those listed above and determine if they may be excused.

Doctor's Note After an Absence for Illness

Within three days of returning to school, a student absent for more than five 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 in violation of compulsory attendance laws.

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

Certification of Absence Due to Severe Illness or Treatment

If a student is absent because of a serious or life-threatening illness or related treatment that makes a student's attendance infeasible, a parent must provide certification from a physician licensed to practice in Texas specifying the student's illness and the anticipated period of absence related to the illness or treatment.

Tardiness

A student who is tardy to school or to class may be assigned disciplinary action in accordance with the District's Code of Conduct.

Official Attendance Time

The District must submit attendance of its students to the Texas Education Agency (TEA) reflecting attendance at a specific time each day.

All Middle School campuses will take official attendance daily at 8:45 AM.

Infinity Early College High School will take official attendance daily at 7:45 AM.

All other high school campuses will take official attendance at 9:30 AM.

The Learning Center will take official attendance at 8:20 AM.

Official attendance times at elementary campuses vary and are listed below.

Bens Branch Elementary	9:25 AM
Brookwood Forest Elementary	10:20 AM
Dogwood Elementary	9:40 AM
Kings Manor Elementary	9:15 AM
New Caney Elementary	9:25 AM
Oakley Elementary	9:35 AM
Porter Elementary	9:43 AM
Robert Crippen Elementary	9:10 AM
Sorters Mill Elementary	9:30 AM
Tavola Elementary	9:40 AM
Valley Ranch Elementary	9:20 AM

College Visits

High school students who meet the following criteria will be allowed to have two (2) excused days of absence for a college visit during their junior and senior years:

1. The student must have passed the required parts of the STAAR/EOC test for the previous year.
2. The student must be on track to graduate on time.
3. The student is classified as a junior or senior based upon credits earned.
4. The student is passing all course work.
5. The student has no truancy or other attendance problems.
6. The student is not in a DAEP placement or assigned to a JJAEP.

Students must submit a written request at least two days prior to the day requested for a college visit so that eligibility criteria for an excused day of absence can be verified and approval granted prior to the student participating in a college visit. Approval will not be granted for a college visit on a day when major examinations are scheduled, and no partial days will be approved. If prior approval is granted, verification of the visit must be submitted for the absence to be recorded as excused. If the college visit cannot be made on the date specified on the approved written request, a new request form must be submitted for consideration.

Prearranged Absences

A student (or the student's parent/guardian) may notify the school of an absence that will occur in the future by completing the Pre-arranged Absences Notification Form. The principal shall explain to the student/parent ramifications of absences.

Field Trip Absences

Students participating in a field trip during school hours will not be counted as absent. Work missed for such activities is eligible for make-up, as are days missed for UIL competitions. Prior approval must be given for all students participating in a field trip. Students who are failing any class, or who have poor or unsatisfactory conduct/attendance, may not participate in a field trip or UIL activity. It will be the responsibility of the teacher or coach sponsoring the field trip or UIL activity to check all forms and student eligibility prior to the trip. Students who are failing a class do not have permission to miss that class for a field trip or UIL activity during school hours.

Early Release/Late Arrival Privileges

Students must meet all District criteria to qualify for early release or late arrival. All early release permits must be carried by the student at all times and should be available for review upon request. Permits will be issued to students by their assistant principal. Students who are denied credit (due to attendance) in any class during the first semester will not be eligible for early release or late arrival privileges during the second semester. This privilege may be revoked based on excessive tardies and absences. Additional information is available from the counselor.

Work Release Permits

Off-campus permits for Career Technical Education (CTE) students participating in a Career Prep off campus work release program will be issued by the CTE Career Prep teacher. Career Prep teachers will provide a list of approved students to the assistant principals. A permission slip must be on file with attendance granting permission for the student to leave campus during the school day.

Off Campus Athletics

Off-campus permits for students participating in off-campus credit programs will be issued by the campus. A permission slip must be on file with campus administration granting permission for the student to leave campus during the school day.

Leaving School Early Due to Illness

If a student becomes ill while at school, the student should get a permit from his/her classroom teacher to go to the clinic. Under no circumstances are students to leave school without proper authorization. A student leaving school for any reason must sign out in the office. Failure to follow the procedure will warrant disciplinary action for truancy.

Make Up Work for Absences

A teacher may assign makeup work to a student who misses class based on instructional objectives and the needs of the student in mastering the essential knowledge and skills or meeting subject or course requirements.

The student will be responsible for obtaining makeup work. Students will have one day per missed class, not including weekends and holidays, to turn in completed make up work. If turned in after this deadline, the NCISD late work policy applies.

The student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time so that the teacher and student may plan any makeup work. Please remember the importance of student attendance at school. With limited exceptions, all absences count for the 90 percent threshold set in state law regarding attendance for credit or final grade. [See Attendance for Credit or Final Grade]

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

A student will be permitted to make up tests and 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.

Driver License Attendance Verification

A currently enrolled student seeking a driver's license shall submit the Texas Department of Public Safety Verification of Enrollment and Attendance Form (VOE), signed by the parent, to the campus at least 10 days before it is needed. The district will issue a VOE only if the student meets class credit or attendance requirements. The VOE form is available at: <https://www.tdlr.texas.gov/driver/forms/VOE.pdf>. Further information may be found on the Texas Department of Public Safety website: <https://www.dps.texas.gov/section/driver-license>.

ACCOUNTABILITY UNDER STATE AND FEDERAL LAW

New Caney 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;
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

Accountability information can be found on the district's website at newcaneyisd.org. 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](#).

ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST

A student in grades 10-12 will be offered an opportunity to take the Armed Services Vocational Aptitude Battery test and consult with a military recruiter.

The test shall be offered on October 22, 2024 at New Caney High School and on October 31, 2024, at Porter High School. Any West Fork High School or Infinity High School students interested in this opportunity should contact their counselor.

Contact the testing coordinator for information about this opportunity.

BULLYING

The district strives to prevent bullying, in accordance with the District's policies, by promoting positive school culture; building healthy relationships between students and staff; encouraging reporting of bullying incidents, including anonymous reporting; and investigating and addressing reported bullying incidents.

Bullying is defined in 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 using any electronic communication device, including:

- a cellular or other type of telephone
- a computer
- a camera
- electronic mail
- instant messaging
- text messaging
- a social media application
- an internet website
- any other Internet-based communication tool.

The District will integrate into instruction research-based content designed to reduce bullying that is appropriate for students' age groups.

Students in elementary grades will participate in:

- Instruction designed so that students can recognize bullying behaviors and how to report them
- Age-appropriate discussions that encourage peers to intervene when they observe bullying
- Instruction that characterizes bullying as a behavior that results from the student's need to acquire more mature social or coping skills, not an unchangeable trait

Students in secondary grades will participate in:

- Instruction on the brain's ability to change and grow so the student recognizes bullying behavior can come from a developmental need to acquire more social skills, can change when the brain matures and learns better ways of coping, and is not an unchangeable trait
- Discussions that portray bullying as undesirable behavior and a means for attaining or maintaining social status at school, and that discourage students from using bullying as a tool for social status
- Instruction designed so that students recognize the role that reporting bullying behaviors plays in promoting a safe school community

The District will use an age-appropriate survey regarding school culture that includes relevant questions on bullying to identify and address student concerns.

Each campus has a committee that addresses bullying by focusing on prevention efforts and health and wellness initiatives. The committee will include parents and secondary students. For more information on this committee, including interest in serving on the committee, contact the campus principal.

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, assault, demands for money, confinement, destruction of property, theft of valued possessions, name-calling, rumor-spreading, and ostracism.

Reporting Procedures

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, counselor, principal, or another District employee as soon as possible to obtain assistance and intervention. Any District employee aware of a report of a bullying incident will relay the report to an appropriate administrator. Reports, including anonymous reports, may be made through the Safe School Reporting link provided on the District's and campuses' websites.

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 the bullying.

If an investigation determines 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 meet the definition of bullying.

The district will provide research-based interventions, which may include counseling options, for students who engage in bullying behaviors, students who are targeted by bullying behaviors, and any student who witnessed bullying behaviors.

Any action taken in response to bullying will comply with state and federal law regarding students with disabilities.

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

Upon 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 to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. For more information see **Safety Transfers/Assignments**.

A copy of the District's policy is available in the principal's office, superintendent's office, and on the District's website. 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 see **Complaints and Concerns** and FNG(Local).

CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS AND OTHER WORK-BASED PROGRAMS

The district offers career and technical education programs in the following areas:

- Agriculture, Food, and Natural Resources
- Architecture and Construction
- Arts, Audio/Video Technology, and Communications
- Business, Marketing, and Finance
- Education and Training
- Health Science
- Hospitality and Tourism
- Human Services
- Information Technology
- Law and Public Service
- Manufacturing
- Transportation, Distribution, and Logistics

Admission to these programs is based on student grade level, prerequisite requirements, and class space availability.

The district offers other work-based programs in the following areas:

- Agriculture, Food, and Natural Resources
- Architecture and Construction
- Arts, Audio/Video Technology, and Communications
- Business, Marketing, and Finance
- Education and Training
- Health Science
- Hospitality and Tourism
- Human Services
- Information Technology
- Law and Public Service
- Manufacturing
- Transportation, Distribution, and Logistics

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

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

The District will take steps to assure that lack of English language skills will not be a barrier to admission or participation in all educational and vocational programs.

For information about your rights or grievance procedures, contact the Title IX coordinator and the ADA/Section 504 coordinator.

CELEBRATIONS

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. 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. For further guidance or assistance in providing nutritious snacks for a classroom please contact the Child Nutrition Department.

CHILD ABUSE, NEGLECT, TRAFFICKING, AND OTHER MALTREATMENT OF CHILDREN

The District has established a plan for addressing child abuse, neglect, trafficking, and other maltreatment of children. The plan is available at [NCISD District Improvement Plan](#). Abuse includes physical abuse, sexual abuse, and psychological and emotional abuse. Trafficking includes both sex and labor trafficking.

Duty to Report

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). See below for information about how to report and respond to allegations of child abuse or neglect.

Possible Warning Signs of Child Abuse, Neglect, Trafficking, and Other Maltreatment of Children

Physical Abuse

Possible warning signs of physical abuse include:

- Frequent injuries such as bruises, cuts, black eyes, or burns without adequate explanations
- Frequent complaints of pain without apparent injury
- Burns or bruises in unusual patterns that may indicate the use of an instrument or human bite; cigarette burns on any part of the body
- Lack of reaction to pain
- Extreme fear of going home or seeing parents
- Injuries that appear after a child has not been seen for several days
- Unseasonable clothing that may hide injuries to arms or legs

Sexual Abuse

Possible warning signs of sexual abuse include:

- Physical signs of sexually transmitted diseases
- Evidence of injury to the genital area
- Pregnancy in a young girl
- Difficulty in sitting or walking
- Extreme fear of being alone with adults of a certain sex
- Sexual comments, behaviors, or play beyond what is considered age-appropriate behavior
- Knowledge of sexual relations beyond what is expected for a child's age
- Sexual victimization of other children

Children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See Dating Violence, Discrimination, Harassment, and Retaliation and Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking]

Emotional Abuse

Possible warning signs of emotional abuse include:

- Over-compliance or low self-esteem caused by scapegoating or verbal abuse by caregivers
- Severe depression, anxiety, or aggression
- Lag in physical, emotional, and intellectual development
- Indicators of a caregiver who belittles the child, withholds love, and seems unconcerned about the child's problems
- Significant changes to behavior, such as withdrawal or over-aggression
- Significant changes to weight, such as substantial weight gain or weight loss

Neglect

Possible warning signs of neglect include:

- Obvious malnourishment
- Consistent lack of personal hygiene that poses a health risk
- Stealing or begging for food
- Child unattended for long periods of time
- Unaddressed need for dental care or other medical attention

Description and Warning Signs of Trafficking

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

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

Possible warning signs of sexual trafficking in children include:

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

Additional warning signs of labor trafficking in children include:

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

Reporting and Responding to Child Abuse, Neglect, Trafficking, and Other Maltreatment of Children

A child who has experienced any type of abuse or neglect should be encouraged to seek out a parent or trusted adult. Children may be more reluctant to disclose abuse and may only disclose sexual abuse indirectly. As a parent or trusted adult, it is important to be calm and comforting if your child or another child confides in you. Reassure the child that they did the right thing by telling you.

If your child is a victim of abuse, neglect, trafficking, or other maltreatment, the school counselor or principal will provide information on counseling options for you and your child available in your area. 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 at <http://www.dfps.state.tx.us>

Reports of abuse, trafficking, or neglect may be made to:

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

Further Resources on Abuse, Sex Trafficking, and Other Maltreatment of Children

The following websites include resources to help increase awareness of child abuse and neglect, sexual abuse, sex trafficking, and other maltreatment of children:

- [Child Welfare Information Gateway Factsheet](#)
- [KidsHealth, For Parents, Child Abuse](#)
- [Office of the Texas Governor's Child Sex Trafficking Team](#)
- [Human Trafficking of School-aged Children](#)
- [Child Sexual Abuse: A Parental Guide from the Texas Association Against Sexual Assault](#)
- [National Center of Safe Supportive Learning Environments: Child Labor Trafficking](#)

CLASS RANK/HIGHEST RANKING STUDENT

For the purpose of determining honors to be conferred in the spring graduation ceremonies, the District shall calculate weighted grade point averages to determine each student's class ranking at the end of the third nine-week grading period of the senior year or the final weighted GPA of early graduates.

The District shall rank with the spring graduating class any student who graduates during the school year or in the subsequent summer. Students who are enrolled and graduating at the time of the spring graduation ceremonies and early graduates who completed graduation requirements in the current school year shall be eligible for honor awards at those ceremonies.

For the purpose of determining eligibility for automatic admission under state law, the District shall calculate a class ranking for a student who enrolls at a campus after the beginning of the senior year; however, honors recognition for such a student shall be limited in accordance with this policy.

Each eligible student whose weighted grade point average falls in the top ten percent of the graduating class shall be designated as an honors graduate.

To be eligible for recognition as an honors graduate, a student:

- Shall have completed the Foundation High School Program with Distinguished Level of Achievement; and
- Shall have been continuously enrolled in the same District high school for the two semesters prior to completing all credits required for graduation.

The eligible students with the highest and second highest weighted grade point averages shall be recognized as valedictorian and salutatorian, respectively.

To be eligible for recognition as valedictorian or salutatorian, a student:

- Shall have completed the Foundation High School Program with Distinguished Level of Achievement;
- Shall have been continuously enrolled in the District for grades 10–12; and

- Shall have been continuously enrolled in the same high school for the three semesters immediately prior to the spring graduation ceremony.

In the event of a tie among eligible students for highest and second highest weighted grade point averages when the averages have been calculated to four places behind the decimal point, the District shall recognize as valedictorian the student who has completed the greater(est) number of advanced-level courses.

If the tie cannot be broken by comparing the number of advanced-level courses, the District shall recognize co-valedictorians. The student with the next highest weighted grade point average shall be recognized as salutatorian.

Class rank shall be based solely on academic courses so that all students may be compared on the same basis. The honors of valedictorian, salutatorian, and honors graduates shall be based on academic excellence and the grade point average for all courses as follows:

- English (Elective English courses not satisfying a graduation requirement for English do not count in the calculation of GPA.);
- Mathematics;
- Science;
- Social Studies (*Elective Social Studies courses do not count in the calculation of GPA*) See your counselor for specifics; and
- Languages other than English.

With the exception of dual credit courses in eligible subjects, courses taken only for local credit shall not be included in the calculation. Contact the school counselor with specific questions.

Both dual credit courses taken in the spring semester of senior year and pass/fail grades shall not be included in the calculation.

CLASS SCHEDULES/SCHEDULE CHANGES

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 who meet specific criteria and receive parental consent to enroll in less than a full-day's schedule.

Because the registration process for the next school year begins early in the year, ample time is allowed for parents/guardians and a student to review the student's schedule after it is selected. Students are encouraged to register for the subjects they need and want before the schedule is finalized at the end of the school year. The course description guide should help determine what to expect in advance. Students and parents should read the course description guide very carefully and discuss it with teachers and/or counselors before making a course selection.

Once student schedules are finalized by the deadline in the spring, students are permitted to make changes only when the changes fall within the established guidelines listed below:

1. A change due to credit regained.
2. A change due to a failure in the prerequisite for the course a student had requested.
3. A change due to an unresolved scheduling conflict.
4. A change related to health problems. A written statement from the student's physician is required.
5. A change made to correct a scheduling error made by the school staff.
6. Incorrect placement or teacher-initiated request for level change.
7. School need; closing, adding, or balancing classes.

The only exception to this policy relates to a change from an advanced to a level class, in accordance with NCISD Course Guide guidelines. The student will take his/her previous grade to the new course but will not receive the extra GPA for ranking in an advanced course. Exception to these procedures requires the approval of the building principal. Refer to the Course Guide for guidelines.

COLLEGE AND UNIVERSITY ADMISSIONS AND FINANCIAL AID

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

- Completes the distinguished level of achievement under the foundation graduation; or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

Additional criteria may be required by receiving institutions. Students should familiarize themselves with ALL admission criteria of institutions they are interested in attending. The student is ultimately responsible for meeting the admission requirements of the university or college, including timely submission of a completed application.

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

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University's enrollment capacity for incoming resident freshmen. From the summer 2023 term through the spring 2025 term, the University will admit the top six percent of the high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through an independent review process. As required by law, the district will provide written notice concerning the following:

- Automatic college admission
- Curriculum requirements for financial aid
- Benefits of completing the requirements for automatic admission and financial aid
- The Texas First Early High School Completion Program, which requires a student to provide an official copy of assessment results and transcripts, as applicable, to receive credit for the assessments and credits required for early graduation under the program
- The Texas First Scholarship Program
- The Future Texas Teachers Scholarship Program

Parents and students will be asked to sign an acknowledgment that they received this information.

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

COLLEGE CREDIT COURSES

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

- Certain courses taught at the high school campus, which may include courses termed Dual Credit or Advanced Placement (AP);
- Enrollment in an AP or dual credit course through the Texas Virtual School Network (TxVSN);
- Enrollment in courses taught in conjunction and partnership with Lone Star College, which may be taught on or off campus;
- Enrollment in certain courses taught at New Caney, Porter, West Fork or Infinity High School.

Enrollment in these programs is based on academic prerequisites. See counselor for more information.

Under the Financial Aid for Swift Transfer (FAST) program, a student may be eligible to enroll at no cost to the student in dual credit courses at a participating institution of higher education. The FAST program allows students who are or have been educationally disadvantaged at any time during the four years preceding the student's enrollment in a dual credit course to enroll at no cost to the student. The district will determine eligibility upon the student's enrollment in the dual credit course. See the high school counselor for more information.

A student may be eligible for subsidies based on financial need for AP or IB exam fees. See Fees for more information.

A student may also earn college credit for certain Career and Technical Education (CTE) courses. See Career and Technical Education and Other Work-Based Programs for information on CTE and other work-based programs.

For dual credit purposes all these methods have eligibility requirements and must be approved prior to enrollment in the course. See the counselor for more information. Depending on the student's grade level and the course, an end-of-course assessment may be required for graduation and, if so, may affect a student's final course grade.

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

COMMUNICATIONS

Parent Contact Information

A parent is legally required to provide in writing the parent's contact information, including address, phone number, and email address.

A parent must provide the contact information to the District upon enrollment and again within two weeks after the beginning of each following school year while the student is enrolled in the District.

If the parent's contact information changes during the school year, the parent must update the information in writing no more than two weeks after the date the information changes.

A parent may update contact information by contacting the campus registrar.

Automated Emergency Communications

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.

Automated Nonemergency Communications

Your child's school periodically sends information by automated or pre-recorded messages, text messages, or real-time phone or email communications that are closely related to the school's mission and specific to your child, your child's school, or the District. Standard messaging rates of your phone carrier may apply. If you do not wish to receive such communications, contact your child's principal.

COMPLAINTS AND CONCERNS

Most student or parent complaints or concerns can be addressed simply by a phone call or a conference with a teacher. For those complaints and concerns that cannot be handled so easily, the District has adopted a standard complaint policy at FNG(LOCAL) in the District's policy manual, available on the District's website at [Policy Online](#). Complaint forms may be obtained from the campus principal's office, the superintendent's office or on the [District's website](#).

Following are the steps to resolve all complaints:

Step 1. Contact the Staff Member

The most direct route to resolving a concern is to confer directly with the person involved (teacher, coach, etc.) More than 95% of concerns are resolved by a conversation between those involved.

Step 2. Contact the Campus Administrator

The principal/designee will be responsible for the school's operation. Explanations of policies and procedures, various clarifications and all types of campus information are available in campus administration offices.

If you have gone through the previous informal steps of problem-solving and have not met a satisfactory conclusion, you may then move into the formal process by filing the **Level 1 Parent/Student Complaint Form** with the campus principal.

After you have gone through the first formal step of problem-solving and have not met a satisfactory conclusion, you may then move into the next formal process by filing the **Level 2 Parent/Student Appeal Form** with the Superintendent.

If you have gone through the Level 1 and Level 2 formal steps of problem-solving and have not met a satisfactory conclusion, you may continue in the formal process with the Board of Trustees by filing the **Level 3 Parent/Student Appeal Form** with the Superintendent's office.

All these forms are available in the principal's office, Superintendent's office or can be found on the [District's website](#).

Some complaints and/or concerns require different procedures as listed below. Any campus office can provide information regarding specific processes for these complaints and concerns. Additional information can also be found in the designated board policy, available in the principal's and Superintendent's office or on the [District's website](#).

Specialized policies and procedures exist regarding certain types of complaints. A complete list of the specialized policies and procedures concerning specific types of complaints may be found in Board Policy FNG (Local).

CONDUCT

Applicability of School Rules

As required by law, the board has adopted this Student Code of Conduct which prohibits certain behaviors and defines standards of acceptable behavior, on and off campus, during remote and in-person instruction and on District vehicles, and outlines consequences for violation of these standards. The District has disciplinary authority over a student in accordance with this 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.

To achieve the best possible learning environment for all students, the Student Code of Conduct and other campus rules will apply whenever the interest of the District is involved, whether on or off school grounds, in conjunction with classes and school-sponsored activities.

Campus Behavior Coordinator

By law, each campus has a campus behavior coordinator (CBC) to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The contact information for each CBC is available on the District's website.

Deliveries

Except in emergencies, delivery of messages or packages to students will not be allowed during instructional time. A parent may leave a message or a package, such as a forgotten lunch, for the student to pick up from the front office during a passing period or lunch.

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.

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

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

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

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

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

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

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

Personal Counseling

School counselors are available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. The counselors may also make available information about community resources to address these concerns. A student who wishes to meet with their counselor should go to the counselor's office and complete a counselor's request form. As a parent, if you are concerned about your student's mental or emotional health, speak with the school counselor for a list of resources that may be of assistance.

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

COURSE CREDIT

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

CREDIT BY EXAMINATION- If a Student Has Taken the Course

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

Examples of prior instruction include incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a 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. For further information, see the counselor and policy EHDB(LOCAL).

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

CREDIT BY EXAMINATION FOR ADVANCEMENT/ACCELERATION- If a Student Has Not Taken the Course

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 current 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 who is homeless 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 exam only once. A student may not attempt to earn credit by examination for a specific high school course more than two times.

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

Kindergarten Acceleration

Kindergarten acceleration allows a child who is five years old on or before September 1st to be assigned initially to Grade 1 rather than Kindergarten provided that the parent of the incoming Kindergarten student completes an application through the New Caney ISD Advanced Academics office by the last day of instruction of the previous school year.

The Kindergarten Acceleration Program for NCISD tests students wishing to skip kindergarten and be placed directly into first grade. In order to qualify for Kindergarten Acceleration, the student must meet these qualifications:

- The student MUST be 5 years of age on or before September 1.
- The student MUST be registered for kindergarten for the upcoming school year in NCISD.

If both of these qualifications are met, then a parent/guardian may request that his/her child test for placement in first grade.

Testing will be conducted during the summer to determine eligibility for acceleration.

Students in Grades 1-5

A student in elementary school will be eligible to accelerate to the next grade level if the student meets all the following requirements:

- Scores at least 80 on each examination in the subject areas of Language Arts, Mathematics, Science, and Social Studies
- A District administrator recommends that the student be accelerated
- The student's parent gives written approval of the grade advancement.

Students in Grades 6-8

A student in middle school will be eligible to accelerate to the next grade level if the student scores at least 80 on each of two semester exams in the subject areas of Language Arts, Mathematics, Science, Social Studies, and Art, and the student's parent gives written approval of the grade advancement.

Students in Grades 9-12

A student in grade 9 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 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 examination 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

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

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

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

Dating Violence

Dating violence will not be tolerated at school. To report dating violence see Reporting Procedures.

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 past or current dating partner;
- Attempts to isolate the student from friends and family;
- Stalking; or
- Encouraging others to engage in these behaviors.

In accordance with law, when the District receives a report of dating violence, a District official will immediately notify the parent of the alleged victim and alleged perpetrator.

The counselor's office has information about the dangers of dating violence and resources for seeking help.

A flier from the Texas Attorney General's office includes information on recognizing and responding to dating violence, including contact information for help. The counselor's office has additional information about the dangers of dating violence and resources for seeking help. For more information on dating violence, see the CDC's [Preventing Teen Dating Violence](#).

For more information on dating violence, see:

Texas Attorney General's office [recognizing and responding to dating violence flier](#).

The CDC's [Preventing Teen Dating Violence](#)

[See **Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Trafficking.**]

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, sex, 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 student 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.

Pregnancy or Related Conditions

The District does not discriminate on the basis of pregnancy or a related condition.

Please Contact Janet Graczyk, Director of Counseling at jgraczyk@newcaneyisd.org or 281-577-8600 for pregnancy-related accommodations.

Retaliation

Retaliation against a person who makes a report or participates in an investigation of discrimination or harassment, including dating violence, is prohibited.

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 the FFH series of policies and FFH(EXHIBIT) for other appropriate District officials to whom to make a report.]

Upon receiving a report, the District will determine whether the allegations, if proven, would constitute prohibited conduct as defined by the FFH series of policies. 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.

The District will promptly notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the District. In the event alleged prohibited conduct involves another student, the District will

notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by The FFH series of policies.

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).

Hazing

Hazing is defined by Section 37.151 of the Education Code 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:

1. Any type of physical brutality;
2. 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;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

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

DISTANCE LEARNING

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, internet, video-conferencing, and instructional television. More information regarding Distance Learning can be found in the New Caney ISD Course Guide.

DISTRIBUTION OF LITERATURE, PUBLISHED MATERIALS OR OTHER DOCUMENTS

School Materials

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

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

Non-school Materials – From Students

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

The principal may designate a location for approved non-school materials to be placed for voluntary viewing by students. [See policies FNAA.]

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

Non-school Materials – From Others

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

Prior review will not be required for:

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

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

EMERGENT BILINGUAL STUDENTS

A student who is an emergent bilingual student is entitled to receive specialized services from the District. To determine whether a student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be convened, 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 emergent bilingual student. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

In order to determine a student's level of proficiency in English, the LPAC will use information from a variety of assessments. If the student qualifies for services, and once a level of proficiency has been established, the LPAC will then designate instructional accommodations or additional special programs 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**, may be administered to an emergent bilingual 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 emergent bilingual students who qualify for services. Students who meet participation requirements as determined by the ARD Committee will be assessed by the Texas English Language Proficiency Assessment System (TELPAS) Alternate.

If a student is considered an emergent bilingual student and receives special education services because of a qualifying disability, the student's ARD or 504 committee will make instructional and assessment decisions in conjunction with the LPAC

EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

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

Participation in some of these activities may result in events that occur off-campus. When the District arranges transportation for these events, students are required to use the transportation provided by the District to and from the events. Exceptions to this may only be made with the approval of the activity's coach or sponsor.

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

Generally, a student who receives, at the end of a grading period, a grade below 70 in any academic class, may not participate in extracurricular activities for at least three school weeks.

However, if a student receives a grade between 60-69 at the end of a grading period in an Advanced Placement (AP) class or a class identified as honors by either the State Board of Education or by the local Board of Trustees, the student remains eligible for participation in all extracurricular activities.

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

- 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.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

Standards of Behavior

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

FOREIGN EXCHANGE STUDENTS

The intent of a foreign exchange program is to provide visiting students the opportunity to learn about the history of the United States, as well as the working of our government. Students should be encouraged to take an active part in the academic process and experience the social activities of the youth in New Caney ISD. The following guidelines will apply to foreign exchange students:

1. The local representative from the various programs should contact the principal of the high school to secure approval to place the student within the school and must submit all required documentation concerning each exchange student.
2. Sponsoring agencies shall meet the requirements of the council on standards for International Educational Travel.
3. The host family must enroll the exchange student.
4. The exchange student is responsible for providing the month/day/year of all immunizations. Immunization records must be in English.
5. Every foreign exchange student will be classified as underclassmen, no seniors.
6. All foreign exchange students will enroll in U.S. Government. If the student wants to enroll in US History, then the student will be placed in the fall semester only.

7. Foreign exchange students will not be placed in the class ranking.
8. Every foreign exchange student is encouraged to be fluent in writing and speaking English but will not be denied if they have limited skills.
9. Any cost for student records required by the foreign exchange program, or country, is the responsibility of the student.
10. Foreign exchange students will receive no free or reduced lunch as part of the exchange program.
11. Coaches and sponsors of extracurricular activities will be responsible for obtaining and checking proper credentials for participation in each activity.
12. If a foreign exchange student is returned to his/her country or is moved to another district, no new foreign exchange student can be sent to replace the student sent home or being moved.
13. NCISD high schools are limited to five (5) foreign exchange students per campus.

FEES

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

- Costs for materials for a class project that the student will keep (See the Course Guide for specific course fees.)
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities
- Security deposits
- Personal physical education and athletic equipment and apparel
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance
- Individual 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, chrome books and calculators
- Fees for driver training courses, if offered
- Fees for optional courses, offered for credit, which 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
- A maximum fee of \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirements. 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)
- Fees for additional testing, including Advanced Placement, ACT, TSIA, SAT and PSAT

Application for a fee waiver may be made to the principal. [See policies FP.]

FUNDRAISING

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes. A parent group application for permission must be made to the campus principal at least 10 days before the event. Student group and class applications must be submitted to the campus principal by the third Friday of the semester in which the fundraiser will occur. [See policies FJ and GE.]

GANG-FREE ZONES

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

GRADE CLASSIFICATION

A student's class standing is determined by the number of credits required by the state for graduation and the particular courses needed for preparation for the State of Texas Assessment of Academic Readiness (STAAR).

Students are classified by both credits and cohort year.

Changes in grade-level classification may be made at the end of summer school and at the end of the fall and spring semesters.

The number of credits required for graduation is as follows (26 credits):

9th Grade Requirements	10th Grade Classification Requirements	11th Grade Classification Requirements	12th Grade Classification Requirements
Promoted or placed in 9 th	6 state credits	12 state credits	18 state credits

GRADING POLICIES

Elementary Grading Guidelines

Content Graded

Grades should represent student performance on TEKS (Texas Essential Knowledge and Skills) objectives in each subject area at the student's grade level.

Standards Based Report Cards

Kindergarten, first and second grade students are graded using a standards-based report card. Instead of a single overall grade, a standards-based report card breaks down the subject matter into smaller "learning targets." Each target is a teachable concept that students should master by the end of the grade level. Throughout the nine weeks, student learning on each target is evaluated and recorded and will be reported to parents on a standards-based report card. Teachers track student progress, give appropriate feedback, and adapt instruction to meet student needs.

Minimum Number of Grades

There are a minimum number of grades required to accurately reflect student achievement during a grading period for subjects and grade levels.

- Students in grades 3 through 5 will receive a minimum of one grade each week in each of the following subjects: Language Arts, Math, Reading, Science and Social Studies. If teachers choose to utilize spelling as a grade, that grade may be used as an additional weekly grade (in addition to the minimum of one grade required for Language Arts)
- Grades will be entered into the online grade book by Tuesday of each week

Homework Policy

New Caney ISD believes that students should be well-rounded and encourages students to participate in activities outside of the school day. Parents are encouraged to read with their child for at least 20 minutes daily.

Assessment Guidelines

All teaching staff will administer and score tests according to the District assessment calendar guidelines. Only documented modifications are permitted.

Mock STAAR testing should be used for diagnostic purposes only and no grade should be recorded in the grade book for Mock STAAR assessments.

Curriculum Based Assessments are intended to guide instruction. They are confidential and should not be viewed by students prior to the test. No grades will be given on Curriculum Based Assessments.

Reteach/Retest Policy

If more than 50% of the class fails an assignment, the grade will not be recorded. The concept will be retaught and reassessed.

A student who fails a test may request a retest and may be given homework to complete and/or required to attend a tutorial session in order to qualify for a retest. There is a five-day time limit on the process (from posted test grade to retest). The two grades will be averaged together for a new test grade not to exceed 70%.

Core and Non-Core Subjects

Core subjects are Reading Language Arts, Math, Science, and Social Studies.

All non-core subjects will be graded as E, S, or NS. Technology grades will be given by the homeroom teacher. Conduct will be graded as E, S, or NS by each teacher.

Grading Scale 3rd-5th

Academics/Core Subjects

90-100 indicates outstanding achievement or “A” work

80-89 indicates good achievement or “B” work

70-79 indicates average achievement or “C” work

Below 70 indicates non-mastery

Non-Core Subjects

E- indicates Excellent work

S- indicates Satisfactory work

NS- indicates Needs additional Support on work

Pre-K-2nd

Classroom Behavior and all content areas are graded as:

Masters- consistently or regularly meets and often extends

Meets- beginning to meet grade level expectations

Approaches- working below grade level

Conduct

Excellent- indicates the student has an excellent attitude, is cooperative, and promotes school rules and regulations.

Satisfactory- indicates the student has a satisfactory attitude, is cooperative, and generally conforms to school rules and regulations.

Needs Support- indicates the student is uncooperative and needs support to improve. This may indicate the student is disruptive in class and/or shows little respect for school rules and regulations.

Grade Reporting

All students will receive a progress report and a report card according to the District’s schedule. It is best practice to contact parents if there is a drastic change between the progress report and the report card.

Grading Percentages/Weights

A grade may not count more than 2 times for any one assignment. Each assignment will be weighted equally in all subjects.

Elementary Dual Language Program Grading Guidelines

Content Graded

Dual Language (DL) students will receive grades that represent their performance on TEKS (Texas Essential Knowledge and Skills) objectives in each subject area. Dual Language students will also receive grades for Spanish Language Arts and Reading TEKS.

Dual Language Grading Guidelines

Dual Language students are learning content and language at the same time, teachers use linguistically differentiated assessment or accommodations to measure the acquisition of academic knowledge and skills in students’ second language. The differentiated assessments are based on students’ second language proficiency level. Some examples of differentiated assessment and accommodations are reduced wording in a reading passage, fewer questions or answer choices, extra time, and the use of a bilingual dictionary. Translation is not an accepted differentiated assessment option.

Language Development Table (LDT)

Dual Language students will receive an addendum to their report card once every 9 weeks describing the student's current language proficiency level for either English or Spanish for that grading period. In the LDT, the student's second language proficiency level is reported in the areas of listening, speaking, reading, and writing. The LDT will include language descriptors highlighting language characteristics a student has mastered and specific comments to help parents understand their language goals for the future.

Dual Language Assessment Guidelines

Dual Language students in grades 1-5 will take formative and summative Curriculum Based Assessment (CBA) only in the language determined by the District's recommended guidelines.

Secondary Grading Guidelines

Grades should represent the level of mastery of an instructional objective. The subject level instructional objectives for grades 6-12 on all campuses are aligned with the Texas Essential Knowledge and Skills (TEKS) and the NCISD curriculum framework. The objectives address the skills required for successful performance in the next grade or in a sequence of courses. Class assignments, tests, projects, presentations, homework, and other activities are designed to allow a student's performance to indicate the level of mastery of the designated objective.

Course Syllabus

All secondary teachers will provide a course syllabus for students during the first two weeks of the course. The syllabus is designed to give students and parents/guardians an overview of the course's major themes and approximate dates of major course projects, examinations, or papers. The following elements will be included:

- Teacher name
- Course name
- Conference period
- School phone number
- Outline or scope and sequence of major course units, themes or project
- Approximate timeline including due dates of long-term projects
- Grading criteria
- Late work policy
- Homework procedures

Reporting Grades

Grading Scale- Letter Grade/Numerical Grade Progress		Transfer/Dual Credit Grade Equivalency	
A	90-100	A	95
B	80-89	B	85
C	70-79	C	78
F	Below 70	D	74
I	Incomplete	F	68

Progress Reports

Grades will be communicated to parents at the end of each interim period progress report (3rd and 6th weeks of each grading period). Documentation of parent notification will be maintained when a student's grade falls below 70. If a student receives a grade of less than 70 in any class or subject on a progress report, parents are encouraged to contact the appropriate teacher.

Report Cards

Report cards are sent home at the end of each nine (9) week grading period. Parents or guardians who have a question about their student's grade should contact the teacher by telephone or email. A parent conference may be arranged, if necessary. Parents are encouraged to monitor their student's grades using the online Family Access available on the District website.

Incomplete Grades

Incomplete grades for a grading period must be changed to a numerical grade within ten (10) days after the end of the grading period. (Extenuating circumstances may be reviewed by the principal.) Work not made up within this time frame will receive a zero (0) and will be averaged with the other grades earned to determine the student's

final grade. If a student is absent for a final examination, a zero (0) will be recorded in the grading program as a place marker. If the absence is an NCISD excused absence, he/she will be given an appropriate amount of time to take the examination and replace the zero (0). If the student does not take the examination in the allotted time, the zero (0) will remain.

Computation of Grades

In accordance with state law, NCISD does not require students to receive a minimum grade on progress reports or report cards. Teachers will follow the District grading procedures to calculate student grades.

Daily Grade Average – 40%

Daily grades will make up no more than 40% of the overall average. A minimum of nine (9) daily grades will be taken in each grading period. Daily grades include assignments other than major grades. Within a nine (9) week grading period, teachers will be expected to record at least three (3) daily grades by the end of each Interim Progress Report (IPR) to include at least one daily grade per week.

Classwork is any instructional activity defined/planned by the teacher to be completed during a class period to facilitate the learning process.

Quizzes are short assessments designed to evaluate the student's level of understanding.

Homework is an effective tool in developing responsibility, study habits, and skills.

Daily work may include homework assignments that will be calculated within the 40% daily grade average.

Late work for a class will be accepted at the next class period after the due date for a maximum grade of 70. More than one class period late, work will be accepted up to 7 calendar days (inclusive of holidays, weekends, district professional development days, etc.) after the due date for a maximum grade of 60. Late work will not be accepted more than 7 calendar days after the due date or after the last day of the 9-week grading period, whichever comes first. Exceptions to this policy must be approved by the principal or designee. In the event that a student has an IEP which addresses late work, the IEP will determine the late work policy for that student.

Major Grade Average – 60%

A minimum of three (3) major tests, projects, group assessments/presentations and term papers will make up 60% of the overall average. Within a nine (9) week grading period, teachers will be expected to record at least three (3) major grades.

No major grade assignments will be given to students during the last two class meeting dates of the grading period.

Major Tests

Major tests include chapter, unit, concept, and Bundle Tests.

Mock tests will not be calculated as a major test grade. Mock STAAR tests should be used for diagnostic purposes.

Group Assessments/Presentations

This type of assessment often requires analyzing a task, developing a plan of action, selecting, gathering, and presenting relevant information.

Term Papers/Projects

These major grades are lengthy classwork or homework assignments that may take several weeks for a student or group of students to complete. A rubric must be provided to the student prior to beginning the paper/project. Term papers or projects assigned over a lengthy period are due on or before the due date. Students who are absent on the due date for a scheduled school-related absence must meet the deadline. Any exception for a long-term assignment to be late must be approved by the principal or principal's designee after meeting with the classroom teacher.

Retest

Reteaching and retesting should occur for major tests when a class has 50% or more of the students make less than 70. Any student who makes below 70 on a major test may take a retest by meeting the following requirements:

- The retest must be taken within two (2) weeks from the date that the original test is returned to the student and must be completed within the grading period.
- The student must participate in tutoring provided by the teacher or complete corrections to the original test in order to be eligible for a retest.
- The retest given to students will be an alternate assessment.

A maximum of one (1) retest will be offered for a major test. The maximum grade earned on a retest will be 70 and will replace the original test grade.

Semester Examinations

Semester examinations shall be given in secondary (grades 6 through 12) at the end of each semester. The semester examination will count 10% of the student's final semester grade. Semester examinations are not subject to retests. No exemptions will be given in Middle School.

Advanced Placement (AP) and Honors

A student must pass each grading period to remain in the class. A student who fails one grading period may remain in the class on probation but must earn a passing grade the next grading period.

Dual Credit

Dual credit courses follow the guidelines of Lone Star College or OnRamps through the University of Texas. The student may be dropped from the course if a student makes a D or below.

Cheating/Plagiarism

Cheating shall be defined as giving or receiving information on a test or submitting duplicate work for outside assignments. Using technology (e.g., artificial intelligence, computer, internet, cell phone, or calculator) to cheat or copy the work of another is prohibited. The academic penalty for a student found guilty of cheating is a grade of zero (0) for the test or assignment. Plagiarism consists of using another person's ideas or writing as one's own. Plagiarism is a form of cheating, and the academic penalty shall be a zero (0) on the assignment. Students caught cheating will be referred to their respective assistant principal for disciplinary action.

GRADUATION

Requirements for a Diploma

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

- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law;
- Complete the required number of credits established by the state and any additional credits required by the District;
- Complete any locally required courses in addition to the courses mandated by the state;
- Demonstrate proficiency, as determined by the District, in the specific communication skills required by the State Board of Education (SBOE) and
- Complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).
 - A student is not required to complete and submit a FAFSA or TASFA if:
 - The student's parent submits a form provided by the District indicating that the parent authorizes the student to opt out;
 - A student who is 18 years of age or older or a legally independent minor submits a form provided by the District indicating that the student opts out; or
 - A school counselor authorizes the student to opt out for good cause.

Please contact the school counselor for more information.

Testing Requirements for Graduation

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

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

A student who does not achieve a sufficient score will have opportunities to retake the assessments.

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

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

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

Foundation Graduation Program

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

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

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

A student can complete the foundation graduation program with a “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits. A personal graduation plan will be completed for each high school student.

State law generally prohibits a student from graduating solely under the foundation graduation program without an endorsement. However, after the student’s sophomore year, the student and student’s parent may request that the student graduate without an endorsement. The District will advise the student and the student’s parent of the specific benefits of graduating with an endorsement. The student and the student’s parent must then submit written permission to the school counselor for the student to graduate without an endorsement.

A student who anticipates graduating under the foundation graduation program without an endorsement and who wishes to attend a four-year university or college after graduation must carefully consider whether this will satisfy the admission requirements of the student’s desired college or university.

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

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

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

Financial Aid Application Requirement

Before graduating from high school, each student must complete and submit an application for financial aid for post-secondary education. Students must complete and submit either a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).

School counselors are the primary resource to assist students with completing the FAFSA or TASFA. In-person and virtual event opportunities will be available to parents and students for application completion. Additional supports may include postsecondary financial aid advisors.

A student is not required to complete and submit a FAFSA or TASFA if:

- The student’s parent submits a form provided by the District indicating that the parent authorizes the student to opt out;
- A student who is 18 years of age or older or a legally independent minor submits a form provided by the District indicating that the student opts out; or
- A school counselor authorizes the student to opt out for good cause.

Please contact the school counselor for more information.

To confirm that a student has completed and submitted a TASFA, the student must submit:

- Screenshot that includes the processed date field of the FAFSA ApplyTexas Counselor Suite;
- Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA;
- A copy or screenshot of the FAFSA acknowledgment page;
- A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form);
- An acknowledgment receipt from an institution of higher education (IHE); or
- A copy of a financial aid award letter from an IHE.

Certificates of Coursework Completion

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

Students with Disabilities

Admission, review, and dismissal (ARD) committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance with state law.

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

A student who receives special education services may earn an endorsement under the foundation program. If the student's curriculum requirements for the endorsement were modified, the student's ARD committee will determine whether the modified curriculum is sufficiently rigorous to earn the endorsement. The ARD committee must also determine whether the student must perform satisfactorily on any end-of-course assessment to earn an endorsement.

A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies and receive a certificate of attendance. The student may then remain enrolled to complete the IEP and earn his or her high school diploma but will only be allowed to participate in one graduation ceremony. [See policy FMH(LEGAL) for more information.]

Graduation Activities

Students who have satisfactorily completed all requirements for graduation shall be allowed to participate in commencement activities and ceremonies. Eligible senior students of any school year are encouraged to participate in the ceremony. For those who choose to participate, each is required to wear a cap and gown as approved by the senior class and the principal. The purchase of the cap and gown is the student's responsibility. Students must comply with the dress and grooming guidelines set forth at the senior graduation assembly. Graduates, including early graduates, may attend one prom and one project graduation activity as a senior.

Students who have met coursework requirements for graduation but have not yet demonstrated satisfactory performance on end-of-course assessments and have not been declared eligible to graduate by an individual graduation committee, if applicable, will be allowed to participate in graduation activities. However, keep in mind that participating in the activities and ceremonies is not synonymous with graduating. Ultimately, the final awarding of a diploma will be contingent upon the student's completion of all applicable requirements for graduation.

Graduation Speakers

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

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

Graduation Expenses

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

Scholarships and Grants

Students who have a financial need according to federal criteria and who complete the foundation graduation program may be eligible under the TEXAS Grant Program and the Teach for Texas Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions. Certain students who graduate early may also be eligible for the Texas First Scholarship Program. Contact the counselor for information about other scholarships and grants available to students.

HEALTH-RELATED MATTERS

Asthma Care

Students diagnosed with asthma should be under the care of a health care provider, and most will be managed with a prescription medication. Many students will have identified triggers and may need environmental modifications at school in order to avoid them. Some of these students will require an Individual Healthcare Plan (IHP). The school nurse will need to coordinate with the student's family and health care team about the management of the child's asthma at school. If your student will require asthma medication to be kept on hand at school throughout the school year, physician's orders/medication authorization form must be submitted to the school nurse. See the medication policy for more information regarding possession/self-administration of asthma medication.

Authorized Personnel

Texas law allows principals to authorize other school employees to administer medication as long as they are in compliance with Section 22.052, Education Code. If the school nurse is not available for such purpose on any occasion, the alternate designee(s) may administer medication to the student. Employees authorized by this policy to administer medication to students shall include superintendents, principals, classroom teachers, educational assistants, secretaries, or any classified personnel employed by the District. The principal of each campus should identify in writing the designated personnel for his/her building. The school nurse will train non-medical personnel and maintain check off sheets verifying competency.

Communicable Diseases

The school administrator shall exclude from attendance any student having or suspected of having a communicable condition. Exclusion shall continue until the readmission criteria for the conditions are met as set forth by The Texas Department of State Health Services. The conditions and readmission criteria can be found at: <https://www.dshs.texas.gov/idps-home/school-communicable-disease-chart>.

The district is required to report certain contagious (communicable) diseases or illnesses to the Department of State Health Services (DSHS) or our local/regional health authority. The school nurse can provide information from DSHS on these notifiable conditions. The school nurse is available to answer any questions for parents who are concerned about whether their child should stay home.

Diabetes Care at School

A student with diabetes who needs treatment or care at school must have a Diabetes Management and Treatment Plan (DMTP) developed by the physician and parent that will be used to develop an Individualized Health Plan. The student will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at school related activities. In order to self-manage, a student's DMTP must evaluate if the student is mature enough and has demonstrated the skills to self-manage and be signed by the parent and the physician or healthcare provider. It is recommended that the ability to manage and properly self-administer diabetes medications is demonstrated to the school nurse or school health staff at regular intervals to ensure the student can safely and correctly self-administer their medication and manage their diabetes. School personnel that will be supervising the student during regular school hours, and during school-related extracurricular activities should be informed that the student is self-carrying with the intention to self-administer if necessary. For more information, contact the school nurse.

Emergency Medical Care and Treatment Form

All parents are asked each year to complete a medical care authorization form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, and the like).

The district may consent to medical treatment, including dental treatment, if necessary, for a student if all of the following requirements are met:

- The district has received written authorization from a person having the right to consent
- That person cannot be contacted
- 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 cannot 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.

Field Trip Medication

Scheduled and emergency medications will be sent on all field trips and off-campus activities, unless otherwise notified by the parent/guardian. The authorized school employee on the trip may administer the medication from the original container as specified on the consent form/physician orders. A photocopy of the written parental request/physician's orders will be provided along with the medication and/or a photocopy of the emergency action plan and the emergency medication.

Food Allergies/Anaphylaxis

Parents should notify the District 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 breathing, eating or touching 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. 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 in the school nurse's office at each campus. 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.

Other Special Dietary Needs

The Child Nutrition Department may make meal accommodations for a student with a medical disability that is not addressed by a choice of food items within an existing cycle menu, the household must provide a written medical statement. For a medical statement to be valid, it must be written by a medical authority licensed to write prescriptions by the State. A medical statement must include the following information for the Child Nutrition to make a meal accommodation:

- Explanation of the student's disability which includes a description that is sufficient to allow the Child Nutrition Department to understand how this condition restricts the student's diet and what major life activity is affected by the disability. The medical statement does not have to include the word disability or name the student's disability. Instead, it must provide sufficient information for Child Nutrition to determine that there is medical condition that is a disability and how that medical condition affects the student's participation in the meal program.
- Description of the accommodation to be made, food items or ingredients to be omitted, special dietary supplements, food items or ingredients to be substituted and other accommodation information as appropriate. Child Nutrition is not required to provide name brand products as a substitute for a food item if another product with the same specifications is available. If the medical statement requires a name brand product, Child Nutrition will contact the household, and the medical authority as appropriate, in order to identify the ingredients that must be included or excluded from the student's meal to ensure that an alternate substitution will meet the same need.

Head Lice

As per the American Academy of Pediatrics and The National Association of School Nurses, mass screening is not recommended. Mass screenings to include individual classroom checks will not be conducted. Students with live head lice and/or nits will be excluded from school and re-admitted to school based on the following criteria:

- Parent or guardian must accompany the student to school **the next school day** for a head re-check by the school nurse or other designated staff member,
- Student has been treated with an FDA-approved medicated shampoo/lotion treatment, and
- No presence of live lice or nits remain.

Your student will accrue unexcused absences for each day they are absent with head lice and have not been brought to the school nurse for a re-check. The School Nurse is encouraged to conduct a 7 day follow up in order to confirm re-infestation has not occurred.

For elementary students, when a new lice infestation is identified by clinic personnel, notice including recommendations of the CDC for the treatment and prevention of lice will be disseminated to the parent of the student(s) with the infestation and all parents of the children assigned to the classroom in accordance with state law, without identifying the student with lice.

More information on head lice can be obtained from the DSHS website [Managing Head Lice](#).

Illness and Injury

When your child is ill, please contact the school to let us know they will not be attending that day. State rules require schools to exclude students with certain illnesses from school for certain periods of time. For example, a child with a fever over 100 degrees must stay out of school until fever-free for 24 hours without use of fever-reducing medications. Students with diarrheal illnesses must stay home until they are diarrhea free without using diarrhea-suppressing medications for 24 hours.

The conditions and readmission criteria can be found at <https://www.dshs.texas.gov/idps-home/school-communicable-disease-chart>. See Communicable Disease.

If a student becomes ill during the school day and the school nurse determines that the child should go home, the nurse will contact the parent. Students are not permitted to call their parents for release.

When under the care of a physician due to injury, a letter from the physician is required upon the student's return to school specifying return to school date and any limitation of activity or restrictions. Once released from the physician's care, a letter from the physician is required which indicates the student is allowed to return to normal activity.

Immunization Requirements

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.

The immunizations required are:

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

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.

Provisional Enrollment

All immunizations should be completed by the first date of attendance. The law requires that students be fully vaccinated against the specified diseases. A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate vaccine required by this rule. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible and provide acceptable evidence of vaccination to the school. A school nurse or school administrator shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and the school shall exclude the student from school attendance until the required dose is administered.

When a student's provisional enrollment has expired, the student may not attend school. The campus will:

1. Send written notice home to the parent/guardian
2. Conduct due process supporting the withdrawal
3. Withdraw the student due to not being fully immunized
4. Re-enroll the student when proper immunization documentation (physician's signed statement, a properly validated health clinic record, or an official school health record) is provided
5. Students whose absences exceed 3 days of suspension will be referred to the attendance specialist. (See also **Compulsory Attendance**)

Review of Immunization Status

The school nurse will review the immunization status of each student to ensure his/her compliance with Texas Department of State Health Services Immunization requirements. If it is determined that a student is delinquent, a 30-day notice will be sent home. If after the 30 days the student remains non-compliant with his/her immunizations, the student will be excluded from school, with the possibility of being withdrawn. Students whose absences exceed 3 days of suspension will be referred to the attendance specialist. (See also Compulsory Attendance)

Immunization Exemptions

Texas law allows (a) physicians to write medical exemption statements which clearly state a medical reason exists that the person cannot receive specific vaccines, and (b) parents/guardians to choose an exemption from immunization requirements for reasons of conscience, including a religious belief. The law does not allow parents/guardians to elect an exemption simply because of inconvenience (for example, a record is lost or incomplete and it is too much trouble to go to a physician or clinic to correct the problem). Schools should maintain an up-to-date list of students with exemptions, so they may be excluded in times of emergency or epidemic declared by the commissioner of public health.

Instructions for requesting the official exemption affidavit that must be signed by parents/guardians choosing the exemption for reasons of conscience, including a religious belief, can be found at www.dshs.texas.gov/immunize/school/exemptions.aspx. The original Exemption Affidavit must be completed and submitted to the school.

For children claiming medical exemptions, a written statement by the physician must be submitted to the school. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

Insect Repellant

Concerned parents are encouraged to apply insect repellant on their student prior to their arrival at school. However, parents may send a lotion, wipe-on or wristband type of repellant for use by their student. For safety purposes, pump spray insect repellants are discouraged and should not be used indoors. No aerosols are allowed, due to the dangers of pressurized cans and airborne exposure to students with respiratory concerns. Students may possess and apply insect repellant when necessary, with parent permission.

Insect repellants should be stored away in the student's backpack or locker, when not in use. Insect repellant is considered a non-prescription medication and requires a parent's written request/permission.

Medications

All prescription and non-prescription medication to be given during the school day must be accompanied by a completed Medication Administration Request Form and/or written request signed and dated by the parent/guardian and turned in to the school nurse. Physician orders for medication must be renewed every school year

Prescription medications must be in their original pharmacy container and labeled by the pharmacist. The label must include:

- Student's name
- Name of prescribing health care provider
- Name of medication
- Amount of medication to be given and frequency of administration
- Date prescription filled

Changes in the administration of prescription medications, to include time and dose, must be in writing from the physician. A request to discontinue medication must be in writing from the parent/guardian and/or physician.

All non-prescription medications must be supplied by the parent/guardian and in their original container.

The written request for administration of these must include the following information:

- Student's name
- Name of medication
- Amount of medication to be given
- When medication is to be given
- Reason medication is to be given
- Date
- Signature of parent/guardian

Any non-prescription medication dosage exceeding the recommended dose on the container must be accompanied by a written request signed and dated by a prescribing health care provider and the parent or legal guardian.

Changes in the administration of non-prescription medications must be in writing from the parent/guardian and/or physician.

All prescription and non-prescription medications to be administered at school for longer than 5 days must be accompanied by a written request signed and dated by a prescribing health care provider and the parent or guardian.

Medications are any pills, liquids, inhalers, sprays, eye drops, ear drops, cough drops or topically applied creams or ointments that are expected to relieve symptoms. No injections may be given except those needed in emergency situations or those necessary for the student to remain in school (i.e., insulin, epinephrine), as ordered by a prescribing health care provider.

Expired medication will not be administered.

Medication administration should be scheduled for non-school hours if possible. Should it be necessary to accommodate proper time intervals between doses and full participation in the school program, requests can be made to the school nurse. These should be scheduled during class breaks and lunch.

Permission to administer "missed doses at home" must be in writing. Fax and e-mail are permissible; however, original written request must follow within 48 hours.

All medications will be stored and dispensed in the school clinic, except for emergency medications authorized by the parent and physician for the student to self-carry. All medication should be delivered to and picked up from the clinic by the parent/guardian or authorized adult.

No more than a 30-day supply of medication shall be maintained in the school clinic.

Physician's orders are required each school year. In addition, the school nurse may request physician order for any medication requiring additional monitoring.

For student safety, students who are allowed to self-administer/carry their prescription medication must make every effort to ensure medication packaging with pharmacy label remains with medication at all times. A student who administers his/her medication during the school day should report to the school nurse for a proper assessment to ensure symptoms have been relieved and no further assistance is needed.

Medications stored in the school clinic must be picked up by the parent/guardian on or before the last day of school. Any unused medication left in the clinic at the end of the school year will be discarded.

Herbal and dietary supplements will only be allowed if provided by the parent and if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities. Administration of such medications would be considered an administrative task, and the school principal will be responsible for assigning this task accordingly.

In accordance with Board of Nurse Examiners Rule, 22 Texas Administrative Code §217.11, the school nurse has the responsibility and authority to refuse to administer medications that, in his or her judgment, are not in the best interest of the student.

Medication from Foreign Countries

Medications from outside of the country will not be accepted or administered by the school nurse or principal's designee(s).

Mental Health Support

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

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

New Caney ISD uses the following programs to address mental and behavioral health and substance abuse concerns:

- **7 Mindsets**
7 Mindsets is a PK-12 Social Emotional Learning (SEL) curriculum that is implemented on all NCISD campuses. *The 7 Mindsets* have been designed to promote self-awareness, self-management, social awareness, relationship skills, and responsible decision making in students and include: *Everything is Possible, Passion First, We are Connected, 100% Accountable, Attitude of Gratitude, Live to Give, and the Time is Now.*
- **WhyTry?**
The *WhyTry* curriculum uses ten visual metaphors to teach important life skills, such as decision-making, dealing with peer pressure, obeying laws and rules, and accessing support systems. The program uses visual metaphors reinforced with relevant music, videos, learning activities, and journals.
- **Resilience for Youth**
The Resilience for Youth Program uses a multisensory learning approach to teach the skills of resilience to students of all learning types. This approach includes the use of a series of 7 visual analogies to illustrate each unit in the curriculum.

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 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.]

Physical Activity Requirements

In accordance with policies at EHAB, EHAC, and FFA, the District will ensure that students in elementary school engage in at least 30 minutes of physical activity per day or 135 minutes per week. Students in middle or junior high school will engage in at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters.

The District offers physical education classes and a variety of classes that may be substituted for a physical education class to students in middle school to meet District physical education requirements for these grades. For additional information on the District's requirements and programs regarding elementary and middle school student physical activity requirements, see the campus principal.

Physical Fitness Assessment

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

Physician Orders from Out of State

Students moving from out of state that have prescription ordered medication to be given at school will have a 30-day grace period to establish a new medical home within the state which they reside. Prescription medication must adhere to NCISD medication guidelines.

Physician’s Statement for Children with Disabilities

USDA regulations require substitutions or modifications in school meals for children whose disabilities restrict their diets. A student with a disability must be provided substitutions in foods when that need is supported by a statement signed by a licensed physician. The physician’s statement must identify:

- The student’s disability;
- An explanation of why the disability restricts the student’s diet;
- The major life activity affected by the disability;
- The food or foods to be omitted from the student’s diet and the food or choice of foods that must be substituted.

Serving meals to students with documented disabilities involves two steps. **Prior** to making any diet substitutions or diet changes for any student with a disability, school officials **must** ensure that the following two steps are completed:

- The parent/guardian must obtain a statement from the student’s physician and provide it to school officials. The statement must state the following:
 - the student’s disability;
 - an explanation of why the disability restricts the student’s diet;
 - the major life activity affected by the disability; and
 - the food or foods to be omitted from the student’s diet and the food or choice of foods that must be substituted.
- Evaluate the physician’s statement to see if it includes the required information above and meets Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). Many schools refer to this simply as “504.” If the student’s physician statement does include the required information and the disability is included in these Acts, the school is not required, but encouraged to develop an Individualized Education Program (IEP) for the student or include the physician’s statement in the student’s existing IEP.

When nutrition services are required under a student’s IEP or based on the student’s disability, school officials **must** include school food service staff early on and throughout the process of making decisions regarding special meals or modifications to meals. It is important that all recommendations for accommodations or changes to existing diet orders be documented in writing. Schools **must** maintain copies of these diets and documentation on file.

School food service staff **must not** accept a physician’s statement for a student with a disability and provide special meals without it first going through the two steps above.

School Health Advisory Council (SHAC)

The District’s School Health Advisory Council meets at least four times each school year. During the preceding school year, the District’s Student Health Advisory Council held four meetings. Additional information regarding the District’s School Health Advisory Council is available from Denise Weatherford, Instructional Specialist at 281-577-8600.

Notification of upcoming SHAC meetings will be posted at each campus’ administrative office at least 72 hours before the meeting. Notification of upcoming SHAC meetings, meeting minutes, and a recording of each meeting will be posted on the District website at the District’s [SHAC page](#). [See policies BDF and EHAA.]

Seizures

A parent who submits a plan must use the [Seizure Management and Treatment Plan Form](#) developed by the Texas Education Agency.

For more information, contact the school nurse.

Also see “A Student with Physical or Mental Impairments Protected under Section 504.”

Self-Administration of Prescription Asthma or Anaphylaxis Medicine by Students

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.

Student Athletes with Emergency Medications

Prescription medications kept on campus in the school clinic or in the trainer’s office must adhere to New Caney ISD medication guidelines. Student athletes with prescription emergency medications, to include asthma inhalers, Epi-pens and/or diabetic medications may be allowed to possess and self-administer with authorization provided by the parent and physician. See Food Allergies/Anaphylaxis, Asthma Care and Diabetes Care for further information. In order to ensure your student’s safety and well-being, a secondary set may be deemed necessary to maintain in both the school clinic and/or the trainer’s office. For further information, contact the school nurse.

Student Screenings

Texas Law requires the following Health Screenings for students in the following grades:

Vision and Hearing: Grades Pre-K, K, 1st, 3rd, 5th, and 7th as well as new students entering the District.

Scoliosis: 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. For information on spinal screening by an outside professional or exemption from spinal screening based on religious beliefs, contact the school nurse.

Student Wellness Policy/Wellness Plan

To encourage healthy habits in our students, the District has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement it. For questions about the content or implementation of the District’s wellness policy and plan, please contact:

Robin Thacker Child Nutrition Director

rthacker@newcaneyisd.org

20383 FM 1485 West

New Caney, TX 77357

281-577-8690 ext. 1022

Sunscreen

An elementary or secondary student may possess and self-apply sunscreen to avoid overexposure to the sun. An elementary student’s teacher or other district personnel will apply sunscreen to the student’s exposed skin if the student brings the sunscreen to school and asks for help applying it. If a secondary student needs assistance with sunscreen application, please address the need with the school nurse.

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.

Unassigned Opioid Antagonists

In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized and trained school personnel at each campus to administer an opioid antagonist, such as Narcan or Naloxone, to an individual who is reasonably believed to be experiencing an opioid-related drug overdose.

One or more authorized and trained individuals will be present on each campus subject to this policy during regular school hours.

Vending Machines

The District has adopted policies and implemented procedures to comply with state and federal food service guidelines for restricting student access to vending machines. [See policies at CO and FFA.]

Other Health Related Matters

Asbestos Management Plan

The District works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the District's Asbestos Management Plan is available in the Superintendent's office. If you have any questions or would like to examine the District's plan in more detail, please contact the District's designated asbestos coordinator:

Blake Carroll, Executive Director of Operations
New Caney Independent School District
21580 Loop 494
New Caney, TX 77357
rcarroll@newcaneyisd.org
281-577-8650

Physical and Mental Health Resources

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

- The campus nurse
- The campus school counselor
- The local mental health authority, Tri-County Behavioral Healthcare, at 800-659-6994
- The local public health authority, Montgomery County Public Health Clinic, at 936-523-5020

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 the administration office and online at [NCISD Board Policy](#).

- 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: the FFH series of policies
- Freedom from Bullying: FFI

Pest Management Plan

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 United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor

application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area.

Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their student's school assignment area may contact the District's IPM coordinator:

Blake Carroll, Executive Director of Operations
21580 Loop 494
New Caney, Texas 77357
rcarroll@newcaneyisd.org
281-577-8650

Tobacco, E-Cigarettes and Nicotine Products Prohibited

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. With limited exceptions for medication, [see Medicine at School] students are also prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on school property 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.

IDENTIFICATION CARDS

All secondary students (grades 6-12) must wear a student ID, visible, on school approved lanyards, at all times while at school. Admittance into school activities requires a student to present their student ID. All students are issued one free identification card. Lost identification cards are the responsibility of the student to replace and may be charged a replacement fee by the campus.

LAW ENFORCEMENT AGENCIES

The New Caney ISD Police Department's primary goal is the safety and security of the students, staff, and properties of the District. Police officers commissioned by the District have the powers, privileges and immunities of peace officers and enforce all laws including federal and state laws within the guidelines set forth by the board.

Responsibilities of the New Caney ISD Police Force are:

- Enforce Chapter 37 of the Texas Education Code.
- Prevent and investigate violations of law that occur on District property, school zones, or at District functions on or off campus.
- Participate in serving search warrants and arrest warrants in connection with District related investigations.
- Take juveniles into custody as provided by the Family Code.
- Arrest and apprehend suspects consistent with state and federal laws and constitutional standards governing arrest, including arrests without warrants for felonies and breach of the peace that occur in the officer's presence, within the jurisdiction of the District.
- Patrol areas surrounding District building and grounds.
- Engage in activities and programs designed to prevent and deter crimes.
- Assist in providing traffic and parking control at District events.
- Enforce violations of law concerning school buses.
- Coordinate and cooperate with all law enforcement agencies.
- Investigate violations of law requested by District officials.
- Participate in judicial hearings.
- Patrol campuses and grounds.
- Respond to crisis situations occurring on campuses.
- Assist school personnel with after-hours functions.
- Stop and identify trespassers on campuses or school property.
- Escort and help school personnel in potentially violent situations.

- Network with other area law enforcement in reference to gangs, substance abuse, and any other programs or information that may help our students reach their educational goals.

Questioning of Students

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the administration will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if it is part of a child abuse investigation. In other circumstances, the administration 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.
- Ordinarily make reasonable efforts to notify the parents unless the interviewer raises what the administration considers to be a valid objection.
- Ordinarily be present unless the interviewer raises what the administration 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 or designee 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 custody action, notification will most likely be after the fact.

Notification of Law Violations

The District is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been arrested or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.
- All appropriate District personnel in regard to a student who is required to register as a sex offender.
[See policy FL(LEGAL), GRAA(LEGAL) and GRA(LEGAL).]

LEAVING CAMPUS

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.

Parental consent is required before any student is allowed to leave campus for any part of the school day. The District has put the following procedures in place in order to document parental consent:

- For students in elementary and middle school, a parent or otherwise authorized adult must come to the office and sign the student out. 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 applies if a parent picks the student up from campus. If the student's parent authorizes the student to leave campus unaccompanied, the parent must submit a note to the main office at least 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. If the student returns the same day they must sign in upon their return. 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. Elementary and middle school students will not be released unless accompanied by a parent or adult authorized by the parent.

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.

LIBRARY

The district provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. The district follows the Texas State Library and Archive Commission's standards for school library collection development.

Parents are the primary decision makers regarding their student's access to library material. The district encourages parental involvement in library acquisition, maintenance, and campus activities. Parents are encouraged to communicate with the campus media specialist and their child's teacher about special considerations regarding library materials self-selected by their student.

Parents can view the books in their child's library via the online catalog linked from the campus website. A parent who wants access to the school's library should submit a request to the principal. The district welcomes student and parent feedback on library materials and services. A district employee or parent may request the reconsideration of a library material by contacting the campus principal or another administrator or by submitting a reconsideration of library material request on a form available on the District's website.

For more information, see EFB(LOCAL).

PHYSICAL RESTRAINT

Any District employee may, within the scope of the employee's duties, use and apply physical restraint to a student if the employee reasonably believes it is necessary in order to:

- Protect a person, including the employee, from physical injury.
- Obtain possession of a weapon or dangerous object.
- Protect property from serious damage.

- Restrain an irrational student.
- Remove from a specific location a student refusing a lawful command of a school employee, including from a classroom or other school property, in order to restore or impose disciplinary measures.

Physical restraint will be applied in accordance with the Texas Behavioral Support Initiative (TBSI).

PHYSICAL EXAMINATIONS and HEALTH SCREENINGS

Physicals

For certain extracurricular activities, a student must submit certification from an authorized health-care provider. The certification must state that the student has been examined and is physically able to participate in the relevant program, including:

- A District athletics program
- District marching band
- Drill team

Each year prior to any practice or participation, the UIL medical history form signed by both student and a parent or guardian must be completed and on file with the campus. A medical history form shall accompany each physical examination and shall be signed by both student and a parent or guardian. This examination is required to be submitted annually to the District.

Students should be aware of the rare possibility of sudden cardiac arrest, which in athletes is usually caused by a previously unsuspected heart disease or disorder. A student may request an electrocardiogram (ECG or EKG) to screen for such disorders, in addition to his or her required physical examination.

For more information, see the [UIL’s explanation of sudden cardiac arrest](#).

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 will be screened for abnormal spinal curvature before the end of the school year. 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.

PARKING AND PARKING PERMITS

A student must present a valid driver’s license and proof of insurance to be eligible for a parking permit.

Students must request a parking permit and pay a fee of \$40.00 to park in a school parking lot. So long as space is available, parking permits may be issued throughout the year.

Students may not:

- Speed
- Double-park
- Park across a white or yellow line
- Park in a fire lane
- Sit in parked cars during school hours
- Leave their vehicle in the band practice area of the student parking lot at the end of the school day within the timeframe set forth by campus administration.

Students may be subject to disciplinary action for violation of these rules. The District may tow cars that are parked in violation of these rules.

PLEDGES OF ALLEGIANCE AND MOMENT OF SILENCE

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their student from reciting a pledge.

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

PRAYER

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 proficiency. In making promotion decisions, the District will consider the following:

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

In grades 1-8, promotion is based on an overall average of 70 on a scale of 100 based on course level, grade level standards (essential knowledge and skills) for all subject areas, a grade of 70 or above in language arts and mathematics and a grade of 70 or above in either science or social studies.

A student in grades 9-12 will be advanced a grade level based on the number of course credits earned. Refer to the High School Course Guide for more details. To earn credit in a course, a student must receive a grade of at least 70 based on course-level standards. See Grade-Level Classification. Students will also have multiple opportunities to retake EOC assessments.

Repeating a High School Credit Course

A parent may request in writing that a student repeat a high-school credit course in which the student was enrolled during the previous school year unless the district determines that the student has met all requirements for graduation.

Before granting the request, the district may convene a retention committee to meet and discuss the request and will invite the parent to participate.

Only the student's first passing grade will be included in the calculation of class ranking.

Personal Graduation Plans

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

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

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.

PUBLIC FORUM- STUDENT EXPRESSION

The District hereby creates a limited public forum for student speakers at all school events at which a student is to publicly speak. For each speaker, the District shall set a maximum time limit reasonable and appropriate to the occasion. [See FNA (LOCAL).]

REPORT CARDS/PROGRESS REPORTS AND CONFERENCES

Report cards with each student's grades or performance and absences in each class or subject are issued at least once every 9 weeks.

Pre-K, Kindergarten and First grade student report cards are standards-based, which means that specific skills are measured and evaluated. Parents who have questions regarding their child's report card in Pre-K, Kindergarten and First Grade are asked to contact the teacher for clarification.

Students in Grades 2 through 5 will receive an electronic progress report at the end of the fourth week. If the student receives a grade lower than 70 or NS (Needs Support) in any class subject or skill at the end of the grading period, parents will be asked to schedule a conference with the teacher of that class or subject. In Grades 6 through 12, electronic progress reports will be generated 3 weeks and 6 weeks into each grading period. Parents will be notified via email that Progress Reports and Report Cards are available through the Skyward Family Access portal.

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).]

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. The District may use an electronic program to communicate academic information about your child, including for report card and progress reporting purposes.

SAFETY

Student safety on campus, at school-related events, and in District vehicles is a high priority of the District. 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 all behavioral standards in this handbook and Code of Conduct, as well as any additional rules for behavior and safety set by the principal, CBC, teachers, or bus drivers.
- Help secure the campus by keeping all exterior doors closed, latched, and locked unless a District employee is actively monitoring the door.
- Follow instructions from the teachers and other district employees regarding classroom doors.
- 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. A student may make anonymous reports about safety concerns by visiting the District's Safe School Reporting website at newcaneyisd.org.
- Know emergency evacuation routes and signals.
- Immediately follow the instructions of teachers, bus drivers, and other District employees who are overseeing the welfare of students.

Accident Insurance

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 the alarm is sounded, students should follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

There may be a need to evacuate the building due to emergency conditions. In each room of the school, an evacuation route map should be posted near the exit door. The map details the appropriate route to use for evacuating the building. The routes for evacuation are designed to avoid overcrowding. Alternate routes should be anticipated and reviewed to avoid possible confusion during an evacuation.

Students are to remain with the teacher who facilitates the evacuation. In leaving the building, students are to move in a safe and orderly manner away from the building to the outer perimeter of the campus that is closest to the exit point. All doors and windows should be closed upon evacuation. Students are to take nothing except their valuables. Students are urged to consider the seriousness of drills. Evacuation drills are preparation for the reality of fire or imminent disaster. The school administration, faculty and staff, therefore, ask each student's absolute cooperation in abiding by the rules set forth in this section of the handbook. No person should re-enter the building until the all-clear signal is given.

Preparedness Training: CPR and Stop the Bleed

The District will offer instruction in CPR and the use of automated external defibrillator (AED) at least once to students enrolled in grades 7-12. The instruction can be provided as part of any course and is not required to result in CPR certification.

The District will annually offer students in grades 7-12 instruction on the use of bleeding control stations to respond to traumatic injury. For more information, see [Homeland Security's Stop the Bleed](#) and [Stop the Bleed Texas](#).

Emergency Medical Treatment and Information

All parents are asked each year to complete a medical care authorization form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, etc.).

The District may consent to medical treatment, including dental treatment, if necessary, for a student if all the following requirements are met:

- 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 cannot 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 if the District needs to notify parents of early dismissal, delayed opening restrict access to a campus due to severe weather, a security threat or another emergency cause.

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 changes. State law requires parents to update contact information within two weeks after the date the information changes.

Information on closings will reach the building principal through the Superintendent's office. Only the Superintendent or his designee is authorized to close schools, delay opening or accelerate the end of the school day. Media will also be notified by the Superintendent's office for public dissemination of school closings. Listed below are several radio/TV stations and newspaper where information may be received to determine if school will be held in the event of inclement weather or disasters:

TV

KPRC-TV Channel 2
KTRK-TV Channel 13

KHOU-TV Channel 11
KRIV-TV Channel 26
Univision Channel 45

Telemundo Channel 47
KIAH-TV Channel 39

Radio

KTRH 740 AM
KSBJ 89.3 FM

KPRC 950 AM
KSTAR Country 99.7 FM

Newspaper

[Houston Chronicle](#)

[East Montgomery County Observer](#)

Social Media/Website

Facebook: [facebook.com/newcaneyisd](https://www.facebook.com/newcaneyisd)

www.newcaneyisd.org

X: @newcaneyisd

SCHOOL FACILITIES

Use by Students Before and After School

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

Unless the teacher or sponsor overseeing the activity gives permission, a student will not be permitted to go to another area of the building or campus. After dismissal of school in the afternoon, and unless involved in an activity under the supervision of a teacher, students must leave campus immediately.

Conduct Before and After School

Teachers and administrators have full authority over student conduct at before or after school activities on District premises and at school-sponsored events off District premises, such as play rehearsals, club meetings, athletic practices, and special study groups or tutorials. Students must follow 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

When/if the conditions arise that require a student to be out of a classroom (e.g., going to the office, restroom, etc.), a vest/pass will be issued by a staff member, and the student must have the vest/pass on in the hallway. It is the student’s responsibility to have a vest/pass. Students without a vest/pass will be subject to disciplinary action. Students should sign in and out when arriving and/or leaving an office.

Food and Nutrition Services

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

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’s 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.

To apply for free or reduced-price meal services, contact:

Robin Thacker, Director of Child Nutrition
rthacker@newcaneyisd.org
20383 FM 1485 West
New Caney, Texas 77357
281-577-8690

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 according to the limits set by the parent in School Cafe. The student may charge meals up to the value of three lunches.

The District will notify the parent of the negative account balance and determine a repayment plan if needed. If a student's account is not settled in a timely manner the student may be offered an alternative meal. Students with a negative balance will not be allowed to purchase a la carte items until charges are paid in full. The District will make every effort to avoid bringing attention to the student.

The following information is published as required by the USDA for participation in the National School Lunch Program:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at:

<https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. Fax:
(833) 256-1665 or (202) 690-7442; or
3. Email:
Program.Intake@usda.gov

This institution is an equal opportunity provider. The responsible state agency that administers the program is the Texas Department of Agriculture (<https://www.texasagriculture.gov/Home/Contact-Us>), which can be reached at (800) TELL-TDA (835-5832) or (800) 735-2989 (TTY).

The local agency that administers the program is the District. See Nondiscrimination Statement on page 139 for the name and contact information for the Title IX coordinator, ADA/Section 504 coordinator, and superintendent for other concerns about discrimination.

Meetings of Non-Curriculum-Related Groups

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

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 that is not required as part of a basic educational program or course to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need. The District is not responsible for refunding fees paid directly to a third-party vendor.

Searches and Investigations

District Property

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

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

District officials may conduct investigations in accordance with law and district policy and may question students regarding a student's own conduct or the conduct of others. For questioning of students by law enforcement officials, see Law Enforcement Agencies.

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.

Vehicles on Campus

If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the District will contact the student's parents. If the parents also refuse to permit the vehicle to be searched, the District may contact law enforcement officials and turn the matter over to them. The District may contact law enforcement even if permission to search is granted.

Metal Detectors

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

Trained Dogs

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

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** for more information.]

Questioning Students

Certified school personnel have the authority to question students regarding their conduct or the conduct of others.

Drug-Testing

The New Caney Independent School District has implemented a mandatory drug testing policy for all its secondary student athletes. Each athlete will receive a copy of the drug testing policy that contains specific information about the purpose and scope of the program from the head coach of his/her sport at the beginning of the season. [See policy FNF(LEGAL).]

SPECIAL PROGRAMS

The District provides special programs for gifted and talented students, students who are homeless, students in foster care, emergent bilingual students, migrant students, 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:

Jennie Good, Director of Accountability and Assessment
22500 Eagle Dr, New Caney, TX 77357
jgood@newcaneyisd.org
281-577-8600

Dr. Cindy Luttrell, Director of Curriculum and Instruction
22500 Eagle Dr, New Caney, TX 77357
cluttrell@newcaneyisd.org
281-577-8600

Brandee Bass, Director of Federal/State Programs
22500 Eagle Dr, New Caney, TX 77357
bbass@newcaneyisd.org
281-577-8600

Dr. Erika Gutierrez, Director of Multilingual/Title III/Migrant
22500 Eagle Dr, New Caney, TX 77357
egutierrez@newcaneyisd.org
281-577-8600

Lori Waldrop, Director of Special Education
22500 Eagle Dr, New Caney, TX 77357
lwaldrop@newcaneyisd.org
281-577-8600

Evelyn Sifford, Director of Special Programs
22500 Eagle Dr, New Caney, TX 77357
esifford@newcaneyisd.org
281-577-8600

A student who has or is at risk for dyslexia or a related reading difficulty is eligible to participate in the Texas State Library and Archives Commission's Talking Book Program, which provides audiobooks free of charge to qualifying Texans with visual, physical, or reading disabilities.

STANDARDIZED TESTING

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

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

NOTE: Participation in these assessments may qualify a student to receive a performance acknowledgment on his or her transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

TSI (Texas Success Initiative) Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The purpose of the TSIA2 is to assess the reading, mathematics, and writing skills that first-year students need to perform effectively as undergraduates in Texas public colleges and universities. This assessment may be required before a student enrolls in a dual-credit course offered through the district as well. Achieving certain benchmark scores on this assessment for college readiness may also waive certain end-of-course assessment requirements in limited circumstances.

Required State Assessments

STAAR (State of Texas Assessments of Academic Readiness)

Grades 3-8

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

- Mathematics, annually in grades 3-8
- Reading, annually in grades 3-8
- Science in grades 5 and 8
- Social Studies in grade 8

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.

An admission, review, and dismissal (ARD) committee for a student in grades 9-12 receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan (PGP). [See Graduation]

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

Standardized Testing for a Student Enrolled Above Grade Level

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.

Standardized Testing for a Student in Special Programs

Certain students, some with disabilities and some classified as emergent bilingual students, may be eligible for exemptions, accommodations, or deferred testing. For more information, see the principal, school counselor, or special education director.

Personal Graduation Plans - Middle School Students

For a middle school student who does not perform satisfactorily on a state-mandated examination, a school official will prepare a personal graduation plan (PGP).

School officials will also develop a PGP for a middle-school student who is determined by the District to be unlikely to earn a high school diploma within five years of high school enrollment. The plan will, among other items;

- Identify the student's educational goals,
- Address the parent's educational expectations for the student, and
- Outline an intensive instruction program for the student.

See the principal and policy EIF(LEGAL) for more information.

For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

See *Personal Graduation Plans* for information related to the development of personal graduation plans for high school students.

End-of-Course (EOC) Assessments

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

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

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

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

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

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

Failure to Perform Satisfactorily STAAR or EOC

If a student does not perform satisfactorily on a required state assessment in any subject, the district will provide accelerated instruction for the student in the next school year through one of the following:

- Assigning the student to a teacher who is certified as a master, exemplary, or recognized teacher if one is available in the grade and subject matter of the state assessment on which the student did not perform satisfactorily, or
- Providing supplemental instruction.

A student may be required to attend any assigned supplemental instruction program before or after school or during the summer.

The district will provide transportation for supplemental instruction.

When a student fails to perform satisfactorily on a required state assessment in the same subject area for two or more years, the district shall develop an accelerated education plan. Parents are encouraged to participate in developing this plan.

STAAR and EOC assessments are administered electronically.

A parent or teacher may request that a STAAR or EOC be administered to a student in paper format. The district may grant this request for any single administration for up to three percent of the number of students enrolled in the district. Requests will be granted in the order in which they are received.

Requests for paper format for a fall administration of a STAAR or EOC must be submitted no later than September 15 each school year.

Requests for paper format for a spring administration of a STAAR or EOC must be submitted no later than December 1 each school year.

STEROIDS

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

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.

SUMMER SCHOOL

The counseling office will have information on the availability of summer school.

TECHNOLOGY

Electronic Devices and Technology Resources

Safe Use of Technology

The district is committed to ensuring that students use technology safely and will follow all federal and state requirements to protect students from excessive data collection or materials that are considered harmful to minors. The district considers parents as partners in cybersecurity and online safety.

In accordance with state and federal law, the district will:

- Install a filter that blocks and prohibits pornographic or obscene materials or applications, including from unsolicited pop-ups, installations, and downloads, before transferring an electronic device to a student to be used for an educational purpose
- Block or filter students' internet access to pictures that are obscene, contain child pornography, or have been determined to be harmful to minors in accordance with the Children's Internet Protection Act (CIPA)
- Require direct and informed parental consent for a student's use of software, other than software excluded from the consent requirement by law
- Require direct and informed parental consent for a student's use of software that conducts mental health assessments or other assessments unrelated to education curricula that are intended to collect information about students

If you want to know more about partnering with the district regarding cybersecurity and online safety, or if you have complaints or concern about student use of electronic devices, please contact Brian Martinez, Director of Technology at bmartinez@newcaneyisd.org.

Student Responsible Use Guidelines for Technology

Possession & Use of Personal Telecommunications Devices, Including Cell Phones & Other Electronic Devices

The district permits students to possess personal cell phones for safety purposes; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes. (For graphing calculator applications on computing devices, see Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials).

A student must have approval to possess other personal telecommunications devices on campus such as laptops, tablets, or other portable computers.

Without such permission, teachers may collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

The use of cell phones 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 may be confiscated. The parent may pick up the confiscated telecommunications device from the principal's office and may be charged a fee of \$15.

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 for more information.]

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

Any disciplinary action will be in accordance with the Student Code of Conduct. [See **Cell Phones**] The District is not responsible for damaged, lost, or stolen telecommunications devices.

Use of Personal Telecommunications and Other Electronic Devices

NCISD provides all students with a device for instructional purposes. Therefore, we do not allow students to bring their own personal device.

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. 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 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 student, ['Before You Text' Sexting Prevention Course](#), a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

In accordance with state law, the District prohibits the installation or use of TikTok (or any successor application of service) on a District device along with any other social media application or service determined by the governor.

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.

New Caney Independent School District makes a variety of communications and information technologies available through computer/internet access. These technologies, when properly used, promote excellence in the District by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming the District, students, and employees. These Responsible Use Guidelines are intended to minimize the likelihood of such harm by educating District students and setting standards which will serve to protect the District. The District firmly believes that digital resources, information, and interaction available on the computer/network/internet far outweigh any disadvantages.

Mandatory Review

To educate students on proper computer/network/internet use and conduct, students are required to review these guidelines at the beginning of each school year. All District students shall be required to acknowledge receipt and understanding of all guidelines governing use of the system and shall agree to allow monitoring of their use and to comply with such guidelines. The parent or legal guardian of a student user is required to acknowledge receipt and understanding of the 1:1 Program Guidelines and the District's Student Responsible Use Guidelines for Technology (hereinafter referred to as the Responsible Use Guidelines) as part of their review of the Student Handbook and Code

of Conduct. Employees supervising students who use the District's system must provide training emphasizing its appropriate use.

Definition of District Technology System

The District's System consists of networks, internet or any configuration of hardware and software. Throughout this document the District System includes but is not limited to the following:

- Chromebooks, Chromebases, laptops, MACs, iPads and tablets
- Device monitoring systems
- Telephones, cellular telephones, and voicemail technologies
- Email accounts
- Servers
- Computer hardware and peripherals
- Software including operating system software and application software
- Digitized information including stored text, data files, email, digital images, and video and audio files
- Internally or externally accessed databases, applications, or tools (Internet or District server based)
- District provided Internet access
- District Wi-Fi and
- New technologies as they become available

Computer/Network/Internet/Student Wi-Fi Access- Access will be used to enhance learning consistent with the District's educational goals. The District requires legal, ethical, and appropriate computer/network/internet use.

Access to the District's computer/network/internet is a **privilege**, not a right.

Access to Computer/Network/Internet- Access to the District's electronic communications system, including the Internet, shall be made available to students for instructional purposes. All District Systems have filtering software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act (CIPA). Filtered Internet access is provided to students as defined by CIPA.

Student Access- District System access is provided to all students unless parents or guardians request in writing to the campus principal that access be denied. Student internet access will be under the direction and guidance of a District staff member. Students may also be allowed to use the local network and Student Wi-Fi with campus permission.

Students 13 or Younger- For students under the age of 13, the Children's Online Privacy Protection Act (COPPA) requires additional parental permission for education software tools. Parents wishing to deny access to these education tools must do so in writing to the campus principal indicating their child should be denied access to these tools. Examples of these tools are Nearpod, Book Creator and WeVideo. These tools can be accessed through the District's webpage.

Security- A student who gains access to any inappropriate or harmful material is expected to discontinue the access and to report the incident to the supervising staff member. Any student identified as a security risk or as having violated the Responsible Use Guidelines may be denied access to the District's System. Other consequences may also be assigned. A student who knowingly brings prohibited materials into the school's electronic environment will be subject to suspension of access and/or revocation of privileges on the District's System and will be subject to disciplinary action in accordance with the Board-approved Discipline Management Plan and Student Code of Conduct.

Content/Third-Party Supplied Information- Students and parents of students with access to the District's System should be aware that the use of the System may provide access to other electronic communication systems in the global electronic network that may contain inaccurate and/or objectionable material.

All District System usage shall not be considered confidential and is **subject to monitoring** by designated staff at any time to ensure appropriate use. Students should not use the District's System to send, receive or store any information, including email messages, that they consider personal or confidential and wish to keep private. All electronic files, including email messages, transmitted through, or stored in the District's System will be treated no differently than any other electronic file. The District reserves the right to access, review, copy, modify, delete, or disclose such files for any purpose. Students should treat the District's System like a shared or common file system with the expectation that electronic files, sent, received, or stored anywhere in the System, will be available for review by any authorized representative of the District for any purpose. Personal telecommunication devices are subject to examination in

accordance with disciplinary guidelines if there is a reason to believe that the Responsible Use Guidelines have been violated.

Student Computer/Network/Internet Responsibilities- All students are required to login and use the dedicated student wireless network at all times. Students should not attempt to bypass District filters in any way. The use of VPNs, Virtual private networks is strictly prohibited. District students are bound by all portions of the Responsible Use Guidelines. A student who knowingly violates any portion of the Responsible Use Guidelines will be subject to suspension of access and/or revocation of privileges on the District's system and will be subject to disciplinary action in accordance with the Board approved Disciplinary Management Plan and Student Code of Conduct.

Use of Social Networking/Digital Tools- Students may participate in District-approved social media learning environments related to curricular projects or school activities and use digital tools, such as, but not limited to, mobile devices, blogs, discussion forums, RSS feeds, podcasts, wikis, and online meetings sessions. The use of blogs, wikis, podcasts, and other digital tools are considered an extension of the classroom. Verbal or written language that is considered inappropriate in the classroom is also inappropriate in all uses of blogs, wikis, podcasts, and other District-approved digital tools.

Use of System Resources- Students are asked to purge email or outdated files on a regular basis.

Password Confidentiality- Students are required to maintain password confidentiality by not sharing their password with others. Students may not use another person's District account.

Reporting Security Problem- If knowledge of inappropriate material or a security problem on the District's System is identified, the student should immediately notify the supervising staff member. The security problem should not be shared with others.

Inappropriate Use- Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, which violate the rules of network etiquette or that hamper the integrity or security of the District System or any components that are connected to it. The following actions are considered inappropriate uses, are prohibited, and result in revocation of the student's access to the District System.

Violations of Law- Transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to:

- Threatening, harassing, defamatory or obscene material
- Cyberbullying
- Copyrighted material
- Plagiarized material
- Material protected by trade secret
- Sexting or
- Blog posts, web posts, or discussion forum/replies posted to the internet which violate federal or state law

Tampering with or theft of components from the District Systems may be regarded as criminal activity under applicable state and federal laws. Any attempt to break the law through the use of the District System may result in prosecution against the offender by the proper authorities. If such an event should occur, the District will fully comply with the authorities to provide any information necessary for legal action.

Modification of Computer- Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

Transmitting Confidential Information- Students may not redistribute or forward confidential information without proper authorization. Confidential information should never be transmitted, redistributed or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing personal information about oneself such as, but not limited to, home addresses, phone numbers, email addresses, birthdates or others is prohibited.

Commercial Use- Use of the District's System for any type of income generating activity is prohibited. Advertising the sale of products, whether commercial or personal, is prohibited.

Marketing by Non-NCISD Organizations- Use of the District's System for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the District is prohibited.

Vandalism/Mischief- Any malicious attempt to harm or destroy District equipment, materials or data, or the malicious attempt to harm or destroy data of another user of the District's System, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism, as defined above, is prohibited and will result in the cancellation of system use privileges. Students committing vandalism will be required to provide restitution for costs associated with system restoration and may be subject to other appropriate consequences. See the Board-approved Student Code of Conduct.

Intellectual Property- Students must always respect copyrights and trademarks of third parties and their ownership claims in images, text, video and audio material, software, information and inventions. The copy, use, or transfer of others' materials without appropriate authorization is not allowed.

Copyright Violations- Downloading or using copyrighted information without following approved District procedures is prohibited.

Plagiarism- Fraudulently altering or copying documents or files authored by another individual is prohibited.

Impersonation- Attempts to log on to District System impersonating a system administrator or District employee, student, or individual other than oneself, will result in revocation of the student's access to the District System.

Cyberbullying- defined by Section 37.082 of the Education Code as bullying that is done through the use of an 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. This includes, but may not be limited to:

- Sending abusive text messages to cell phones, computers, or Internet-connected game consoles.
- Posting abusive comments on someone's blog or social networking site. (e.g., Facebook, X, Instagram, Snapchat etc.)
- Creating a social networking site or webpage that masquerades as the victim's personal site and using it to embarrass him or her.
- Making it appear that the victim is posting malicious comments about friends to isolate him or her from friends.
- Posting the victim's personally identifiable information on a site to put them at greater risk of contact by predators.
- Sending abusive comments while playing interactive games.
- Taking photos, often using a cell phone camera, and posting them online, sometimes manipulating them to embarrass the target.

Illegally Accessing or Hacking Violations- Intentional or unauthorized access or attempted access of any portion of the District Systems, networks, or private databases to view, obtain, manipulate, or transmit information, programs, or codes is prohibited.

File/Data Violations- Deleting, examining, copying or modifying files and/or data belonging to other users without their permission is prohibited.

System Interference/Alteration- Deliberate attempts to exceed, evade or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.

Email and Communication Tools- Email and other digital tools such as, but not limited to, blogs and wikis, are tools used to communicate within the District. The use of these communication tools should be limited to instructional, school-related activities, or administrative needs.

All students in grades PK-12 will be issued email accounts. Students should check email frequently and delete unwanted messages promptly. Internet access to personal email accounts is not allowed without prior authorization.

Video Conferencing- Video conferencing software may be utilized as needed to provide instruction, enrichment, tutorials, etc. with students. Video conferencing is an extension of the classroom: District behavior and dress code regulations apply. Students are required to join with their first and last name or District email account and video must be turned on to verify student identity for security.

Students should keep the following points in mind:

Perceived Representation- Using school-related email addresses, blogs, wikis, and other communication tools might cause some recipients or other readers of the email to assume that the student's comments represent the District or school, whether that was the student's intention or not.

Privacy- Email, blogs, wikis, and other communication within these tools should not be considered a private, personal form of communication. Private information, such as home addresses, phone numbers, last names, pictures, or email addresses, should not be divulged. To avoid disclosing email addresses that are protected, all email communications to multiple recipients should be sent using the blind carbon copy (Bcc) feature.

Inappropriate Language- Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language in emails, blogs, wikis or other communication tools is prohibited. Sending messages that could cause danger or disruption, personal attacks, including prejudicial or discriminatory attacks, are prohibited.

Political Lobbying- Consistent with State ethics laws, District resources and equipment, including, but not limited to, emails, blogs, wikis, or other communication tools must not be used to conduct any political activities, including political advertising or lobbying. This includes using District email, blogs, wikis, or other communication tools to create, distribute, forward, or reply to messages, from either internal or external sources which expressly or implicitly support or oppose a candidate for nomination or election to either a public office or an office of a political party or a measure (a ballot proposition). These guidelines prohibit direct communications as well as the transmission or forwarding of emails, hyperlinks, or other external references within emails, blogs, or wikis regarding any political advertising.

Forgery- Forgery or attempted forgery of email messages is prohibited. Attempts to read, delete, copy or modify the email of other system users, deliberate interference with the ability of other system users to send/receive email, or the use of another person's user ID and/or password is prohibited.

Junk Mail/Chain Letters- Students should refrain from forwarding emails which do not relate to the educational purposes of the District. Chain letters or other emails intended for forwarding or distributing to others is prohibited. Creating, distributing, or forwarding any annoying or unnecessary message to a large number of people (spamming) is also prohibited.

Student Email Accounts and Electronic Communication Tools

Electronic communication is an important skill for 21st Century students. By providing this tool, the District is equipping students with the skills necessary for success in the business world. Students in grades PK-12 are given access to a District student email account for use while they are enrolled in the District. This account is set up with the student's user ID. Students must abide by the guidelines established under Email and Communication Tools. Students are permitted to add a school appropriate profile picture to email and other District platforms that offer a profile image option. Any profile picture added must comply with copyright laws. Profile images are a privilege that may be revoked at any time. Parents wishing to deny access to District email must do so in writing to the campus principal. Student email accounts will be provided through a District approved provider.

Consequences of Agreement Violation

Any attempt to violate the provisions of this agreement may result in revocation of the student's access to the District's system, regardless of the success or failure of the attempt. In addition, school disciplinary and/or appropriate legal action may be taken.

Denial, Revocation, or Suspension of Access Privileges

With just cause, the system administrator and/or building principal may deny, revoke or suspend District system access as required, pending an investigation.

Warning

Sites accessible via the District's System may contain material that is illegal, defamatory, inaccurate, or controversial. Each District computer with internet access has filtering software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act. The District makes every effort to limit access to objectionable material; however, controlling all such

materials on the District's System is impossible, even with filtering in place. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting.

Disclaimer

The District's System is provided on an "as is, as available" basis. The District does not make any warranties, whether expressed or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the System and any information or software contained therein. The District does not guarantee that the functions or services performed by the System, or that the information or software contained on the System will meet the System user's requirements, or that the System will be uninterrupted or error free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by System users, information providers, service providers, or other third-party individuals in the system are those of the providers and not the District.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system.

1:1 Student Device Program

The 1:1 Student Device Program creates a culture to engage learners in a way that provides choice and supports 21st century skills: creativity, communication, collaboration, and communication. All New Caney ISD students in grades 1-12 will have access to a device upon entering the District. The device will be issued at or near the time of enrollment and collected at the end of the school year or at the time of withdrawal. Devices will travel with students to and from school in grades 6-12. Devices will be audited at campus specified intervals throughout the year. District issued devices will be the only instructional devices permitted on campus to assure equitable access to District programs and resources.

Web Tools and Applications

Students will be using a variety of online web applications as a resource to enhance their learning experience. While the education community supports the use of such applications in PK-12 institutions, many of the Terms of Service and/or Privacy Policies of such applications state that, due to Federal Law users under the age of 18 must obtain explicit parental permission or the District may grant permission if applications are used solely for educational purposes and the program meet COPPA and CIPA requirements.

In accordance with HB 18, the district will require direct and informed parental consent for a student's use of software, other than software excluded from the consent requirement by law.

Student email addresses can only receive email from within the District and from approved educational domains.

All websites and tools have been and will continue to be thoroughly examined by experienced educators. Many of these tools are commonly used in education today, but new tools arise every day. Common web application tools that your child may encounter, and use include, but are not limited to:

- Networks- A place where teachers and students can communicate, collaborate, and share content. Examples include learning management systems such as Canvas.
- Blogs/Google Sites- A website where student work can be published online.
- Google Apps- An online suite of productivity and digital tools.
- Podcasts- A digital audio file that is distributed over the Internet for playback.
- Video Creation Programs- A recording displaying moving images and audio. Digital video files can incorporate photos, voiceovers, and music.
- Bookmarking- A way for Internet users to save, classify, and share websites.

These applications are instrumental in the development of the curriculum. All use of Web application tools must be in accordance with the Responsible Use Guidelines of the District and will be COPPA (Children's Online Privacy and Protection Act) and CIPA (Children's Internet Protection Act) compliant.

Google Apps for Education

- New Caney ISD leverages Google Apps for Education suite of productivity and collaboration tools. This suite includes Google Docs (word processing), Sheets, Slides, Drawings, and Forms.
- All work is stored online in the cloud.

Chrome Apps and Extensions

- Students may install pre-approved Chrome apps and extensions from the NCISD Web Store.
- Students are responsible for the web apps and extensions they install on their devices. Inappropriate material will result in disciplinary action.
- Some apps will be available to use when the device is not connected to the wireless internet.

Internet Safety

- There are many sites on the internet that can be potentially dangerous to minors. These sites are blocked with the District content filter in accordance with CIPA laws. Students are in violation of District policy if they access these sites through proxies or by removing NCISD profiles.
- Parents will want to monitor student's home internet access. For more information about Digital Citizenship and Internet safety, visit www.netsmartz.org.

If you want to know more about partnering with the district regarding cybersecurity and online safety, or if you have complaints or concerns about student use of electronic devices, please contact Brian Martinez, Director of Technology at bmartinez@newcaneyisd.org.

No Expectation of Privacy

All students are required to be logged into the District's System at all times. Students have no expectation of confidentiality or privacy with respect to any usage of any of the District's Systems, regardless of whether that use is for district-related or personal purposes, other than as specifically provided by law. The District may, without prior notice or consent, log, supervise, access, view, monitor, and record use of student devices at any time for any reason related to the operation of the District. By using the District's System, students agree to such access, monitoring, and recording of their use.

Monitoring Software

Teachers, school administrators, and the technology staff may use monitoring software that allows them to view the screens and activity on student devices.

Files Downloaded onto the Device

All pictures, material and documents downloaded onto the District's System are the property of New Caney ISD.

Disciplinary Procedures

- Administrators and teachers will follow procedures outlined in the NCISD Student Handbook/Code of Conduct when viewing content on a student device.
- Campuses will follow standard disciplinary procedures to address violations of student device use.

1:1 Student Device Program Information

Fees - Students are **NOT** required to pay an annual user fee. However, students will be required to pay for accidental and deliberate damages to District devices according to the rates outlined below:

- | | |
|------------------|---|
| • 1st Occurrence | \$20.00 |
| • 2nd Occurrence | \$30.00 |
| • 3rd Occurrence | \$50.00 |
| • 4th Occurrence | \$50.00 and permanent library check-out |

Lost, Stolen or Damaged Devices or Accessories

A District device or any of its accessories that are lost, stolen or damaged are the responsibility of the student and parent. The user will not be given another device or accessory to use until proper police reports have been submitted, replacement cost of the lost/damaged device or accessory is paid, or a payment plan is established.

- If at any point during the school year there is damage, loss, or theft of a device, the student must contact administration immediately.
- Any issue with the device must be brought to the attention of administration or technology support staff immediately.
- Fees will be imposed in accordance with the Damage Assessment Fee Chart.
- After three (3) incidents of accidental damage, theft, or loss the student will lose the privilege of being in the program and will not be permitted to take the device home.

- All reports will be investigated and addressed on a case-by-case basis.
- The District may disable the device remotely to protect the device and/or data on the device.
- Students must clear all records, return the device, charger and pay all fees before participating in non-essential District functions such as graduation ceremonies, parties, and field trips.
- In the event that a fee remains unpaid at the end of the school year, the outstanding balance will roll over to the following school year.
- Device audits may occur throughout the year to verify condition and location of issued devices.
- Failure to comply at all times with the New Caney Independent School District's Handbook and the Student Responsible Use Guidelines may terminate your rights of possession effective immediately and the District may repossess the property.

Fee Chart

Issue	Action(s) Necessary	Cost
Accidental Damage (1st instance)	Report must be made immediately to administration or technician. The device must be returned to school for repair. Once all associated fees are paid, the device will be returned to the student.	\$20.00
Accidental Damage (2nd instance)	Report must be made immediately to administration or technician. The device must be returned to school for repair. Once all associated fees are paid, the device will be returned to the student.	\$30.00
Accidental Damage (3rd instance)	Report must be made immediately to administration or technician. The device must be returned to school for repair. Once all associated fees are paid, the device will be returned to the student. Some loss of privileges of using the device may occur such as limiting participation in the 1:1 Device program, inability to take the device home and/or additional disciplinary actions.	\$50.00
Intentional Damage (All occurrences)	Report must be made immediately to administration or technician. The device must be returned to school for repair. Deliberate damage will be referred to the campus administration. Once all associated fees are paid, the device will be returned to the student. Some loss of privileges of using the device may occur such as limiting participation in the 1:1 Device program, inability to take the device home and/or additional disciplinary actions.	Actual cost of repairs
Loss	Report must be made immediately to administration or technician. A device will be checked out to the student once the fee has been paid or a payment plan has been established.	Actual cost of replacement
Vandalism	Report must be made immediately to administration or technician. The device must be returned to school for repair. Deliberate damage will be referred to the campus administration. Once all associated fees are paid, the device will be returned to the student.	Actual cost of repair
Power Adapter/Cord	Report must be made immediately to administration or technician. A replacement will be issued once the fee has been paid.	\$39.00
Theft	A report must be made immediately to administration or technician. If theft occurs on District property, a police report must be filed by the parent/student with the NCISD Police Department. If the theft occurs off campus, a police report must be filed by the parent/student with the local police entity. A copy of the police report must be submitted to administration within 48 hours.	No cost if police report is filed and returned to administration. If NO police report is returned, it is a loss and the student is responsible for the replacement cost of the device.

Estimated Repair/Damage Costs

The costs below are estimated examples of repair/replacement costs and are subject to change. The costs of any other parts needed for repairs will be based on the manufacturer's current price list.

Complete Replacement of Device	\$246-\$315
Power Adapter/Cord	\$39
LCD Screen	\$75-\$200
Bezel	\$13
Top Cover	\$28
Keyboard and Touchpad	\$46
Bottom Cover	\$24-\$30
System Board	\$254

More than one occurrence of loss, theft or damage in 30 days will be interpreted as neglect. More than two occurrences of loss, theft or damage during the school calendar year will be interpreted as neglect.

Students/parents are responsible for the cost of repair for a deliberately damaged device or if damage is interpreted as neglect. (See Table of Estimated Repair/Damage Costs chart.)

Returning Your Device

- Legal title to the property is in the District and shall at all times remain in the District. Your right of possession and use is limited to and conditioned upon your full and complete compliance with this Agreement and the Responsible Use Guidelines.
- Devices will be returned when a student withdraws from the District or at the District's request. If a student transfers out of New Caney ISD during the school year, the device, charger and any other peripheral devices or tools provided will be returned to the campus at that time.
- Students who graduate early, withdraw, are expelled, or terminate enrollment at a school in New Caney ISD for any reason must return their issued device, charger and any other peripheral devices/tools provided to the campus on the date of termination of their enrollment.
- If a student fails to return the device, charger, and any other peripheral devices or tools provided at the end of the school year or upon termination of enrollment in a New Caney ISD school, that student may be subject to criminal prosecution or civil liability and district records may be withheld. The student will also pay the replacement cost of the device, charger, and any other peripheral devices or tools provided. Failure to return the device, charger, and any other peripheral devices or tools provided will result in a theft report being filed with the New Caney ISD Police Department.
- The student will be responsible for any damage to the device, consistent with the District's Fee Chart, and must return the device and accessories to New Caney ISD in good working condition. The student will be charged a fee for any needed repairs, not to exceed the replacement cost of the device.

Care of Devices

Students are responsible for the general care of the device, and charger that the school has issued them. Family members and friends should not have use of the device. Devices that are broken or fail to work properly must be taken to the Technology room for an evaluation of the equipment. Never try to repair the device yourself or have someone outside the District work on it, as this could void the warranty and cause you to incur additional charges. Take your device to the Technology room as soon as possible if repairs are needed.

General Device Care and Rules

1. The device, and charger are school property, and all users will follow the policy in the Student Code of Conduct, in the Student Responsible Use Guidelines for Technology section.
2. Students are responsible for bringing a completely charged device to school each day. An uncharged device is a violation of this handbook.
3. Do not borrow a device from another student.
4. Do not loan devices to other students.
5. Do NOT share passwords or usernames.
6. Vents must not be covered.
7. No food or drink is allowed next to devices.
8. Never carry the device while the screen is open.

9. Cords and cables must be inserted carefully into the device to prevent damage.
10. Do not stack any books, heavy materials, etc. on top of the device as it could cause the device to break.
11. Devices must have a New Caney ISD inventory tag on them at all times and this tag must not be removed or altered in any way. If the inventory tag is removed, disciplinary action may result.
12. Devices must never be left in an unlocked locker, unlocked car or any unsupervised area.
13. Devices are very sensitive to extreme heat and extreme cold therefore leaving devices in cars, direct sunlight, etc. that may expose them to these conditions should be avoided.
14. Devices and cases must remain free of any writing, drawing, stickers, or labels. Spot checks for compliance may be done by administrators or teachers at any time.

Unauthorized Access and Damaging Another Student's Device

- Accessing another person's account, device or computer without their consent or knowledge is considered hacking, is unacceptable and will be handled according to the Student Code of Conduct.
- If a student accidentally or purposefully damages or breaks another student's device, or charger the student who caused the damage is responsible for all expenses related to repairs or replacement of the device, or charger.

Screen Care

Screens can be damaged if subjected to heavy object, rough treatment, some cleaning solvents, and other liquids. The screens are particularly sensitive to damage from excessive pressure on the screen.

- Do not grasp the screen by wrapping your hand around the screen, your thumbs could shatter the screen.
- Do not lean on top of the device when it is closed.
- Do not place anything near the device that could put pressure on the screen.
- Clean the screen with a soft, dry cloth or anti-static cloth. Do not use any cleaning solvents.
- Do not "bump" the device against lockers, walls, car doors, floors, etc. it may break the screen.
- Do not poke the screen with anything that will mark or scratch the screen surface.
- Do not place anything on the keyboard before closing the lid (pens, pencils, earbuds, etc.).

Using Your Device at School

Devices are intended for use at school each day. In addition to teacher expectations for device use, school messages, announcements, calendars, and schedules may be accessed using the device. Students are responsible for bringing their fully charged device to all classes.

Devices Left at Home

If a student leaves their device at home, they are responsible for getting the course work completed as if they had their device present. If a student leaves their device at home for two consecutive days, they will be required to bring in the device to verify possession of the assigned device.

Device Repair

If a device needs repair, the student will take the device to the Campus Technology Room.

Charging Your Device

- The device must be brought to school each day fully charged.
- Students need to charge their device each evening.
- Repeated violations of this policy may result in disciplinary action.

Photo Library/Screensavers/Background Photos

Inappropriate media should not be on the device and may not be used as a screensaver, background photo or profile picture. The device should not be used to take photos to post online outside of approved District programs used for educational purposes.

Music, Videos, Games, Apps, Extensions, or Programs

- Illegal downloading and distribution of copyrighted works are serious offenses that carry with them the risk of substantial monetary damages and, in some cases, criminal prosecution. Copyright infringement also violates the District's Internet Service Provider's terms of service and could lead to limitation or suspension of the District's Internet service.

- Purchased, legal personal media is allowed on the device. Teachers and/or campus officials may require students to delete any apps, extensions, games, or programs at any time.
- District installed apps, extensions, games, or programs may not be removed at any time.

Inappropriate Content

Parents should set expectations for appropriate apps, content, music and videos on their student's device. Inappropriate content will not be allowed on devices. Apps rated 17+ or games with an ESRB rating of Mature are not allowed on student devices. 17+ rated Apps, R & NC-17 rated movies, TV-MA rated content and Explicit Content are blocked on student devices. Any violation of this policy will result in disciplinary action.

Sound

Unless permission is obtained from the teacher, for instructional purposes, sound must be muted at all times. Headphones may be used at the discretion of the teacher.

Deleting Files/Apps

Do not delete any Apps, folders, or files that you did not create or that you do not recognize. Deletion of certain files or Apps will interfere with your ability to complete certain coursework and may affect your grades.

Terms of Agreement

Unless earlier terminated by the District, your right to use and possession of the property terminates upon withdrawal from the District.

Appropriation

Failure to return the device in a timely manner or the continual use of it for non-school purposes without the District's consent may be considered unlawful appropriation of the District's property. Devices not returned at the District's request will result in the student being charged the value of the device and accessories. If the device is returned, the fee may be waived.

Home Internet Access

Home internet access is not required. Students are allowed to connect to non-District networks when off campus. This will assist students with the ability to complete, retrieve and access educational content used in classes with the device successfully. There are some apps that allow for offline access, more information about offline access is available from the campus Media Specialist.

TEXTBOOKS, ELECTRONIC TEXTBOOKS, TECHNOLOGICAL EQUIPMENT, AND OTHER INSTRUCTIONAL MATERIALS

Instructional materials are any resources used in classroom instruction as part of the required curriculum, such as textbooks, workbooks, computer software, or online services.

The District selects instructional materials in accordance with state law and policy EFA.

The District provides approved instructional materials to students free of charge for each subject or class. Students treat instructional materials with care as directed by the teacher.

If the District does not issue graphing calculators for a course requiring their use, a student may use a calculator application with the same functionality as a graphing calculator on a phone, laptop, tablet, or other computing device in place of a graphing calculator.

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; however, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

For information on library books and other resources students may access voluntarily, see **Library**.

TRANSFERS

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

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

Inter-district and intra-district transfers will be considered by application each spring. Applications are available on the District's website.

The District has the right to revoke the transfer of a student who fails to maintain an acceptable level of attendance or compliance with the Student Code of Conduct/Student Handbook. Reasons a transfer may be revoked include, but are not limited to:

- lack of academic success
- truancy
- discipline issues
- excessive tardiness
- late/early pickups
- unexcused absences
- falsification of enrollment or application information
- removal from a program for which the transfer was approved

A transfer student shall be notified in the transfer agreement that he or she must follow all rules and regulations of the District. Violation of the terms of the transfer agreement may result in a transfer request being revoked.

TRANSPORTATION

School-Sponsored Trips

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. The principal, however, may make an exception if the parent makes a written request that the student be released to the parent or to another adult designated by the parent.

SMART Tag

NCISD has the responsibility to transport over 10,000 students on school buses each day to and from school. Ensuring the accountability for and the safety and security of the students riding on those buses is our highest priority. NCISD utilizes a system called **SMART tag**, which places a tablet computer on each bus that is equipped with an RFID (Radio Frequency Identification Device) reader, mobile connectivity, and GPS. Students will place their SMART ID cards on the sensor of the computer tablet when loading and unloading their bus. This ensures all riders are accounted for. No information is stored on the Student ID tag.

All students will receive one free SMART ID card when they enroll in New Caney ISD for the first time. SMART IDs will be required each time your child enters and exits the bus. Please help us enforce this requirement so that your child may take advantage of the privilege to ride the bus. **Failure to comply with ID requirements will ultimately result in disciplinary action up to and including possible bus suspension/expulsion.**

Students who lose or damage their SMART IDs must purchase a new tag through their home campus for \$7.00. Delivery of the new Smart Tag ID can be made to the student by their bus driver, back to the home campus or the parent can pick it up at the Transportation Department. Please allow 1 to 2 business days to process after payment is received. Parents may purchase more than one tag for their student at a time.

Prekindergarten and Kindergarten

District policy requires a responsible person (parent/guardian or designee) to be present at the bus stop to receive their Prekindergarten or Kindergarten student. The person receiving the child needs to have a valid photo ID, be on the list approved to pick up the student and must be in view of the bus camera system at ground level at the bus stairwell visible to the driver. If no one is present at the bus stop, the student will be returned to their campus, where parent's will be responsible for picking them up. After a student has been returned to campus three times, bus riding privileges will be suspended on the take home service for the remainder of the school year. The student may continue to ride the bus to school only. Should you need to add additional authorized persons to receive your child at the bus stop please do so via the SmartTag Portal.

Conduct Expectations for Bus Riders

The New Caney Independent School District is committed to operating the safest transportation system possible through good bus maintenance, continuous driver training, and appropriate student behavior. This third component, appropriate student behavior requires the help and cooperation of the students and you, the parent/guardian. The school bus is an extension of the classroom and therefore all school rules apply to the buses.

The privilege of riding a school bus is offered to all qualifying students contingent upon the students following these Conduct Expectations. The Transportation Behavior Coordinators are responsible for the administration of discipline and the resolution of student misconduct problems in the bus environment. Parents/guardians may appeal the Transportation Behavior Coordinator's decision to the Assistant Director of Transportation and Fleet Services if they feel that a procedure has been erroneously applied. The disciplinary action assigned to a student will remain in effect pending the outcome of any grievance and/or appeal, as appropriate, and in accordance with policy FNG(LOCAL). Students need to remember that since all grade levels may be riding the bus, conversational content should be structured accordingly. Drivers may separate the students by grades or schools, usually with the younger students sitting towards the front of the bus. The driver may assign students to seats outside this parameter in response to a parent or student request, to separate students, or to move a student closer to the driver.

Parents wishing to discuss their student's behavior on the bus should contact the driver or an Area Coordinator through the Transportation Department at 281-577-8680. Please have some basic information ready, such as the route number, time and day(s) of concern along with a time to call back.

Anytime a write-up is processed by the transportation department notification will be sent via the SmartTag portal. If the write-up warrants a suspension a copy will be mailed home to the address on file with the school district, and we will make every effort to contact the parent via telephone. For this reason, your address, phone number, and email address should always remain up to date with NCISD, through your student's campus. The campus will also be advised of the consequence including the beginning and ending date of the loss of bus privileges.

If the misconduct report is for major infractions of misconduct, the transportation office will contact the student's parent/guardian informing them of an immediate suspension of bus privileges. Suspension from the bus, by definition, means all buses. If the student's conduct is severe enough the student will forfeit all bus riding privileges for an indefinite length of time. If a student's privileges have been forfeited contact the transportation department for information concerning reinstatement of bus riding privileges.

We continue to strive to offer all qualifying students a safe and courteous transportation system. The continuing use of the transportation system by the students is dependent upon their behavior. In addition to following the standard student code of conduct, the students are expected to respect the following guidelines.

Students will:

- Cooperate with and obey the school bus driver. This includes responding to a reasonable request promptly and giving your proper name and student ID number.
- Remain properly seated at all times. Students may be assigned to a particular seat or area.
- Use appropriate language. No profanity, derogatory, or unacceptable language.
- Act in a safe and courteous manner at all times, including at the bus stop.
- Be at the designated stop five (5) minutes before the scheduled bus arrival time in the morning and be on time to board the bus in the afternoon. Do not run after the bus if it has started to move.
- Ride regularly assigned buses. Transfers are not permitted at any grade level.
- Cross the roadway in front of the school bus and only with a signal from the driver.
- Request permission from the driver before bringing heavy, sharp, bulky, or other articles which may be hazardous in the event of an accident or emergency stop. Items that will not be transported include but are not limited to all forms of animal life (except ADA service animals), firearms, weapons, breakable containers, flammables, aerosol containers, sharp items, cologne/perfume and all articles which could adversely affect the safety of the bus and passengers.
- Keep small items (if allowed at school) in a bag or container.
- Keep aisles, rear decks, and emergency exits clear at all times. This includes keeping feet, legs, backpacks, and other articles from blocking these areas.
- Ask for the bus driver's permission before opening windows. Keep all body parts inside the bus at all times.
- Be responsible for any damage. (Students will be required to reimburse New Caney ISD for any damage done). Bus damage is billed at actual cost for repairs billed at the time of the repair. The student's bus riding privileges will be suspended until damages have been paid.
- Help keep the bus clean. Eating and drinking on the bus is prohibited.
- Leave all controls, emergency doors, cameras, and equipment alone. Stay out of the driver's seat.
- Follow the driver's instructions and evacuate the bus in an orderly manner, in an emergency.
- Scan SmartTag ID when boarding and departing a bus.
- All electronic devices brought onto the school bus and used must be used in accordance with the District's Responsible Use Guidelines.
- Students shall wear a three-point seat belt if the bus is equipped. (Texas Ed. Code 34.013)

Infractions			
Level I	Level II	Level III	Level IV
Failure to sit in assigned seat	Persistent Level I offenses	Persistent Level 2 offenses	Persistent Level 3 offenses
Possession of live animal(s)	Horseplay, failure to remain seated while bus is in motion	Obscene gestures, profanity Stealing, theft	Sexual harassment Inappropriate physical contact
Improper boarding, not going directly to assigned seat, not wearing seatbelt	Inappropriate use of cell phone including recording/photographing inappropriate events	Destruction of District property i.e. graffiti, tears, punctures (Bus suspension until restitution is made)	Tampering with any bus equipment (i.e., emergency exits, windows, fire extinguisher, camera)
Failure to load or unload at assigned stop	Eating or drinking (except water)	Disrespect to driver and/or bus aide	Possession of alcohol or drugs
Failure to move safely away from bus after unloading	Spitting inside or outside of the bus, or at others	Disruption of transportation	Indecent exposure
Failure to properly identify self or possession of another student's Smart Tag ID	Spraying any non-hazardous material (i.e., hairspray, cologne, etc.)	Fighting or physical assault	Possession of weapon
Failure to follow safety procedures at railroad crossings	Spraying or squirting water inside or outside of the bus, or at others	Possession of inappropriate toys such as toy weapons, etc.	Possession of hazardous materials
Failure to properly scan Smart Tag ID or failure to have Smart Tag ID (3 days)	Throwing any items inside or outside of the bus, or at others (i.e., shooting rubber bands)	Making a false report to or about school or transportation personnel	Threat or assault on a driver or bus aide
		Possession or use of tobacco, lighter or e-cigarettes	Malicious behavior with intent to cause harm

Consequences				
	Level I	Level II	Level III	Level IV
First Offense	Parent contact/warning	Up to 10-day bus suspension	20-day bus suspension	1 semester bus suspension
Second Offense	Up to 10-day bus suspension	Up to 15-day bus suspension	30-day bus suspension	2 semesters bus suspension
Third Offense	Up to 15-day bus suspension	Up to 30-day bus suspension	1 semester bus suspension	Permanent suspension from bus with periodic review
Fourth Offense	Up to 30-day bus suspension	Up to 1 semester bus suspension	Permanent loss of transportation privileges	Permanent loss of transportation privileges

SMART Tag referrals will result in a warning on the first two offenses. The third offense may result in a bus suspension for up to 5 days.

Any misconduct that occurs within the last 6 weeks of the current school year may carry over to the following school year. Any misconduct during the last week of school may result in permanent removal of transportation privileges.

Transportation Criteria

The District makes school bus transportation available to all students living two or more miles from school or who live on routes that are considered hazardous for pedestrian traffic and any students who are homeless. This service is provided at no cost to students. Bus routes and any subsequent changes are posted at the school. For additional information please contact:

Barbara Rendon, Director of Transportation
21026 Loop 494
New Caney, TX 77357
brendon@newcaneyisd.org
281-577-8680

All students who use District transportation shall board buses at authorized stops. Authorized bus stops shall be designated annually by the Superintendent or designee. Bus drivers shall load and unload passengers only at authorized stops. School bus stops are designated at the beginning of each school year. Extenuating circumstances requiring bus stop changes will be reviewed when necessary. Elementary students (PK-5) may be required to walk up to 0.15 miles (or 800 feet) to their bus stop. Secondary students (6-12) may be required to walk up to 0.25 miles (or 1300 feet) to their appointed bus stop.

In accordance with the Texas Education Agency Transportation Guidelines transfers to a location other than a student's home are not permitted except that a parent may designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for the student. This change must be effective for the entire school year and may not be adjusted. The designated facility or residence must be at an approved stop on an approved route within the school's attendance zone.

Removal from the School Bus

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, CBC or transportation behavior coordinators (or designee) may restrict or revoke a student's transportation privileges, in accordance with law.

District policy requires a responsible person (parent/guardian or designee) to be present at the bus stop to receive their Pre-Kindergarten or Kindergarten student. Should no one be present at the bus stop, the student will be returned to his/her campus, where it will be the parent's responsibility to pick them up. After a student has been returned to campus three times, bus riding privileges will be suspended on the take home service for the remainder of the year.

VANDALISM

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

VIDEO CAMERAS

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

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

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 to 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, contact the

principal or Executive Director of Student Services, who the District has designated to coordinate the implementation of and compliance with this law. [See EHBAF(LOCAL).]

VISITORS TO THE SCHOOL

General Visitors

Parents and others are welcome to visit District schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the front office and must comply with all applicable District policies and procedures. Failure to provide a valid United States government issued identification may preclude access to the campus and/or require a visitor to be escorted and supervised by a staff member during a visit.

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

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

Visitors During Lunch

Parents and legal guardians are welcome to visit during student lunches. For the safety of those within the school all visitors must first report to the main office to provide identification and secure a visitor's pass. Students' visitors/guests are subject to all school rules and regulations. Parents and legal guardians are NOT allowed to provide food for ANY student other than their own. Students may not provide food for other students. Deliveries for students may not be made by any business or individual other than the parent/guardian.

Visitors Participating in Special Programs for Students

On various days throughout the year, the District invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

VOTER REGISTRATION

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

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 with at least three days' notice of withdrawal so that records and documents may be prepared.

SECTION III: STUDENT CODE OF CONDUCT

PURPOSE

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

The Student Code of Conduct 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 New Caney ISD Board of Trustees and developed with the advice of the District Level Advisory Committee (DLAC). This Code of Conduct provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the board becomes effective for the next school year.

In accordance with state law, the Student Code of Conduct shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Student Code of Conduct shall be posted on the District's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the 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 Student Code of Conduct and the Student Handbook, the Student Code of Conduct shall prevail.

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.

PHILOSOPHY

New Caney ISD has a firm commitment to the philosophy that all children can learn. All students are expected to develop essential academic and/or life skills in order to live and work successfully in a changing, free enterprise society. Students who are enrolled in New Caney ISD are taught a core curriculum of Language Arts, mathematics, science, social studies, fine arts, health, physical education, and technological literacy. New Caney ISD will ensure that all students and staff have an orderly, clean, and safe environment which is conducive to teaching and learning; that students, parents, staff, and patrons will have high expectations for attaining mastery of academic and critical thinking skills; that multiple assessment data will be used to improve individual programs; and that instructional goals, objectives, and collaborative planning are designed to improve student performance and self-esteem. These objectives may be met only when there is a school climate free from disruptions that interfere with the learning process. The purpose of this Code of Conduct is to provide information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It is expected that individual students will assume responsibility for self-discipline in accordance with stated expectations. However, when violations of the Code of Conduct do occur, discipline will be administered in order to correct disruptive behavior, to protect other students, school employees, or property, and/or maintain a positive learning environment. Student discipline shall be administered fairly and equitably and based on a careful assessment of the circumstances of each case. Factors to be considered shall include:

- The seriousness of the offense
- The student's age
- The student's disciplinary history for the current school year
- The student's attitude
- The potential effect of the misconduct on the school environment
- Self-defense
- The student's intent or lack of intent
- A student's disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct

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

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 a 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, board member, 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.

Campus Behavior Coordinator

By law, each campus has a campus behavior coordinator (CBC) to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The contact information for each CBC at each District campus is available on the District's website at newcaneyisd.org.

Threat Assessment and Safe Supportive School Team

The CBC 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. [See FNF(LEGAL) and FNF(LOCAL).]

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

Behavior coordinators 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

The board utilizes District Police Officers to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the CBC and other District employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

The law enforcement duties of district police officers are:

- Enforce Chapter 37 of the Texas Education Code.
- Prevent and investigate violations of law that occur on District property, school zones, or at District functions on or off campus.
- Participate in serving search warrants and arrest warrants in connection with District related investigations.
- Take juveniles into custody as provided by the Family Code.
- Arrest and apprehend suspects consistent with state and federal laws and constitutional standards governing arrest, including arrests without warrants for felonies and breach of the peace that occur in the officer's presence, within the jurisdiction of the District.
- Patrol areas surrounding District building and grounds.
- Engage in activities and programs designed to prevent and deter crimes.
- Assist in providing traffic and parking control at District events.
- Enforce violations of law concerning school buses.
- Coordinate and cooperate with all law enforcement agencies.
- Investigate violations of law requested by District officials.
- Participate in judicial hearings.
- Patrol campuses and grounds.
- Respond to crisis situations occurring on campuses.
- Assist school personnel with after-hours functions.
- Stop and identify trespassers on campuses or school property.
- Escort and help school personnel in potentially violent situations.
- Network with other area law enforcement in reference to gangs, substance abuse, and any other programs or information that may help our students reach their educational goals.

“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 student.

Participating in Graduation Activities

The District has the right to limit a student's participation in graduation activities for violating the Student Code of Conduct.

Participation might include a speaking role, as established by District policies 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 of Conduct 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. A student may not 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 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 either of the following applies:

- The person poses a substantial risk of harm to any person
- 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.

STANDARDS FOR STUDENT CONDUCT

Each student is expected to:

- Demonstrate courtesy, even when others do not
- Behave in a responsible manner
- Exercise self-discipline
- Attend all classes regularly and on time
- Bring 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

DRESS CODE

The District's dress code teaches grooming and hygiene, prevents disruption, minimizes safety hazards, and prepares students to thrive in the REALITY of their future.

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The District prohibits any clothing or grooming that in the Principal's judgment is not appropriate for school. The principal's determination shall be final. This list is the minimum requirement for dress regulations and does not address all possible situations. Students attending DAEP will be subject to their campus' dress code.

ITEM	ACCEPTABLE DRESS	SPECIAL COMMENTS AND INTERPRETATIONS
Shirts, Blouses	Shirts/blouses may be: <ul style="list-style-type: none"> • Any collared shirt/blouse • T-shirts and other pull-over tops • Sweatshirts/sweaters • School designs/logos; brand names and/or other appropriate words are acceptable. Shirts and blouses must be buttoned in accordance with design and appropriateness. Shirts and blouses worn over leggings must be no shorter than mid-thigh	Students are prohibited from wearing shirts/blouses that: <ul style="list-style-type: none"> • Are oversized or immodestly undersized • Depict or reference alcohol, drugs, tobacco, weapons, nudity, gang affiliation, death, violence, vulgar or obscene language or images, and/or insults to race, religion, gender, or ethnicity, or other emblems or writing that may be expected to cause a material or substantial disruption of, or interference with, normal school operations • Are undershirts, tank tops or have spaghetti straps • Expose the midriff
Pants, Slacks	Pants, slacks must be: <ul style="list-style-type: none"> • Worn at the waist • Belted, if appropriate 	Pants/slacks may not: <ul style="list-style-type: none"> • Be made of inappropriately form-fitting materials • Be baggy or oversized • Be pajamas • Have holes or tears above mid-thigh, unless worn over leggings or tights
Shorts	Shorts must: <ul style="list-style-type: none"> • Be no shorter than mid-thigh • Meet the acceptable length requirement regardless of whether leggings are also worn 	Shorts may not be: <ul style="list-style-type: none"> • Made of inappropriate form-fitting materials • Baggy or oversized • Split or fringed at the hem or seams • Boxers or pajamas.
Dresses, Skirts, Skorts	Dresses/skirts/skorts must: <ul style="list-style-type: none"> • Be worn at the waist (skirts/skorts) • Be no shorter than mid-thigh (regardless of whether leggings are also worn) Tops of dresses must meet the guidelines required for blouses and shirts.	Dresses/skirts/skorts may not: <ul style="list-style-type: none"> • Be revealing/form-fitting • Have slits above mid-thigh • Have slashes above mid-thigh
Shoes	Shoes must be: <ul style="list-style-type: none"> • Worn at all times • Chosen for safety, health reasons and quietness Athletic shoes with a rubber sole, closed toes, and full support around the heel should be worn for PE.	Not recommended for safety reasons: <ul style="list-style-type: none"> • Platform soles over 1 inch high • Rubber flip-flops Not allowed: <ul style="list-style-type: none"> • House shoes • Shoes with wheels or lights

ITEM	ACCEPTABLE DRESS	SPECIAL COMMENTS AND INTERPRETATIONS
Hair	Hair, including facial hair must be: <ul style="list-style-type: none"> • Neat • Clean • Well-groomed 	Hair color and/or style may not be: <ul style="list-style-type: none"> • Distracting or, • Pose a safety hazard Designs and/or notches in hair are prohibited.
Jewelry	Acceptable forms of jewelry are: <ul style="list-style-type: none"> • Earrings • Single small nose stud • Hair jewelry • Watches • Bracelets • Rings • Necklaces 	Not Allowed: <ul style="list-style-type: none"> • Jewelry that is considered gang related • Jewelry considered to be a safety hazard, or a material or substantial disruption • All other piercings • Ear stretchers/gauges and grills • Jewelry that may pose a safety hazard or disruption
General	School-approved uniforms for physical education, athletics, pep rallies, etc., may be worn only during the class or activity for which they are approved. For unique special events the campus administration may establish event-specific dress code requirements. Appropriate undergarments must be worn and may not be visible.	Oversized outerwear, such as trench coats or dusters, are not allowed. Sunglasses, sport headbands, head coverings (including hats, scarves, caps, and hoods) shall not be worn indoors except in the interest of religious practices, safety, cleanliness, or with the permission of the principal. No article of apparel shall be worn that may in any way damage school property, create a safety hazard, or create a material or substantial disruption to the school environment. Tattoos, accessories, jewelry and clothing that contain vulgar or inappropriate pictures, words or drawings or gang-related markings are not permitted. Bandanas are prohibited at school and all school related activities.

If the principal determines that a student’s grooming or clothing violates the school’s dress code, the student will be given an opportunity to correct the problem at school and return to the classroom. If the problem cannot be corrected at school, the principal will work with the student and parent to obtain an acceptable change of clothing for the student in a way that minimizes loss of instructional time.

Repeated or severe offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

GENERAL CONDUCT VIOLATIONS

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

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures
- Fight or scuffle (For assault see **DAEP Placement and Expulsion**)
- Threaten a District student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment
- Engage in bullying, cyberbullying, harassment, or making hit lists
- 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, or volunteer
- Engage in conduct that constitutes dating violence
- Engage in inappropriate or indecent exposure of private body parts
- Participate in hazing
- 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

Disruptions of School Operations

Disruptions of school operations are not tolerated. As identified by state law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a District building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to District property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving District property without authorization from an administrator.
- Disruption of classes or other school activities while on District property or on public property that is within 300 feet of District property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.
- Interference with the transportation of students in District vehicles.

Disruption of Classes

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

No student shall be permitted, on school property or on public property within 300 feet of school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities. Conduct that disrupts the educational activities of a school includes:

- Emissions by any means of noise of an intensity that prevents or hinders classroom instruction.
- Enticement or attempted enticement of students away from classes or other school activities that students are required to attend.
- Prevention or attempted prevention of students from attending classes or other school activities that students are required to attend.
- Entrance into a classroom without consent of either the principal or teacher and either through acts of misconduct and/or use of loud or profane language causing disruption of class activities.
- Making threats (such as bomb threats).

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities.

Disruption of Lawful Assembly

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

- Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school.
- Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity.
- Preventing or attempting to prevent by force or violence or the threat of force or violence a lawful assembly authorized by the school administration so that a person attempting to participate in the assembly is unable to participate due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.
- Disrupting by force or violence or the threat of force or violence a lawful assembly in progress.
- Obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the entrance or exit of any person to or from said property or campus without the authorization of the school.

Disruption Going to and from School

On the way to and from school students shall not loiter, litter, trespass, or abuse property or create nuisance conditions for residents of the community. At no time does the District assume responsibility for the acts of students going to and from school. The District, however, reserves the right to take disciplinary action in those instances in which a connection exists between the conduct of the student and the right of the school District to maintain order and discipline. Examples of these instances include, but are not limited to, disciplinary infractions at bus stops, on school buses and other forms of school District transportation.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others (For felony criminal mischief see DAEP Placement or Expulsion).
- Deface or damage school property (including textbooks, technology and electronic resources, lockers, furniture, and other equipment) with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion).
- Enter, without authorization, District facilities that are not open for operations.

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 that 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;
- A firearm silencer or suppressor;
- A location-restricted knife;
- A club*;
- A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Nicotine products, including nicotine pouches;
- Pornographic material;
- Tobacco products, including electronic cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer for other than approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see DAEP Placement and Expulsion. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Cell Phones

The district permits students to possess personal cell phones for safety purposes; however, these devices must remain on silent or turned off, and stored in backpacks or on your person during the instructional day.

The following will be exceptions to the above policy:

- Elementary and Middle School Campuses- cell phones must remain off, or on silent, and stored in backpacks or on your person throughout the instructional day except before or after school, unless they are being used for approved instructional purposes or with administrative approval.
- High School Campuses- cell phones must remain off or on silent and stored in backpacks or on your person throughout the instructional day except before school, during lunch, passing periods, or after school, unless they are being used for approved instructional purposes or with administrative approval.

Without such permission, teachers may collect the items and turn them in to the principal’s office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

The use of cell phones 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 cell phone without authorization during the school day, the device may be confiscated by a staff member. The student or parent may pick up the confiscated cell phone from the principal’s office and may be charged a fee of \$15.

Confiscated cell phones 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 for more information.]

In limited circumstances and in accordance with law, authorized personnel may search a student’s cell phone. [See Searches and policy FNF for more information.]

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

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see DAEP Placement and Expulsion for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance (See Glossary for “paraphernalia”).
- Possess 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 or infringes on the rights of another student at school.
- Send, post, deliver, 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 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.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- 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 Student Code of Conduct. 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 citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the District shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (See Glossary) until an Admission, Review, and Dismissal (ARD) committee meeting has been held to review the conduct.

In deciding whether to order a 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.

Notification

The CBC 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 CBC shall send written notification by U.S. Mail. If the CBC is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the CBC's office, or the central administration office or on the District's website: newcaneyisd.org.

The District shall not delay a disciplinary consequence while the 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 the Title IX formal complaint process. [See policies FFH(LEGAL) and (LOCAL).]

Corporal Punishment

Corporal punishment is permitted as a corrective action to certain rule infractions in order to preserve an effective and orderly educational environment. Factors of student size and age, and the physical, mental and emotional condition of the student shall be considered before the administration of any corporal punishment.

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

- The student will be informed of the reason(s) for corporal punishment.
- Corporal punishment shall be administered only by the principal or designee.
- The instrument to be used in administering corporal punishment shall be approved by the principal or designee.
- The administration of corporal punishment shall be performed in the presence of one other professional employee of the District, and in a designated place out of view of other students.

If the parent does not want their student to receive corporal punishment, they must indicate this in writing to their child's principal or designee. The parent may choose to revoke this request at any time during the year by providing a signed statement to the campus principal. However, District personnel may choose to use discipline methods other than corporal punishment even if the parent requests that this method be used on the student.

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

A record shall be maintained on each administration of corporal punishment. [See Policy FO(LOCAL).]

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).

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 CBC's office as a discipline management technique. The CBC 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 Student Code of Conduct to maintain effective discipline in the classroom.

Formal Removal

A teacher may 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 CBC 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 CBC or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall be given the opportunity to respond to the allegations.

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

- Another appropriate classroom
- ISS
- 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 will 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.

Suspension

Alternative Means to Receive Coursework

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- ISS 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.

Restrictions During Suspension

A student suspended from school is prohibited from being on school grounds or attending school-sponsored or school-related activities during the length of the suspension. Any suspended student on District property may be arrested and charged with criminal trespassing. A student will not be allowed to participate in any school activities on days they are assigned to in-school or out-of-school suspension.

Out-of-school Suspension

Misconduct

Students may be suspended for any behavior listed in the Code of Conduct 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 CBC or appropriate administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension, not exceeding three school days. In deciding whether to order out-of-school suspension, the District shall take into consideration:

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

The decision to suspend a student is appealable to the campus principal. The decision of the campus principal is final.

OFFENSES AND DISCIPLINARY OPTIONS

The following is a guideline for disciplinary responses by teachers, CBCs, and principals. While they attempt to address a wide range of disciplinary offenses and consequences, they are not to be viewed as an all-inclusive list. If an incident is not listed, it will be left to the discretion of the acting administrator to determine a level for the offense and the disciplinary options that may be assessed.

Level I-III

Level I Infractions	Level II Infractions	Level III Infractions	
<ul style="list-style-type: none"> • Disrespect • Eating or drinking outside of designated areas • Failure to follow classroom rules • Failure to participate in classroom activities • Loud or unnecessary noise • Neglecting to bring required materials or assigned work to class • Running or making excessive noise • Sleeping in class 	<ul style="list-style-type: none"> • Persistent Level I offenses • Disturbance in school • Dress code violation • Engaging in acts of familiarity • Excessive tardiness • Failure to serve detention • Horseplay • Identification card violation • Possession of indelible markers, paint markers • Possession of lighters or matches • Posting or distributing unauthorized publications • Selling or soliciting for sale unauthorized merchandise • Throwing objects • Out of location • Unauthorized use of vehicle, speeding or parking lot violation • Use of electronic device during restricted times 	<ul style="list-style-type: none"> • Persistent Level II offenses • Altering school records • Discharging a fire extinguisher • Cheating or plagiarism • Destruction/defacement of school property • Disorderly conduct • Failure to abide by rules of dispensing medication • Fighting • Gambling • Inciting conflict • Insubordination or noncompliance • Interfering with school activities • Leaving school grounds • Mooning • Pantsing • Perjury during a school investigation • Physical contact with intent to harm • Disturbance on school property, including parking lot • Possession of a communication device in a secured testing area 	<ul style="list-style-type: none"> • Possession of items that depict: drugs, alcohol, tobacco, sex, vulgar language, gang affiliations, violence, death, or satanic ideology • Possession of stolen property • Possession or use of fireworks, stink bomb, smoke bomb or other noxious chemical • Taunting other students • Theft • Truancy • Unwanted physical contact • Using profane language, obscene gestures • Verbal abuse • Violation of the student use agreement for technology including bypassing of district filtering software
Level I Techniques	Level II Techniques	Level III Techniques	
<ul style="list-style-type: none"> • Parental contact • Verbal reprimand • Cooling off time in the classroom • Removal of privilege(s) • Change of seat assignment • Loss of recess or free time (e.g., lunch detention) • Work assignment • Teacher-held detention • Special assignment or duties • Behavioral contracts • Referral to counselor • Confiscation of prohibited nuisance item 	<ul style="list-style-type: none"> • Parent contact • Detention • Temporary removal from class • Parent conference • Behavior contract • In-school suspension • Exclusion from extracurricular activities • Confiscation of prohibited device or object • Work assignment • Loss of privileges • Loss of parking privileges (if applicable) • Restitution • Suspension • Referral to law enforcement 	<ul style="list-style-type: none"> • Parent contact • After school detention • Saturday detention • In-school suspension • Exclusion from extracurricular activities • Grade penalty for cheating or plagiarism • Loss of selected student privileges • Loss of parking privileges • Restitution for damages • Suspension • Loss of technology access privileges • Referral to law enforcement • Loss of bus-riding privilege • Removal to The Learning Center/DAEP 	

Level IV- Discretionary DAEP Placement

Level IV offenses are acts of misconduct for which removal to a DAEP **may** occur.

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 through grade 5 and secondary classification shall be grades 6 through 12.

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

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

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

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

A principal or other 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 principal or other appropriate administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

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 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.)
- Criminal mischief, not punishable as a felony.
- Engages in conduct punishable as a felony, other than those listed as offenses in Title 5 of the Texas Penal Code that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

In accordance with state law, a student **may** also be placed in a DAEP if:

- The student receives deferred prosecution for conduct defined as a felony offense in Title 5 of the Penal Code; or
- The student has been found by a court to have engaged in delinquent conduct or conduct defined as a felony offense in Title 5 of the Penal Code. The Board or the Board's designee must determine that the student's presence in the regular classroom:
 - Threatens the safety of other students or teachers; or
 - Will be detrimental to the educational process.

A student's placement in the DAEP as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur 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.

A student **may** be removed from class and placed in a DAEP for the following infractions.

1. Any repeated offense of Level III, or a new violation while being disciplined for Level III offense.
2. Assault that is not mandatory removal to an alternative education program or an expellable offense, including assault (no bodily injury/simple assault) with threat of imminent bodily harm and assault by offensive or provocative physical contact (indecent assault).
3. Behavior that is illegal that does not constitute an expellable offense
4. Breach of campus/facility security (Allowing, assisting, promoting or in any way or manner facilitating unauthorized entry)
5. Breach of computer security
6. Bullying
7. Burglary of a district facility
8. Engaging in inappropriate sexual conduct
9. Harassment (See Glossary)
10. Hacking (illegal or unauthorized entry or attempted entry into computer systems or files)
11. Hazing
12. Improper sexual advances
13. Involvement in criminal street gang activity, including participating as a member or pledge, soliciting another person to become a pledge or member of a gang. (See Glossary)
14. Making a false claim or report against another student
15. Making a hit list
16. Possessing a device, object, pocketknife, gun ammunition, or substance that could cause bodily harm to individuals, including an air gun or BB gun in any school setting. [See policy FNCG (LEGAL)]
17. Possessing any object resembling or represented as a weapon
18. Possession or distribution of pornography/pornographic materials
19. Possession, use or distribution of any substance represented to be drug or alcohol
20. Possession of a personal protection device (pepper spray, stun gun)
21. Possession of drug paraphernalia including any synthetic substance that may be used or represented as a drug
22. Recording 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
23. Robbery or extortion
24. Sexting
25. Sexual harassment
26. Threats, oral or written, to do bodily harm to another, to the property of another, or any depiction of violence or a violent act
27. Use or possession of tobacco or nicotine products on school property or at school sponsored events
28. Using profane, obscene, indecent, immoral or offensive language and/or gestures directed toward school personnel
29. Vandalism, graffiti, or any criminal mischief, such as wrapping the school

Disciplinary Options:

Any one or any combination of consequences may be used:

1. Any discipline technique outlined in Level III
2. Suspension
3. Referral to law enforcement
4. Removal to The Learning Center/DAEP

LEVEL V- Mandatory 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 under Penal Code 22.01(a) (1). (See Glossary)
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the expulsion section of this Student Code of Conduct.) (See Glossary for “under the influence”, “controlled substance,” and “dangerous drug.”)
 - Sells, gives, or delivers to another person or possesses uses or is under the influence of marijuana or THC, A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the health and safety code does not violate this provision.
 - 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. Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
 - Engages in expellable conduct and is six to 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 on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (See Glossary) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - The student receives deferred prosecution. (See Glossary)
 - A court or jury finds that the student has engaged in delinquent conduct. (See Glossary)
 - The Superintendent or designee has a reasonable belief that the student engaged in the conduct. (See Glossary)

DAEP Placement

Removal to DAEP will be made by the CBC. The duration of a student’s placement in DAEP will be determined on a case-by-case basis. DAEP placements as a result of an expulsion may not exceed 180 days. The maximum periods of DAEP placements are as follows:

Elementary DAEP Placement (Grades K-5)

Mandatory Placements	Discretionary Placements
1 st Offense – Up to 30 days	1 st Offense – Up to 15 days
2 nd Offense – Up to 45 days	2 nd Offense – Up to 20 days
3 rd Offense – Up to 60 days	3 rd Offense – Up to 30 days

Exception: A period of one calendar year if the student brings to school a firearm as defined by federal law.

Secondary DAEP Placement (Grades 6-12)

Mandatory Placements	Discretionary Placements
1 st Offense – Up to 45 days	1 st Offense – Up to 30 days
2 nd Offense - Up to 60 days	2 nd Offense – Up to 45 days
3 rd Offense – Up to 90 days	3 rd Offense – Up to 60 days

The duration of DAEP placements (within the designated range) are at the discretion of the sending and receiving administrators and are based on the following factors:

1. The school calendar
2. Previous disciplinary record of the student
3. Behavior while enrolled at the DAEP

DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

A student placed in a DAEP will **not** be provided transportation to and from school by the District unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

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

Students expelled to the JJAEP from the DAEP will return to the DAEP to complete the original DAEP placement before returning to the home campus unless otherwise specified in the JJAEP placement order.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program will be the last instructional day, and the student will be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

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

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

Sexual Assaults and Campus Assignments

A student shall be transferred to another campus if:

The student has been convicted of sexual abuse of a young child or a disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and The victim's parents or another person with the authority to act on behalf of the victim requests that the Board transfer the offending student to another campus.

If there is no other campus in the District serving the grade level of the offending student, the offending student will be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the CBC or designee.

Conference

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

At the conference, the CBC or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the District may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

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

- Self-defense (See Glossary),
- Intent or lack of intent at the time the student engaged in the conduct, and
- 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.

Placement Order

After the conference, if the student is placed in the DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent of person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services 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 of Conduct, the placement order shall give notice of the inconsistency.

DAEP at Capacity

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

Coursework Notice

A student placed in DAEP shall be given the 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.

Length of Placement

The CBC shall determine the duration of a student's placement in DAEP. The duration of a student's placement shall be determined case-by-case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements. Unless otherwise specified in the placement order, days absent from 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 Executive Director of Student Services 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 of Conduct.

Exceeds 60 Days

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding 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, the CBC's office, the central administration office, or at <https://www.newcaneyisd.org/>.

Appeals shall begin at Level One with the principal.

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

Restrictions During Placement

Students placed in DAEP are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of placement. Any student on District property during DAEP placement may be arrested and charged with criminal trespassing. 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. For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony unless otherwise specified in the DAEP placement order.

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

When a student is placed in 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

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).]

Placement and/or Expulsion For Certain Offenses

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

Registered Sex Offenders

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

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

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

- 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 DAEP 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 Penal Code. The student must have:

- Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Been found by a court or jury to have engaged in delinquent conduct or conduct defined as aggravated robbery or a Title 5 felony offense;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- 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
- 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 and the District review committee makes a recommendation on campus placement, 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 CBC 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.

Level VI- Expulsion

In deciding whether to order expulsion regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in DAEP, whether or not a student is expelled. (See DAEP Placement.)

Any Location

A student may be expelled for:

1. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
2. Inciting violence against a student through group bullying.
3. Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
4. Conduct that contains the elements of assault under Section 22.01(a)(1), Penal Code, in retaliation against a school employee or volunteer.
5. Criminal mischief, if punishable as a felony.
6. 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.
7. Breach of computer security.
8. 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 of school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug. (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.
- 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.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony Controlled substance of dangerous drug offenses, not including THC.
- 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 of Conduct, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07,
 - b. Indecent exposure under Penal Code 21.08,
 - c. Criminal mischief under Penal Code 28.03,
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

Bringing to school or possessing at school, including any setting that is under the District’s control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See Glossary)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle, or to firearms used in activities approved and authorized by the District when the District has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

Unlawfully carrying on or about the student's person the following, in the manner prohibited by the Penal Code 46.02:

- A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See Glossary.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
- A location-restricted knife, as defined by state law. (See Glossary.)
- Possessing, manufacturing, transporting, repairing or selling a prohibited weapon, as defined by state law. (See Glossary.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law (See Glossary.)

Behaving in a manner that contains elements of the following offenses under the Penal Code:

- Aggravated assault, sexual assault, or aggravated sexual assault
- Arson (See Glossary)
- Murder, capital murder, or criminal attempt to commit murder or capital murder
- Indecency with a child
- Aggravated kidnapping
- Aggravated robbery
- Manslaughter
- Criminally negligent homicide
- Continuous sexual abuse of a young child or disabled individual
- Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of a controlled substance or a dangerous drug

Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but may 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 CBC 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 CBC or other administrator may place the student in:

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

Hearing

A student facing expulsion will be given 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.
- An opportunity to question the witnesses called by the District at the hearing.

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

The Board of Trustees delegates to the Superintendent or his/her designee 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 decision. 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. Consequences will not be deferred pending the outcome of the hearing.

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

The Board will hear statements made by the parties at the review and will base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board will make and communicate its decision orally at the conclusion of the presentation.

Expulsion Order

Before ordering the expulsion, the board or CBC shall take into consideration:

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

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

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

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

Length of Expulsion

The duration of a student's expulsion shall be based on 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 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 Student Code of Conduct in a way that requires or permits expulsion from the District and the student withdraws from the District before the expulsion hearing takes place, the District may

conduct the hearing after sending written notice to the parent and student. If the student then re-enrolls in the District during the same or subsequent school year, the District may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another District. If the principal, another appropriate administrator, or the Board fails to issue an expulsion order after the student withdraws, the next District in which the student enrolls may complete the proceedings.

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 principal, another 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. Any expelled student on District property may be arrested and charged with criminal trespassing.

No District academic credit will be earned for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program or another District-approved program.

Newly Enrolled Students

The District shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the District.

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

- 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 will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

- 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 person 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 will 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(LEGAL) and FODA(LEGAL).]

GLOSSARY

The following words and terms, when used in this code, shall have the stated meaning unless the context clearly indicates otherwise:

Abuse: improper or excessive use.

Accelerated instruction, including supplemental instruction, is an intensive supplemental educational program designed to help an individual student acquire the knowledge and skills required at his or her grade level. It is required when a student does not meet the passing standard on a state-mandated assessment. Accelerated instruction may be provided by assigning a student to a classroom teacher who is certified as a master, exemplary, or recognized teacher or by providing supplemental instruction in addition to regular instruction.

ACT-Aspire: an assessment that took the place of ACT-Plan and is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

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

Aggravated robbery: defined in part by 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:
 - a. 65 years of age or older, or
 - b. A disabled person.

ARD: The admission, review, and dismissal (ARD) committee is the team that meets to determine eligibility for special education based on a full and individual evaluation report, and to develop an individualized education program (IEP) for the child, if applicable. The ARD committee must include the parent, at least one regular education teacher of the child who must, when possible, be a teacher who is responsible for implementing a portion of the child's IEP, at least one special education teacher or provider of the child, a representative of the school, a person who can interpret the instructional implications of the evaluation results, and whenever appropriate, the child.

Armor-piercing ammunition: defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson: defined in part by Penal Code 28.02 as:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. Recklessly causing another person to suffer bodily injury or death.

Assault: is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; as intentionally or knowingly threatening another with imminent bodily injury; and as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Attendance review committee: Committee responsible for reviewing a student's absences when the student's attendance drops below 90 percent or in some cases 75 percent, of the days the class is offered. Under guidelines

adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

Breach of Computer Security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

Bullying is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

- 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, the orderly operation of a classroom or school; or
- Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below) This state law on bullying prevention applies to:

- 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.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable 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.

Class disruption: Any behavior which violates the rules of a particular classroom and interferes with a teacher's opportunity to present or other student's opportunity to concentrate on the presentation or assignment.

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

CPS: Child Protective Services

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

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

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances

Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence: when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct: under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

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

DFPS: Texas Department of Family and Protective Services

DPS: Texas Department of Public Safety

Disciplinary Alternative Education Program (DAEP): a placement for students who have violated certain provisions of the Student Code of Conduct. The DAEP will be separated from students not assigned to the program. It will focus on English language arts, mathematics, science, history, and self-discipline, and provide for students' educational and behavior needs, as well as supervision and counseling.

Discipline Management: Any action that is intended to promote proper behavior and/or discourage misconduct.

Discretionary: something is left to or regulated by a local decision maker.

E-cigarette/Vape: an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Emergent bilingual student: a student of limited English proficiency. Other related terms include English learner, English language learner, and limited English proficient student, and emergent bilingual student.

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

ESSA: Every Student Succeeds Act

Explosive weapon: is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report: under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- Prevent or interrupt the occupation of a building, room, or place of assembly.

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

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade. Such term does not include an antique firearm.

Graffiti: includes markings with paint, an indelible marker, or an etching or engraving device on tangible property of the owner without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun: defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

- 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, as defined in Section 37.001(b)(2) of the Education Code or
- Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - Making a telephone call and intentionally failing to hang up or disengage the connection;
 - Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
 - Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

- Any type of physical brutality;

- An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student’s mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit list is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person’s anus or any part of the person’s genitals with intent to arouse or gratify the sexual desire of any person and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person’s intimate parts exposed or engaged in sexual conduct. “Visual material” means any film, photograph, videotape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

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

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

In-school suspension: An on-campus setting, apart from the regular classroom, where the student continues to receive instruction in each course to the extent possible, for students who commit disciplinary infractions.

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

Location-restricted knife: defined by Texas Penal Code 46.01 as a knife with a blade over five and one-half inches.

Look-alike weapon means an item resembling a weapon but not intended to be used to cause serious bodily injury.

Machine gun: Defined by Penal Code 46.01 as: any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory: something is obligatory or required because of an authority.

Paraphernalia: any device that can be used to inhale, ingest, inject, or otherwise introduce a controlled substance into a human body.

Parents: includes single parent, legal guardian, or person in lawful control of a student.

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

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

Prohibited weapon under Penal Code 46.05(a) means:

The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:

- An explosive weapon;
- A machine gun;
- A short-barrel firearm;
- Armor-piercing ammunition;
- A chemical dispensing device;
- A zip gun;
- A tire deflation device; or
- An improvised explosive device.

PSAT: The preparatory and readiness assessment for the SAT.

Public school fraternity, sorority, secret society, or gang: 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.

Public Lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

Reasonable belief: is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, and must consider information included in the notice of student arrest under Article 15.27 of the Code of Criminal Procedure.

Reassignment of classes: a student may be removed from the assigned classroom and placed in another class on the same campus. To the extent possible the student should continue to receive instruction in the course from which removed. The purpose of the type of removal is to remove the student from a potentially volatile situation. The administrator shall determine the length of removal or stay.

Safe and Supportive School Team: a team established at each campus that is responsible for conducting a threat assessment regarding individuals who make threats of violence or exhibit harmful, threatening, or violent behavior and determining appropriate intervention, and providing guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual.

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

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

Self-defense: using force against another when and to the degree, a person reasonably believes the force is immediately necessary to protect him or herself.

Serious misbehavior:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;

- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
- 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 Section 28.03;
 - Hazing under Education Code 37.152; or
 - Harassment under Penal Code 42.07(a)(1), of a student or district employee.

Serious or persistent misbehavior includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete school work as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Sexting: the act of sending and/or receiving sexually explicit messages or pictures of the sender or another person on an electronic device.

SHAC: School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to assist the district in ensuring that local community values and health issues are reflected in the district's health education instruction, along with providing assistance with other student and employee wellness issues.

Short-barrel firearm: defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

STAAR: The State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

STAAR Alternate 2: an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

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

State-mandated assessments: required of students at certain grade levels and in specified subjects. Passing the STAAR EOC assessments is a condition of graduation. Students have multiple opportunities to take the tests if necessary, for graduation.

Switchblade: any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

Telecommunication Devices: may include, but are not limited to cell phones, iPods, MP3 players, handheld video players.

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

Terroristic threat: defined by Penal Code 22.007 as a threat of violence to any person or property with the intent to:

1. Cause a reaction of any type to his or her threat by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service.
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device: defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02, -.05;
- Kidnapping under Section 20.3;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Section 20.05-.06;
- Assault under Section 22.01, Texas Penal Code;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 20.12;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09. [See policy FOC (EXHIBIT)]

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

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

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

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

Zip gun: defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.