



**2024-2025**  
**Student Handbook**  
**and Code of**  
**Conduct**

**2001 Texan Dr. Justin, Texas 76247**

If you have difficulty accessing this handbook because of a disability, please contact Micah Gierkey Executive Director of Student Support Services at 817-215-0985 or [mgierkey@nisdtx.org](mailto:mgierkey@nisdtx.org).

## Letter from Superintendent

Dear Northwest ISD Families,

Welcome to the 2024-2025 school year – we hope this year is both exciting and rewarding for every student and family in our district. In Northwest ISD we believe that “Kids Come First” and that we have a shared responsibility for the success of each student. As an organization, we are committed to a growth mindset for ourselves and all of our stakeholders and recognize that each school day is an opportunity to learn and grow. I am grateful for your partnership in creating safe and inspiring learning environments throughout Northwest ISD.

In Northwest ISD we want to foster a culture of engagement and provide clear communication of the expectations, policies and procedures that govern our district. The *Student Handbook and Code of Conduct* is intended to promote the best learning environment for our kids. We take our responsibility to maintain order in our schools seriously and want you to be informed of our policies and expectations. I encourage you to review this information and always feel free to contact your campus administration if you have any questions.

Thank you for your continued support and authentic engagement in your student’s education. Best wishes for a year filled with personalized learning experiences, growth and achievement for every student.

Sincerely,

Dr. Mark Foust

Superintendent of Schools

## Northwest Independent School District

### **Mission, Vision, Beliefs, Goals**

#### **Core Beliefs:**

- Kids come first.
- Continuous learning is essential to prepare for college and career opportunities.
- Each student's success is the shared responsibility of students, families, schools, and communities.
- Learning is influenced by environment.

#### **Vision:**

Northwest ISD empowers learners and leaders to positively impact the world.

#### **Mission:**

Northwest ISD, in collaboration with students, families, communities, and global partners, will engage in a culture of learning that prepares all students to confidently navigate their future.

#### **Strategic Goals**

1. Northwest ISD will invest in personalized learning experiences as well as the growth and achievement of every student.
2. Northwest ISD will recruit, value, and retain highly effective staff prepared to meet the individual needs of our students and learning community.
3. Northwest ISD will foster a safe environment and a culture of engagement that values the voices of all students, staff, families and community members.

#### **2024-2025 Board of Trustees**

R. Stephen Sprowls, President, Place 5

Jennifer Murphy, Vice President, Place 7  
DeAnne Hatfield, Secretary, Place 1

Judy Copp, Trustee, Place 4

Lillian Rauch, Ph.D., Trustee Place 6

Mark Schluter, Trustee, Place 2

Anne Davis-Simpson, Ph.D., Trustee, Place 3

#### **Board Meetings:**

All Northwest Independent School District Board meetings are open to the public. Regular meetings will be open to the public at 6:30 p.m. on the second and fourth Monday of each month in the Board Room at the Administration Building (2001 Texan Drive, Justin). With public notice, Trustees will also hold special meetings and work sessions as needed. When determined to be necessary, the Board President may change the date or time of the regular meetings. The notice for the meeting shall reflect the changed date or time. Within the limits of the Texas Open Meetings Act, parts of the Board meetings may be closed to the public for topics including, but not limited to the following: real estate transactions, personnel matters, student hearings, and legal matters.

**To Address the Board:** The public may address the Board during the public participation portion of the Board meeting. Remarks may be related to any topic, whether agenda items or non-agenda items, and are limited to three minutes. Those wishing to speak during public participation may sign the roster in the Board Room within the hour preceding the meeting.

## Overview of the Student Handbook and Code of Conduct

In any school district, it is necessary that guidelines and expectations in accordance with regulations be established for the safety and well-being of all. Northwest Independent School District operates under the philosophy that it is important to teach students self-discipline through making decisions and understanding that decisions have consequences. The *Northwest Independent School District Student Handbook and Code of Conduct* is just one tool to help students, parents, teachers, and administrators work together to teach children self-discipline. To achieve the best possible learning environment for all our students, the *Student Handbook and Code of Conduct* **and other campus guidelines and expectations of behavior** will 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. This document explains what is expected of each student and tells the student what will happen if a rule is violated. The purpose of the *Student Handbook and Code of Conduct* is to teach each student self-discipline and to provide a safe and secure learning environment for the benefit of all students.

The *Northwest Independent School District Student Handbook and Code of Conduct* is the district's specific response to requirements in Chapter 37 of the Texas Education Code. The law requires the district to define misconduct that may or must result in a range of specific disciplinary consequences. This handbook provides information and direction to students and their parents/guardians regarding expected standards of behavior as well as potential consequences for misconduct.

The *Student Handbook and Code of Conduct* is designed to clearly define misconduct and the resulting consequences. Entries in the handbook are listed in alphabetical order and cross references have been provided to aid students and parents in locating items of interest in the document.

As the district's discipline management plan, The *Northwest Independent School District Student Handbook and Code of Conduct* include a discipline level system. Discipline offenses in the *Student Handbook and Code of Conduct* are categorized into five levels that identify sample offenses and possible disciplinary options available to the teacher or administrator. Included in the *Student Handbook and Code of Conduct* is the "Quick Reference Guide to the 2024-2025 Discipline Level System," a simple one-page summary of the district's discipline management plan. This quick reference guide is not a substitute for reading the *Northwest Independent School District Student Handbook and Code of Conduct*, but rather a quick reference for parents and students. In the event of a conflict, the *Student Handbook and Code of Conduct* and District Board of Trustees' policies prevail over the Quick Reference Guide.

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## Parent Involvement Policy

*The following Parent Involvement Policy was developed by Northwest ISD parents in accordance with Federal regulations.*

The Northwest Independent School District believes that parents are partners with teachers and other staff in the education of their children. Northwest Independent School District believes that parent involvement and empowerment are essential at all levels throughout the school district. It is the intent of Northwest Independent School District to inform parents of Title I Parental Involvement participation rights and requirements. Each Campus Principal of Title I served schools will conduct annual campus meetings with parents to explain Title I programming and services.

Northwest Independent School District believes that student academic achievement requires that parents have an understanding of curriculum, academic achievement standards, assessments, district/school policies and procedures, and how to monitor their children's progress and work with students and educators to improve the achievement of their children.

**Central administration shall work in collaboration with parents and guardians and shall actively support the school and parents in enhancing parent involvement by:**

- Respecting parents as partners in the education of their children
- Valuing diversity and the need for equity in each school.
- Promoting parent involvement in the district leadership and decision-making.
- Fostering a welcoming and responsive environment for parents.
- Ensuring accountability of the staff at all levels throughout the district in working with parents as partners.
- Valuing the need for partnerships with public and private entities in the Northwest community.
- Establishing and promoting communication as a source of trust and understanding between the district and parents.
- Promote parent training that supports student academic achievement.

**Parents/Guardians are asked and encouraged to be involved in their children's learning and education by:**

- Taking the initiative to seek the best educational opportunities for their children.
- Understanding school procedures and opportunities to contribute or receive support.
- Utilizing flexible two-way lines of communication between parents, school staff, and the district on the instruction, achievement, and conduct of their children.
- Participating in training opportunities that will include but are not limited to: strategies/reinforcing learning at home, discipline, and understanding cultural differences.
- Participating in site-based leadership and decision-making.
- Volunteering in their children's schools.
- Supporting and engaging in developing partnerships within the Northwest community.

*An annual review of Parent Involvement Policy is a Title I Part A requirement. If you are interested in participating in the Parent Involvement Policy Review Committee, please contact Micah Gierkey, Executive Director of Student Support Services, 817-215-0079, [mgierkey@nisdtx.org](mailto:mgierkey@nisdtx.org).*

## Quick Reference Guide to the 2024-2025 Discipline Level System

*This chart depicts examples of offenses at each of the disciplinary levels and the possible consequences available to administrators. The consequences outlined in this chart are not an exhaustive list and do not require administrators to implement consequences in a particular hierarchy. For more specific detail, refer to Disciplinary Chart by Level and Grade in the Code of Conduct portion of the handbook*

<b>Level 1</b>	<ul style="list-style-type: none"> <li>• Being tardy to class</li> <li>• Running or making excessive noise, obstructing, or otherwise disrupting in the hall, classroom, or building/supervised settings</li> <li>• Failing to follow classroom guidelines and expectations</li> <li>• Neglecting to bring required materials or assigned work to class</li> <li>• Failing to participate in classroom activities or fulfill assignments</li> <li>• Eating, drinking, or chewing gum in an undesignated area</li> <li>• Throwing objects or passing unauthorized notes</li> <li>• Talking back/arguing or name calling</li> </ul>	<ul style="list-style-type: none"> <li>• Horseplay/scuffling (not fighting)</li> <li>• Possessing and/or using nuisance items</li> <li>• Disrupting the orderly classroom process</li> <li>• Violating dress code and grooming standards (Elementary)</li> <li>• Telling a falsehood (Elementary)</li> <li>• Spitting (without bodily contact) (Secondary)</li> <li>• Academic dishonesty/copying from any source (Elementary)</li> </ul>
<b>Level 2</b>	<ul style="list-style-type: none"> <li>• Committing persistent offenses from Level 1 (minor acts of misconduct, including repeated bus infractions)</li> <li>• Using food inappropriately</li> <li>• Using inappropriate language/actions/gestures/pictures/ symbols/sounds (verbal or written)</li> <li>• Failing to comply with the directives of a member of the school staff; being disrespectful or insubordinate</li> <li>• Being truant, including skipping class/mandatory tutorials and/or leaving school/class without permission</li> <li>• Being tardy excessively</li> <li>• Physically contacting another student creating a disruptive environment</li> <li>• Violating dress code (Secondary)</li> <li>• Creating or participating in a disturbance</li> <li>• Failing to serve detention (All) / Saturday Detention (Secondary)</li> <li>• Abusing the use of a hall pass (Secondary)</li> <li>• Possessing lighters or matches</li> <li>• Academic dishonesty/copying from any source (Secondary)</li> <li>• Possessing a laser pointer for other than approved use</li> <li>• Possessing a current prescription (student's own medication) or possessing, distributing, using, or being under the influence of a nonprescription drug, natural and/or homeopathic-like substances, or herbal/dietary/nutritional aids or supplements not FDA approved (Elementary Only)</li> <li>• Displaying or using a cell phone/other electronic device during instructional time (visual or auditory) without expressed permission</li> </ul>	<ul style="list-style-type: none"> <li>• Possessing a look-alike weapon (Elementary Only)</li> <li>• Violating the responsible use policy for technology</li> <li>• Telling a falsehood to an adult (not associated with an investigation-High School)</li> <li>• Defacing or damaging library or classroom materials or textbooks, including removal of bar codes; defacing/damaging another's property</li> <li>• Using a skateboard, scooter, roller blades, shoes with wheels, or other similar devices on school property</li> <li>• Possessing or using a camera, radio, CD player, MP3 player, hand-held electronic game, or other unauthorized electronic device without expressed permission</li> <li>• Recording on campus, audio or video, is prohibited unless permission has been expressly granted by a staff member</li> <li>• Being present in area without authorization</li> <li>• Creating an unsafe environment by opening or propping open doors and allowing access into the building or facility individuals who are not following district guidelines for entering NISD properties.</li> <li>• Engaging in an inappropriate act of familiarity with another and/or public display of affection</li> <li>• Loitering on school campus before or after school</li> <li>• Selling or soliciting for sale unauthorized merchandise</li> <li>• Posting or distributing unauthorized publications</li> <li>• Violating parking guidelines /procedures (High School Only)</li> <li>• Being in an area for reasons not designed for the locations appropriate use (restrooms, locker rooms...) (Elementary)</li> <li>• Being in a restroom or stall with another person when the restroom or stall is designed for an individual.</li> </ul>
<b>Level 3</b>	<ul style="list-style-type: none"> <li>• Engaging in conduct that disrupts the school environment or educational process</li> <li>• Using profane, vulgar, or obscene language, pictures, gestures, symbols, and sounds (written or verbal)</li> <li>• Intentionally or knowingly making libelous or slanderous remarks about students, employees, or others</li> <li>• Using ethnic, racial, or gender-related slurs or committing inappropriate acts toward a specific racial/ethnic person/group</li> <li>• Mutual combat/fighting; encouraging or promoting a fight</li> <li>• Using lighters or matches</li> <li>• Possessing, selling, giving, or delivering to another person tobacco, e-cigarette, vape pen, e-vaporizer, dab pen, JUUL, liquid cartridges or any other device used to inhale an aerosol.</li> <li>• Possessing or using tobacco/restricted smoking materials</li> <li>• Using a laser pointer other than for approved use (Secondary)</li> <li>• Possessing, distributing, or using fireworks of any kind, stink bombs, smoke bombs, "poppers," other noxious chemicals (including pepper-spray or mace-type materials), or "shock" pens and other similar devices</li> <li>• Possessing ammunition, including paintballs</li> <li>• Possessing, distributing, or creating pornographic or sexually-oriented material and/or accessing pornography</li> <li>• Possessing, distributing, or concealing a prohibited weapon not included as a removable or expellable offense (See chart for examples)</li> <li>• Stealing or unauthorized possession of another person's property; theft; committing burglary</li> <li>• Using threatening language, actions, pictures, gestures, symbols, and sounds, including hit lists (written or verbal)</li> <li>• Trespassing and/or facilitating or being party to allowing trespass</li> <li>• of another student(s) or person(s) into a campus or facility.</li> <li>• Possessing (Secondary), exhibiting, delivering, using, or selling look-alike weapons</li> <li>• Forging or altering school records, parent notes, forms, or other school/home communications / falsifying a report</li> </ul>	<ul style="list-style-type: none"> <li>• Assaulting another student or an adult that is not a removable or expellable offense</li> <li>• Vandalizing, defacing, or damaging school property, including non-felony graffiti; inappropriate use of property causing damage or injury</li> <li>• Failing to disclose information, hiding/covering up information/evidence for self or others, committing perjury, or lying as a witness during a school investigation</li> <li>• Engaging in behavior that is illegal that does not constitute an expellable offense</li> <li>• Engaging in inappropriate sexual conduct</li> <li>• Engaging in sex-based harassment (verbal, written, or by gesture), including stalking</li> <li>• Public lewdness / Indecent exposure</li> <li>• Hazing, harassing, stalking (non sexual), or bullying</li> <li>• Creating a potential health or safety hazard or a situation that may result in possible injury</li> <li>• Being in an area for reasons not designed for the locations appropriate use (Secondary)(Hacking (illegal or unauthorized entry or attempted entry into computer files)</li> <li>• Interfering with school activities, including trespassing, boycotting, and group demonstrations</li> <li>• Committing extortion, coercion, or blackmail</li> <li>• Gambling</li> <li>• Possessing a current prescription (student's own medication) or possessing, distributing, using, or being under the influence of a nonprescription drug, natural and/or homeopathic-like substances, or herbal/dietary/nutritional aids or supplements not FDA (Secondary)</li> <li>• Participating in an unauthorized organization, secret society, or gang / gang related activity (Elementary and Middle School)</li> <li>• Selling, giving, or delivering to another person a non-prescription drug or possessing, transmitting, selling, or attempting to sell what is represented to be a prohibited substance (Elementary Only)</li> <li>• Attempting to sell/purchase a prohibited substance without being in possession (Elementary Only)</li> </ul>

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Consequences for Levels I, II, III		
<ul style="list-style-type: none"> <li>● Verbal / Written correction</li> <li>● Cooling off time or “time out”</li> <li>● Parent call or conference</li> <li>● Loss of privilege(s)</li> <li>● Counselor/Student conference</li> <li>● Confiscation of item (possible fine assessed)</li> <li>● Change of seat assignment</li> <li>● Temporary removal from class</li> <li>● Special assignment or duties (with parent approval)</li> <li>● Detention (before, during lunch, after school)</li> <li>● Restitution of damages/restoring to order</li> <li>● Exclusion from extracurricular activities</li> <li>● Withdrawal or restriction of bus privileges</li> <li>● Required Parent Meeting</li> <li>● In-School Suspension (ISS)</li> <li>● Out-of-School Suspension (OSS) (not to exceed 3 days at a time)</li> <li>● Saturday Detention (Secondary)</li> <li>● Extended Classroom Opportunities (ECO-High School)</li> <li>● DAEP placement (discretionary)</li> </ul>		
Removals to DAEP		
<b>Mandatory Placements</b> <ul style="list-style-type: none"> <li>● False alarm or report involving a public school or terroristic threat</li> <li>● Conduct punishable as a felony</li> <li>● Assault with bodily injury</li> <li>● Marijuana or controlled substances (non-felony)</li> <li>● Dangerous drugs (non-felony)</li> <li>● Alcohol (non-felony)</li> <li>● E-cigarettes (pending updated DOI plan)</li> <li>● Abusable volatile chemicals</li> <li>● Public lewdness / Indecent exposure</li> <li>● Retaliation against any school employee (regardless of location)</li> <li>● Gang Activity / Fraternity / Sorority / Secret Society</li> <li>● Title 5 felonies (off-campus)</li> </ul>	<b>Discretionary Placements</b> <ul style="list-style-type: none"> <li>● Persistent misbehavior at Level III</li> <li>● Expellable offenses occurring on another district’s property in Texas</li> <li>● Aggravated robbery against a student (regardless of location)</li> <li>● Engaged in conduct described in TEC 37.007(a)</li> <li>● Selling, giving, being under influence, or delivering to another person a non-prescription drug or possessing, transmitting, selling, or attempting to sell what is represented to be a prohibited substance or drug paraphernalia</li> <li>● In possession of any device designed to propel a projectile (See chart for detail)</li> <li>● Attempting to sell/purchase a prohibited substance without being in possession</li> <li>● Non-Title 5 felonies (off-campus)</li> <li>● Continued presence threatens safety of others or detrimental to educational process</li> </ul>	<b>Discretionary Placements</b>
Expulsions to JJAEP		
<b>Mandatory Placements</b> <ul style="list-style-type: none"> <li>● Firearm</li> <li>● Location restricted knife</li> <li>● Club</li> <li>● Prohibited weapon</li> <li>● Aggravated assault, sexual assault, or aggravated sexual assault</li> <li>● Arson</li> <li>● Murder, capital murder, or criminal attempted murder or capital murder</li> <li>● Indecency with a child</li> <li>● Aggravated kidnapping</li> <li>● Aggravated robbery</li> <li>● Manslaughter</li> <li>● Criminally negligent homicide</li> <li>● Continuous sexual abuse of young child/children</li> <li>● Marijuana or controlled substances (felony)</li> <li>● Dangerous drugs (felony)</li> <li>● Alcohol (felony)</li> <li>● Retaliation against an employee or volunteer (regardless of location involving above items)</li> </ul>	<b>Discretionary Placements</b> <ul style="list-style-type: none"> <li>● Assault against an employee or a volunteer (on campus or within 300’)</li> <li>● Deadly conduct (on campus or within 300’)</li> <li>● Retaliation against an employee or volunteer (regardless of location)</li> <li>● Criminal mischief (felony)</li> <li>● Aggravated robbery against a student (off-campus)</li> <li>● Expellable offenses occurring on another district’s property in Texas</li> <li>● Title 5 felonies (off-campus)</li> </ul>	<p><b><i>School officials shall notify local law enforcement authorities any time it is suspected that a criminal act occurred on school or district property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.</i></b></p>

## Northwest Independent School District Central Administration Offices

<b>Physical Address:</b> 2001 Texan Drive Justin, Texas 76247	<b>Mailing Address:</b> P.O. Box 77070 Fort Worth, Texas 76177
817-215-0000 Fax: 817-215-0170	

Mark Foust, Ed.D.  
Northwest Independent School District Superintendent of Schools  
817-215-0030

### Department Phone Numbers

Human Resources	817-215-0168
Athletics	817-698-1041
Communications/Community Relations	817-215-0171
Curriculum and Instruction	817-215-0594
Facilities, Planning, and Construction	817-215-0321
Finance	817-215-0024
Fine Arts	817-215-0159
Food Services	817-215-0005
Records Retention	817-215-0074
Safety and Security	817-215-0066
Student Support Services	817-215-0079
Superintendent	817-215-0030
Technology	817-215-0102
Transportation	817-698-1287

### [District School Year Calendar](#)

## Secondary Schools

<p><b>Byron Nelson High School</b>                  2775 Bobcat Boulevard                  Trophy Club, TX 76262                  817-698-5600                  Fax: 817-698-5670                  Grades 9-12                  School Hours: 8:25 AM – 3:50 PM</p> <p><i>Principal: Kara Lea Deardorff</i>  <i>Associate Principal: Maggie Norris Ph.D.</i>  <i>Assistant Principals: Kerry Knisley, Carol McDaniel-White, Ron Mendoza, Amy Lilly, Brandon Thomas, Branden Richardson and Bobby Taylor</i>  <i>Counselors: Leah Berry, Monique Chavez, Ryan Laney, Jazmin Lopez, Jennifer Martinez, Page Hanna, Paige Smith, Emily Shipman, and Christina Salcido</i>  <i>Student Services Facilitator: Cheryl Chancellor</i></p>	<p><b>Northwest High School</b>                  2301 Texan Drive                  Justin, Texas 76247                  817-215-0200                  Fax: 817-215-0262                  Grades 9-12                  School Hours: 8:25 AM – 3:50 PM</p> <p><i>Principal: Carrie Jackson</i>  <i>Associate Principal: Shannon Boudreaux</i>  <i>Assistant Principals: Patricia Tran, Vincent Landrum, Ed.D, James Clark, Lucy Grimmett, Jody Noblett, Jacob Chastain and Natalie Eddleman (Bond Const.)</i>  <i>Counselors: Ashley Gaither, Jessica Wallace, Kelly Wallace, Michelle Delongchamps, William Flanagin, Jessica Moreno, Susie Boelens and Rachel Walker</i>  <i>Student Services Facilitator: Tamesha Davis</i></p>
<p><b>V.R. Eaton High School</b>                  1350 Eagle Boulevard                  Ft. Worth, TX 76052                  817-698-7300                  Fax: 817-698-7370                  Grades 9-12                  School Hours: 8:25 AM – 3:50 PM</p> <p><i>Principal: Stacy Miles</i>  <i>Associate Principal: Parween Zaher</i>  <i>Assistant Principals: Joey Calvillo, Brian Day, Chassidy Green, Ed. D, James Jones, Delan Peebles, Misty Taylor and Daniel Nelson</i>  <i>Counselors: Michelle Arnold, Erin Harris, Rebecca Tubbs, Rebecca Kelley, Patricia Porter, Abby Scanlon, Marcella Southerland, Cooper Spruill, Amani Pereira, Haleigh Shaeffer, Carrie Alano and Lauren Dillon</i>  <i>Student Services Facilitator: Elaine Osborne</i></p>	<p><b>James M. Steele Early College High School</b>                  606 N. Walnut                  Roanoke, TX 76262                  817-698-5800                  Fax: 817-698-5840                  Grades 9-12                  School Hours: 8:15 AM – 3:40 PM</p> <p><i>Principal: Todd Rogers</i>  <i>Assistant Principal: James Stuart</i>  <i>Counselor: Sheneka Davis</i></p>

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<p><b>Leo Adams Middle School</b>  1069 Eagle Blvd. - Haslet, Texas 76052  Phone: 817-541-8000  Fax: 817-541-8099  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Matrice Raven Ed.D.</i>  <i>Assistant Principals: Cyndi Cox, Jordan Mauk, and Raigan Perez</i>  <i>Counselors: Kim Hardy, Michelle Rouleau, and Teresa English</i></p>	<p><b>Chisholm Trail Middle School</b>  583 FM 3433 - Rhome, Texas 76078  Phone: 817-215-0600  Fax: 817-215-0648  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Jennifer Higgins</i>  <i>Assistant Principals: Elly Palmenteri, Lynn Petty and Alen Palislamovic</i>  <i>Counselors: Cindy Barksdale, Sarah Lacefield, Shelby Ellison</i></p>
<p><b>Medlin Middle School</b>  601 Parkview Drive - Trophy Club, Texas 76262  Phone: 817-215-0500  Fax: 817-215-0548  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Paige Cantrell</i>  <i>Assistant Principals: Ethan Dee, Ashley Kahler, and Ellyane Palmenteri</i>  <i>Counselors: Sara Moltenbrey, Noel McCauley, and Shannon Noble</i></p>	<p><b>Gene Pike Middle School</b>  2200 Texan Drive - Justin, Texas 76247  Phone: 817-215-0400  Fax: 817-215-0425  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Patricia Lutkenhaus</i>  <i>Assistant Principals: Pam Neven, Michael Campos, Atiana Waters</i>  <i>Counselors: Adam Aldridge, Whitney Martin, and Terry Evans</i></p>
<p><b>John M. Tidwell Middle School</b>  3937 Haslet-Roanoke Road - Roanoke, Texas 76262  Phone: 817-698-5900  Fax: 817-698-5870  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Jeremy Martin</i>  <i>Assistant Principals: Carla Reisman, Rachel Markham, and Abbey Flores</i>  <i>Counselors: Becki White, Stefanie Jardine, and Paul Higgins</i></p>	<p><b>Truett Wilson Middle School</b>  14250 Sendera Ranch Blvd.- Haslet, Texas 76052  Phone: 817-698-7900  Fax: 817-698-7970  Grades 6-8  School Hours: 8:50 AM – 4:15 PM</p> <p><i>Principal: Laura Koehler Ed.D.</i>  <i>Assistant Principals: Trey Dodd, Christine Jau, and Tim Berube</i>  <i>Counselors: Kim McKinnie, Mike Hayes, and Laynie Johnson</i></p>
<p><b>Worthington Middle School</b>  1045 S. John Day Rd  Haslet, Texas 76052  Phone: 817-541-8020  Fax: TBD  Grades 6-8  School Hours 8:50-4:15 PM</p> <p><i>Principal: Natalie Childress</i>  <i>Assistant Principals: Michelle Jennings, Abraham Medina, and Donna Thompson</i>  <i>Counselors: Laura Pierce, Tara Teague, and Lori Totty</i></p>	<p><b>Special Programs Center Grades: 6-12</b>  501 School House Rd  Haslet, Texas 76052  Phone: 817-215-0900  Fax: 817-215-0120  School Hours: 8:25 AM – 3:50 PM</p> <p><i>Principal: Diana Foster</i>  <i>Assistant Principal: Rhett King</i>  <i>Counselor: Heather Witzke</i></p>



## Elementary Schools

<p><b>Samuel Beck Elementary School</b>                  401 Parkview Drive                  Trophy Club, Texas 76262                  Phone: 817-215-0450                  Fax: 817-215-0498                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Amanda Bunch</i>  <i>Assistant Principal: Tiffani Brisco</i>  <i>Counselor: Jessica Hill</i></p>	<p><b>Wayne A. Cox Elementary School</b>                  1100 Litsey Road                  Roanoke, TX 76262                  Phone: 817-698-7200                  Fax: 817-698-7270                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Chrisa Oakley</i>  <i>Assistant Principal: Shawnda Tweedy</i>  <i>Counselor: Charlie Garrett</i></p>
<p><b>Lizzie Curtis Elementary School</b>                  9640 Belle Prairie Trail                  Fort Worth, Texas 76131                  Phone: 817-541-8901                  Fax: 817-541-8961                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Jennifer Putnam</i>  <i>Assistant Principal: Cheri Travis</i>  <i>Counselor: Leslie Nesbitt</i></p>	<p><b>Kay Granger Elementary School</b>                  12771 Saratoga Springs Circle                  Keller, Texas 76244                  Phone: 817-698-1100                  Fax: 817-698-1170                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Michelle McAdams</i>  <i>Assistant Principal: Erin O'Shea Johnson</i>  <i>Counselor: Amanda Jones</i></p>
<p><b>Haslet Elementary School</b>                  1188 Wisdom Way                  Haslet, Texas 76052                  Phone: 817-215-0850                  Fax: 817-215-0870                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Donna Busby</i>  <i>Assistant Principal: Sloan Heath</i>  <i>Counselor: Michelle Gelnaw</i></p>	<p><b>W. R. Hatfield Elementary School</b>                  15748 Redgrave Drive                  Fort Worth, Texas 76247                  Phone: 817-215-0350                  Fax: 817-215-0369                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Jim Mahler</i>  <i>Assistant Principal: Robbie Terrell</i>  <i>Counselor: Kendra Nelson</i></p>
<p><b>J. Lyndal Hughes Elementary School</b>                  13824 Lost Spurs Road                  Roanoke, Texas 76262                  Phone: 817-698-1900                  Fax: 817-698-1915                  Grades PK-5                  School Hours: 7:40 AM – 3:05PM</p> <p><i>Principal: Amanda Bomar</i>  <i>Assistant Principal: Leah TenEyck</i>  <i>Counselor: Shelbee Russell</i></p>	<p><b>Justin Elementary School</b>                  425 Boss Range Road                  Justin, Texas 76247                  Phone: 817-215-0800                  Fax: 817-215-0840                  Grades PK-5                  School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Stephen Garretson, Ed. D.</i>  <i>Assistant Principal: Angie Eudy</i>  <i>Counselor: Jessica Aiduck</i></p>

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<p><b>Lakeview Elementary School</b>          100 Village Trail          Trophy Club, Texas 76262          Phone: 817-215-0750          Fax: 817-215-0770          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Erika Oster</i>  <i>Assistant Principal: Erin Albert</i>  <i>Counselor: Hayley Bell</i></p>	<p><b>Clara Love Elementary School</b>          16301 Elementary Drive          Justin, Texas 76247          Phone: 817-698-6600          Fax: 817-698-6670          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Aaron McAdams</i>  <i>Assistant Principal: Mindy Ingram</i>  <i>Counselor: Leslie Lopez</i></p>
<p><b>Sonny &amp; Allegra Nance Elementary School</b>          701 Tierra Vista Way          Fort Worth, Texas 76131          Phone: 817-698-1950          Fax: 817-698-1960          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Lyndsie Smith</i>  <i>Assistant Principal: Ashlee Smith</i>  <i>Counselor: Julie Saal</i></p>	<p><b>O.A. Peterson Elementary School</b>          2000 Winter Hawk Drive          Fort Worth, TX 76177          Phone: 817-698-5000          Fax: 817-698-5070          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Danielle Grimes</i>  <i>Assistant Principal: Brittney Kerley</i>  <i>Counselor: Diane Drake</i></p>
<p><b>Prairie View Elementary School</b>          609 FM 3433          Rhome, Texas 76078          Phone: 817-215-0550          Fax: 817-215-0598          Grades PK-5          School Hours: 7:40 AM – 3:05PM</p> <p><i>Principal: Amanda Hughes</i>  <i>Assistant Principal: Clemency Green &amp; Renee Gonzalez</i>  <i>Counselor: Becca Hill &amp; Reagan Dickerson</i></p>	<p><b>Roanoke Elementary School</b>          1401 Lancelot          Roanoke, Texas 76262          Phone: 817-215-0650          Fax: 817-215-0670          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Erin Appling</i>  <i>Assistant Principal: Kara Acevedo</i>  <i>Counselor: Lindsey Boggs</i></p>
<p><b>Carl E. Schluter Elementary School</b>          1220 Mesa Crest Drive          Fort Worth, Texas 76052          Phone: 817-698-3900          Fax: 817-698-3970          Grade PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Donae Raymundo</i>  <i>Assistant Principal: Sarah McMurdo</i>  <i>Counselor: Kristen Martnez</i></p>	<p><b>Sendera Ranch Elementary School</b>          1216 Diamond Back Lane          Haslet, Texas 76052          Phone: 817-698-3500          Fax: 817-698-3515          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Sarah Thornell</i>  <i>Assistant Principal: Kenni Dwyer &amp; Charolette DeRossett</i>  <i>Counselor: Angela Snyder &amp; Christy Buce</i></p>

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<p><b>Seven Hills Elementary School</b>          654 FM 3433          Newark, Texas 76071          Phone: 817-215-0700          Fax: 817-215-0740          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Kim Blackburn</i>  <i>Assistant Principal: Mackenzie Davidson &amp; Julie Seibold</i>  <i>Counselor: Jennifer Morales &amp; Tammie Shelton</i></p>	<p><b>J. C. Thompson Elementary School</b>          440 Wishbone Lane          Fort Worth, Texas 76052          Phone: 817-698-3800          Fax: 817-698-3870          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Edwina West-Dukes</i>  <i>Assistant Principal: Sarah Riley &amp; Dan Flank</i>  <i>Counselor: Michele Markulec &amp; Julie Nolting</i></p>
<p><b>Lance Thompson Elementary School</b>          821 Hawks Way          Argyle, Texas 76226          Phone: 817-698-1800          Fax: 817-698-1813          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Amy Lawson</i>  <i>Assistant Principal: Erin Pitts</i>  <i>Counselor: Megan Gjonbala</i></p>	<p><b>Berkshire Elementary School</b>          10301 Berkshire Lake Blvd          Fort Worth, Texas 76131          Phone: 817-698-1500          Fax: 817-698-1550          Grades PK-5          School Hours: 7:40 AM – 3:05 PM</p> <p><i>Principal: Shanel Jones</i>  <i>Assistant Principal: Jennifer Diaz &amp; Laura Garlow</i>  <i>Counselor: Brittany Connolly &amp; Megan Hull</i></p>
<p><b>Molly Livengood Carter Elementary School</b>          14117 Borealis Drive          Haslet, Texas 76052          Phone: 682-605-8510          Fax: 682-605-8520          Grades PK-5          School Hours 7:40 AM – 3:05 PM</p> <p><i>Principal: John Booles</i>  <i>Assistant Principal: Hannah Garcia</i>  <i>Counselor: Leigh Ann Trice</i></p>	<p><b>Johnie Daniel Elementary School</b>          1907 Tye Street          Northlake, Texas 76247          Phone: 817-215-0920          Fax: 817-215-0940          Grades PK-5          School Hours 7:40 AM – 3:05 PM</p> <p><i>Principal: Jessica McDonald, Ed.D.</i>  <i>Assistant Principal: Che' Williams</i>  <i>Counselor: Meagan White</i></p>

<p><b>Alan &amp; Andra Perrin Elementary</b> 1073 Canyon Maple Drive Fort Worth, TX 76247 Phone: 682-605-8400 FAX: 682-605-8450 Grades PK-5 School Hours 7:40AM-3:05PM</p> <p><i>Principal: Carrie Pierce</i> <i>Assistant Principal: Kevyn Austin</i> <i>Counselor: Jazmin Ribeiro</i></p>	
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## Other Facilities

### **BNHS Bobcat Baseball and Softball Complex**

2775 Bobcat Blvd. – Trophy Club, Texas 76262

### **BNHS Performing Arts Center**

2775 Bobcat Blvd. – Trophy Club, Texas 76262

### **EHS Eagles Baseball and Softball Complex**

1350 Eagle Blvd. – Haslet, Texas 76052

### **EHS Performing Arts Center**

1350 Eagle Blvd. – Haslet, Texas 76052

### **Kelly W. Box Agricultural Science Center**

1960 Texan Drive – Justin, Texas 76247

Phone: 817-215-0239

### **NHS Texan Baseball and Softball Complex**

2000 Texan Drive – Justin, Texas 76247

### **NISD Outdoor Learning Center**

7773 Mulkey Lane – Justin, Texas 76247

Phone: 817-698-1815

### **NISD Language Testing Center**

1800 Highway 114 Door 2

Justin, Texas 762417

817-215-0314

### **NISD Transportation Center**

1950 Texan Drive – Justin, Texas 76247

Phone: 817-698-1287

### **NISD Transportation West Operations Center**

220 CR 4840

Haslet, Texas 76052

### **Northwest ISD Stadium**

1937 Texan Drive – Justin, Texas 76247

Phone: 817-215-0011

### **Support Services**

*(Includes members of the Facilities, Planning, and Construction Department; Family Involvement Program; and ARAMARK)*

1800 State Hwy. 114 – Justin, Texas 76246

Phone: 817-215-0020

### **Vernon Solomon Performing Arts Center**

2201 Texan Drive – Justin, Texas 76247

### **NISD Texan Stadium**

1901 Texan Drive – Justin, Texas 76247

Phone: 817-215-0018

### **Legacy Learning Center**

501 School House Rd - Haslet, Texas 76052

817-215-0900

### **NISD Aquatic Center**

1976 Texan Dr. Justin, Texas 76247

817-215-0256

## Preface

### Parents and Students:

Welcome to the new school year!

Education is a team effort, and students, parents, teachers, and other staff members working together can make this a successful year.

The Northwest ISD Student Handbook is a general reference guide that is divided into two sections:

**Section I: Parental Rights** will help you respond to school-related issues regarding curriculum and the school environment.

**Section II: Other Important Information for Parents and Students** is organized alphabetically by topic. Where applicable, it is divided by age and/or grade level.

**Note:** Unless otherwise noted, the term “parent” refers to the parent, legal guardian, any person granted some other type of lawful control of a student, or any other person who has agreed to assume school-related responsibility for a student.

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

In case of conflicts between board policy (including the Student Code of Conduct) and any Student Handbook provision, the district will follow board policy and the Student Code of Conduct.

Therefore, parents and students should become familiar with the *Northwest ISD* Student Code of Conduct. To review the Code of Conduct, visit the district’s website at <https://www.nisdtx.org/>

State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

A hard copy of either the Student Code of Conduct or Student Handbook can be requested from the principal’s office at your child’s campus.

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

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

For questions about the material in this handbook, please contact Melissa Webber, Director of Student Services, [mwebber@nisdtx.org](mailto:mwebber@nisdtx.org). 2001 Texan Dr. Justin, Texas 76247

Parent's acknowledgment receipt of the following during the on-line registration process:

- Acknowledgment of Electronic Distribution of Student Handbook;  
Annually during the registration process, each parent and student shall electronically sign the Required Signature Page for Students and the Verification of Receipt, agreeing that both the parent and student will abide by Northwest Independent School District policy and the Student Handbook and Code of Conduct and acknowledging that the Student Handbook and Code of Conduct can be found online or that a paper copy may be obtained by requesting it in writing from the campus.
- Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information;
- Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education, if you choose to restrict the release of information to these entities; and
- Consent/Opt-Out Form.

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

**Note:** References to board policy codes are included for ease of reference. The hard copy of the district's official policy manual is available for review in the district administration office, and an unofficial electronic copy is available at [NISD Policy Online](#).

## **Accessibility**

If you have difficulty accessing this handbook because of a disability, please contact Lilia Vasquez, 504/At Risk Coordinator at 817-698-1067 or [Lilia.Vasquez@nisdtx.org](mailto:Lilia.Vasquez@nisdtx.org)

## **Section I: Parental Rights**

This section describes certain parental rights as specified in state or federal law.

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

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

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

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 permitted by law.

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

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

For further information, see **Mental Health Support**

#### ***Annual Notification***

As 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.

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.
- Remove his or her child from any part of the human sexuality 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.

#### **GRADES 5 AND 6 – HUMAN SEXUALITY INSTRUCTION**

In order to be proactive in our delivery of education concerning human sexuality, the Northwest Independent School District School Health Advisory Committee has determined that the district will show growth and development videos to our fifth and sixth grade students as part of the health curriculum. Parents may preview this program during a parent preview session, which is scheduled at the campus prior to viewing. District staff will be available at the parent preview session to answer questions regarding the human sexuality program.



The video will describe the physical and emotional changes that occur in a child's life and help students understand what will soon be happening to their own bodies. A physical education teacher or school nurse will be available for questions at the conclusion of the program.

## **GRADES 8-12 HEALTH – HUMAN SEXUALITY INSTRUCTION COMPONENT**

In order to be proactive in our delivery of education concerning human sexuality, the Northwest Independent School District School Health Advisory Committee has determined that the district will include a component on sexual education within the Health I course. The objectives and focus of the course are curriculum based and cover the reproductive systems and the birth process.

A parent is entitled to review the curriculum materials. A parent may also choose to become more involved with the development of this curriculum by becoming a member of the district's SHAC. (See the campus principal for details.)

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

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

### ***Opting Out of Human Sexuality Instruction***

Parents have the option of requesting that their child not participate in human sexuality instruction. At least 14 days prior to instruction, a form will be sent home that will allow parents to remove their child. If the form is not completed, the child will participate.

### **Consent to 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 in middle school and high school 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 state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials.
- Remove his or her child from any part of the human sexuality 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.

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

Teachers may display a student's work in classrooms or elsewhere on campus as recognition of student achievement without seeking prior parental consent. These displays may include personally identifiable student information. Student work includes:

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

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

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

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

### **Consent to Video or Audio Record a Student when Not Already Permitted by Law**

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

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

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

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.

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

The board prohibits the use of corporal punishment in the district. Students shall not be spanked, paddled, or subjected to other physical force as a means of discipline for violation of the student code of conduct. [See policy [FO\(LOCAL\)](#).]

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

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

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

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

- The employee is required to include at least one of the student's parents as a recipient on all text messages.
- The employee is required to include his or her immediate supervisor as recipient on all text messages.

- The employee is required to send a copy of the text message to the employee's district email address.

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

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

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

"Directory information" is information that, if released, is generally not considered harmful or an invasion of privacy. The district has designated the following categories of information as directory information: student name; 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.

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

However, a parent or eligible student may object to the release of any or all student directory information. This may include school sponsored, third party and military recruiters. Parents may designate preferences of release information while completing online enrollment at the beginning of each school year.

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

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

Unless a parent has advised the district not to release his or her student's information without prior consent, the Every Student Succeeds Act (ESSA) requires the district to comply with requests by military recruiters or institutions of higher education for the student's:

- Name,
- Address, and
- Telephone listing.

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 have the opportunity during the annual online enrollment to object to the release of information to military recruiters or institutions of higher education.

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

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

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

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

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

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

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

The Protection of Pupil Rights Amendment (PPRA) requires that a parent be notified when a survey is not funded by the U.S. Department of Education.

A parent has a right to deny permission for his or her child's participation in:

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

Exceptions are hearing, vision, or spinal screenings, or any physical 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 a part of the educational curriculum.

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

See **Consent to Human Sexuality Instruction and Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking** for information on a parent's right to remove a student from such instruction.

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

State law designates the week of September 17 as Constitution Day and requires all social studies classes provide:

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

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

- A parent provides a written statement requesting that his or her child be excused,
- The district determines that the student has a conscientious objection to the recitation, or
- A parent is a representative of a foreign government to whom the U.S. government extends diplomatic immunity.

[See policy [EHBK\(LEGAL\)](#)]

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

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

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

[See **Pledges of Allegiance and a Minute of Silence** and policy [EC\(LEGAL\)](#).]

### **Religious or Moral Beliefs**

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

The removal may not be used to avoid a test and may not extend for an entire semester. 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](#), a district must obtain parental permission before removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

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, see policies [EC](#) and [EHBC](#), and contact the student's teacher.]

## **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 campus, district, or locally developed tests that have been administered, 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.

You are also entitled to request that the school allow your child 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.

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

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

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

### **Student Records**

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

A parent may review his or her 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 school counselor evaluations
- Reports of behavioral patterns
- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, as the term "intervention strategy" is defined by law
- State assessment instruments that have been administered to the child
- Teaching materials and tests used in the child's classroom

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

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



For purposes of student records, an “eligible” student is anyone age 18 or older or who attends a postsecondary educational institution. These rights, as discussed here and at **Objecting to the Release of Directory Information**, 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 personally identifiable information from a student’s records, the district must verify the identity of the person, including a parent or the student, requesting the information.

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

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

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

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

However, the parent may continue to have access to the records if the student is a dependent for tax purposes and, under limited circumstances, when there is a threat to the health and safety of the student or other individuals.

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

- When district officials have what federal law refers to as a “legitimate educational interest” in a student’s records. School officials would include:
  - Board members and employees, such as the superintendent, administrators, and principals;
  - Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff);

- A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
- A parent or student serving on a school committee; or
- A parent or student assisting a school official in the performance of his or her duties.

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

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled.
- In connection with financial aid for which a student has applied or has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses directory information-designated details. [To prohibit this disclosure, see **Objecting to the Release of 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 principal is custodian of all records for currently enrolled students at the assigned school. The superintendent is the custodian of all records for students who have withdrawn or graduated.

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

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

A parent or eligible student who submits a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours

and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review the records.

Requests for student records should be made to Terri Collins, Records Management Officer at 817-215-0074, 817-698-6695 fax, or [TCollins@nisdtx.org](mailto:TCollins@nisdtx.org). Mailing address is 2001 Texan Drive, Justin, TX 76247.

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

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

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy [FNG\(LOCAL\)](#). A grade issued by a teacher can be changed only if, the board of trustees determines the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines. [See Finality of Grades at [FNG\(LEGAL\)](#), **Report Cards/Progress Reports and Conferences**, and **Complaints and Concerns**]

The district's student records policy is found at policy [FL\(LEGAL\)](#) and ([LOCAL](#)) and is available at the principal's or superintendent's office.

Note: The parent's or eligible student's right of access to and copies of student records does not extend to all records. Materials that are not considered educational records do not have to be made available.

## **Teacher and Staff Professional Qualifications**

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

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

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

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

### **Children of Military Families**

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

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

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

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

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

Additional information may be found at [Military Family Resources at the Texas Education Agency](#).

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

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

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

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

## **Safety Transfers / Assignments**

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 student to another campus.

Transportation is not provided for a transfer to another campus. See the principal for more information.

[See **Bullying** and policies [FDB](#) and [FFI](#).]

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

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

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

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, please contact the district's foster care liaison:

Lilia Vasquez

504/At-Risk Coordinator/Homeless/Foster Care Liaison

[Lilia.Vasquez@nisdtx.org](mailto:Lilia.Vasquez@nisdtx.org)

817-698-1067

[See **Credit by Examination for Advancement/Acceleration, Course Credit** and **A Student in Foster Care** for more information.]

### **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

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

- Proof of residency requirements;
- Immunization requirements;
- Educational program placement (if the student is unable to provide previous academic records or misses an application deadline during a period of homelessness);
- Credit-by-examination opportunities at any point during the year (if the student enrolled in the district after the beginning of the school year), per State Board of Education (SBOE) rules;
- 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.
- Awarding partial credit when a student passes only one half of a two-half course;
- Eligibility requirements for participation in extracurricular activities; and
- Graduation requirements.

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

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

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

For more information on services for students who are homeless, contact the district's homeless education liaison:

Lilia Vasquez

504/At-Risk Coordinator/Homeless/Foster Care Liaison

[Lilia.Vasquez@nisdtx.org](mailto:Lilia.Vasquez@nisdtx.org)

817-698-1067

[See **Credit by Examination for Advancement/Acceleration, Course Credit, and Homeless Students** for more information.]

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

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on a Multitiered System of Support (MTSS). The implementation of academic intervention 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.

### **Child Find**

The Northwest Independent School District is responsible for identifying, locating, and evaluating the educational needs of children from birth to 21 who may be eligible for special education and related services. Likewise, the District is required to identify and locate students who may be eligible for services under Section 504 of the *Rehabilitation Act of 1973*. Northwest Independent School District may provide Child Find information to the community through newspaper advertisements, health fairs, and brochures. Contact the Special Education Department at 817-215-0075 for further information.

A student who may need specialized instruction or programs within the intent of Section 504 is one who:

- Has a physical or mental impairment that substantially limits one or more of life's major

- activities; or
- has a record of such impairment; or
- Is regarded as having such impairment.

Students may be eligible under the provisions of Section 504 even though they do not require services pursuant to the *Individuals with Disabilities Education Improvement Act* (IDEA). Parents who believe that they have a child who may qualify for special services or programs under Section 504 should contact their home campus. In addition, parents who believe that they have a child who may qualify for special education services or programs under IDEA should contact the home campus for more information.

## Special Education Referrals

If a parent makes a **written request** for an initial evaluation for special education services to the director of special education services or to a district administrative employee of the school district, the district must respond no later than **15 school days** after receiving the request. At that time, the district must give the parent prior written notice of whether it agrees or refuses to evaluate the student, along with a copy of the Notice of Procedural Safeguards. If the district agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

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

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

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

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

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



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

The designated contact person regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is Micah Gierkey, Executive Director of Student Support Services, at (817) 215-0985 or [mgierkey@nisdtx.org](mailto:mgierkey@nisdtx.org).

For questions regarding post-secondary transitions, including the transition from education to employment, for students receiving special education services, contact the district's transition and employment designee, Micah Gierkey, Executive Director of Student Support Services, at (817) 215-0985 or [mgierkey@nisdtx.org](mailto:mgierkey@nisdtx.org).

## **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 contact person regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is Lilia Vasquez, 504 Coordinator, at (817) 698-1067 or [lilia.vasquez@nisdtx.org](mailto:lilia.vasquez@nisdtx.org).

[See **A Student with Physical or Mental Impairments Protected under Section 504**]

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

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

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

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

## **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, state law permits the parent or guardian to request that other students residing in the household be transferred to the same campus—if the grade level for the transferring student is offered on that campus.

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

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

### **A Student Who Speaks a Primary Language Other than English**

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

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

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

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

Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities.

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

[See policy FB.]

[See **A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services** for more information.]

## **Section II: Other Important Information for Parents and Students**

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

### **Absences / Attendance**

Regular school attendance is essential for a student to make the most of his or her education—to benefit from teacher-led and school activities, to build each day's learning on the previous day's, and to grow as an individual. Absences from class may result in serious disruption of a student's mastery of the instructional materials; therefore, the student and parent should make every effort to avoid unnecessary absences.

Two important state laws are discussed below—one dealing with the required presence of school-aged children in school, e.g., compulsory attendance, the other with how a student's attendance affects the award of a student's final grade or course credit

### **Compulsory Attendance**

#### ***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 age 19 or older has more than five unexcused absences in a semester, the district may revoke the student's enrollment. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. [See policy [FEA](#).]

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

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

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

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

## ***Prekindergarten and Kindergarten***

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

## **Compulsory Attendance - Exemptions**

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

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;
- Required court appearances;
- Appearing at a governmental offices to obtain U.S. citizenship;
- Taking part in a US naturalization oath ceremony
- Serving as an election clerk
- Health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders
- 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 (custody) of the state,
  - An activity required under a court-ordered service plan; or
  - Any other court-ordered activity, provided it is not practicable to schedule the student's participation in the activity outside of school hours.

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

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 wi-fi or internet, for telehealth appointments because the district-owned equipment and its network system is not private.

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

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, provided that the board has authorized such excused absences under policy FEA(LOCAL). 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.

The district will allow junior and senior students to be absent for up to two days per year to visit a college or university if the following conditions are met:

- The board has authorized such excused absences under FEA(LOCAL);
- The principal has approved the absence; and
- The student follows campus procedures to verify the visit; and

- Makes up any work missed.

An absence will also be considered an exemption 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.

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

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

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

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

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

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

### ***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.

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

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

### ***Between Ages 6 and 18***

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

The truancy prevention facilitator for the district is Rachel Walker, District Truancy Intervention Counselor, at (817) 698-1322 or [naomi.r.walker@nisdtx.org](mailto:naomi.r.walker@nisdtx.org). If you have questions about your student and the effect of his or her absences from school, please contact the facilitator or any other campus administrator.

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

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

[See policies [FEA\(LEGAL\)](#), [FED\(LEGAL\)](#), [Texas Education Code 25.093](#), and [Texas Family Code 65.003\(a\)](#)]

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

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

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

Except for absences due to serious or life-threatening illness or related treatment, all absences, whether excused or unexcused, may be held against a student's attendance requirement. In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- Whether the student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.
- If makeup work is completed, absences for the reasons listed above at Exemptions to Compulsory Attendance will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- 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).

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

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

Official attendance is taken every day during the second instructional hour as required by state rule.

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

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

When a student is absent from school, parents are asked to contact the school each day the student is absent. If the contact is made by phone, the parent must provide written notification of the reason for the absence.

Upon arrival or return to school and no later than 5 school days of returning to school, the student must bring a note signed by the parent, or the parent must send an email from an authorized account, or fax from a legitimate location, that describes the reason for the absence. There is a maximum of 5 days of principal discretion for absences. A note signed by the student, even with the parent's permission, will not be accepted unless the student is age 18 or older or is an emancipated minor under state law.

The campus will document in its attendance records for the student whether the absence is considered by the district to be excused or unexcused. Administrators and teachers value communication and encourage parents to notify the campus when a student is absent. However, in order to consider excusing the absence, a written note or email must be received from the parent. The campus may excuse up to six days of absences with parent notes, after which a doctor's note will be required to excuse the absence. Please note that unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence.

Because class time is important, doctor and dental appointments should be made before or after school hours, if possible so students will not miss valuable instructional time.

Students who have an appointment with a healthcare professional and either commence class or return to school on the same day of the appointment are not considered absent for

attendance accounting purposes if a note from the doctor's office is provided and make-up work is completed within the time allotted by the teacher. Students must be signed in and out through the attendance office.

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

Within 3 days of returning to school, a student absent for more than 6 days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. Otherwise, the student's absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

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

### **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.

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

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

### **Academic Dishonesty**

Students found to have engaged in academic dishonesty shall be subject to disciplinary and academic penalties. Such action shall be determined jointly by the teacher and campus administrator. Teachers are encouraged to consult with campus administrators.

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

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

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;



- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA; and
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

This information can be found on the district's website at

<https://www.nisdtx.org/departments/academics/research-assessment-and-accountability>.

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.

Please contact the campus counselor to determine what date(s) it will be given on your campus.

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

The district strives to prevent bullying, in accordance with the district's policies, by promoting a 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 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, or any other internet-based communication tool.

The district is required to adopt policies and procedures regarding:

- Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
- Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

The district will integrate into instruction research-based content designed to reduce bullying that is appropriate for student's 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 occur
- 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.

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. Any district employee aware of a report of a bullying incident will relay the report to an appropriate administrator. The administration will investigate any allegations of bullying or other related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying. A student may anonymously report an alleged incident of bullying by reporting on-line at [NISD Tip Line](#).

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action and may notify law enforcement in certain circumstances. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

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 the recommendation of the administration, the board may, in response to an identified case of bullying, the board may decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined by the district to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [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, and is included at the end of this handbook in the form of an appendix. Procedures related to reporting allegations of bullying may also be found on the district's website.

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

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

## **Career and Technical Education (CTE) and Other Work-Based Programs (Secondary Grade Levels Only)**

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

Agriculture, Food & Natural Resources, Architecture & Construction, Arts, A/V Technology & Communications, Business Management & Administration, Education & Training, Finance, Health Science, Human Services, Information Technology, Law, Marketing, STEM, Technology Applications/Information Technology, and Transportation, Distribution & Logistics. Admission to these programs is based on open enrollment for all pathways. School of choice academies require additional requests.

It is the policy of the district not to discriminate on the basis of race, color, national origin, sex, handicap, or age in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

It is the policy of the district not to discriminate 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 and participation in all educational and vocational programs.

[See **Nondiscrimination Statement** for the name and contact information for the Title IX coordinator and ADA/Section 504 coordinator].

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

Although a parent or grandparent is not prohibited from providing food for a school-designated function or for children in the child's or grandchild's classroom for his or her birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child's teacher prior to bringing any food in this circumstance.

The district wellness policy allows three (3) designated party days per school year and Board Policy designates these as Valentine, Winter Holiday, and one day designated by the campus. *Board Policy [CO \(LEGAL\)](#)*. The foods and beverages sold for fundraisers on allowable days are not required to meet applicable standards outlined in the Code of Federal Regulations, provided that no specially exempted fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service.

Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers for bringing food products.

[See **Food Allergies**]

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

The district has established a plan for addressing child sexual abuse, neglect, trafficking, and other maltreatment of children, which may be accessed at [Child Abuse](#). Abuse includes physical abuse, including 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 (All Grade Levels) 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 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 attempts;
- 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-related 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 or Other Maltreatment of Children**

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

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

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

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

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

Reports of abuse or neglect may be made to:

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

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

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

Child Welfare Information Gateway Factsheet  
(<https://www.childwelfare.gov/pubPDFs/whatiscan.pdf>)

Kids Health, For Parents, Child Abuse (<https://kidshealth.org/en/parents/child-abuse.html>) ·

Office of the Texas Governor's Child Sex Trafficking Team  
(<https://gov.texas.gov/organization/cjd/childsextrafficking>) · Human Trafficking of School-aged

Children (<https://gov.texas.gov/organization/cjd/childsextrafficking>) · Child Sexual Abuse: A Parental Guide from the Texas Association Against Sexual Assault (<https://taasa.org/product/child-sexual-abuse-parentalguide/>) · National Center of Safe Supportive Learning Environments: Child Labor Trafficking (<https://safesupportivelearning.ed.gov/human-traffickingamericas-schools/child-labor-trafficking>)

## **Class Rank / Highest-Ranking Student (Secondary Grade Levels Only)**

- The district shall include in the calculation of class rank only grades earned for high school credit in the following subjects: English; Mathematics; Science; Social studies; Economics; and Languages other than English. (Grades earned in these courses during middle school shall be included in class rank calculation.)
- The calculation of a student's grade point average (GPA), both unweighted and for class rank, shall exclude grades earned in or by a course for which a pass/fail grade is assigned; credit by examination, with or without prior instruction; local credit courses, academic courses substituted for physical education; summer school courses taken for remediation; and distance learning in the form of traditional correspondence courses.
- The district shall categorize and weight courses in accordance with provisions of this policy and [EIC\(EXHIBIT\)](#).
- The district shall convert grade points in accordance with the weighted grade point chart published in [EIC\(EXHIBIT\)](#) and shall calculate a weighted GPA.
- When a student transfers grades for properly documented courses, the district shall assign weight to those grades based on the categories and grade weight system used by the District if the same courses are offered to the same class of students in the District.
- For the purpose of determining honors to be conferred during graduation activities, the district shall calculate class rank at the end of the third quarter grading period of the senior year. The third quarter grades shall be used as the semester grades for this purpose.
- For the purpose of applications to institutions of higher education, the district shall also calculate class rank as required by state law. The district's eligibility criteria for local graduation honors shall apply only for local recognitions and shall not restrict class rank for the purpose of automatic admission under state law. [See policy [EIC\(LEGAL\)](#).]

For further information, see [EIC Policies and Exhibit](#) and [Grading Guidelines](#).

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

All students are expected to attend school for the entire school day and maintain a class/course schedule to fulfill each period of the day. Exceptions may be made occasionally by the campus



principal for students in grades 9–12 who meet specific criteria and receive parental consent to enroll in less than a full-day's schedule.

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

### **College and University Admissions and Financial Aid (Secondary Grade Levels Only)**

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

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

In addition, the student must submit a completed application for admission in accordance with the deadline established by the college or university. The student is ultimately responsible for ensuring that he or she meets the admission requirements of the university or college to which the student submits an application.

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University's enrollment capacity for incoming resident freshmen. From the summer 2022 term through the spring 2024 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 a holistic review process.

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

Upon a student's registration for his or her first course that is required for high school graduation, the district will provide written notice concerning automatic college admission, the curriculum requirements for financial aid, the benefits of completing the requirements for automatic admission and financial aid, and the Texas First Early High School Completion Program and the Texas First Scholarship Program. Parents and students will be asked to sign an acknowledgment that they received this information.

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

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

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

[See **Students in the Conservatorship of the State (Foster Care)** for information on assistance in transitioning to higher education for students in foster care.]

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

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

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory;
- Enrollment in an AP or dual credit course through the Texas Virtual School Network (TXVSN);
- Enrollment in courses taught in conjunction and in partnership with UT OnRamps, North Central Texas College, Tarrant County College, Dallas County Community College/El Centro (Culinary Academy only), which may be offered on or off campus;
- Enrollment in courses taught at other colleges or universities; and
- Certain CTE courses.

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.

A student may also earn college credits for certain Career and Technical Education (CTE) courses.

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

It is important to keep in mind that not all colleges and universities accept credit earned in all dual credit or AP courses taken in high school for college credit. Students and parents should

check with the prospective college or university to determine if a particular course will count toward the student's desired degree plan.

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

### **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 their campus registrar.

### **Automated Emergency Communications**

The district will rely on contact information on file with the district to communicate with parents in an emergency, which may include real-time or automated messages. An emergency purpose may include early dismissal or delayed opening because of severe weather or another emergency, or if the campus must restrict access due to a security threat. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

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

### **Automated Non Emergency 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, please contact your child's principal. [See **Safety** for information regarding contact with parents during an emergency.]

### **Communication Between Parents and Educators**

The Campus and/or District has the authority to minimize or prohibit communication received from parents if communication becomes inappropriate, aggressive, abusive, insulting, threatening or excessive.

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

Usually, student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal. For those complaints and concerns that cannot be handled so easily, the board has adopted a standard complaint policy at [FNG\(LOCAL\)](#) in the district's policy manual. A copy of this policy and complaint forms may be obtained in the principal's office or [FNG Complaint Form](#).

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

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

### **Applicability of School Rules**

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

### **Campus Behavior Coordinators**

In accordance with the district's innovation plan, the district is exempt from the state law requiring that a single person at each campus be designated to serve as the campus behavior coordinator. Contact your child's assistant principal if you have questions about student misconduct.

### **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.

### **Disruptions of School Operations**

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

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.
- Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property. Class disruption includes making loud

noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.

- Interference with the transportation of students in vehicles owned or operated by the district.

## **Social Events**

School rules apply to all school social events. Guests attending these events are expected to observe the same rules as students, and a student inviting a guest will share responsibility for the conduct of his or her guest. Anyone leaving before the official end of the event will not be readmitted.

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

## **Counseling**

The district has a comprehensive school counseling program that includes:

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

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

## **Academic Counseling**

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

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

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

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

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

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

The counselor will also provide information each year a student is enrolled in high school regarding 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 admissions to state-funded Texas colleges and universities, 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 the availability of college credit awarded by institutions of higher education to veterans and military service members for military experience, education and training.

Additionally, the 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 (All Grade Levels)**

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

[See **Substance Abuse Prevention and Intervention, Suicide Awareness and Mental Health Support**, and **Child Sexual Abuse and Other Maltreatment of Children**]

### **Course Credit (Secondary Grade Levels Only)**

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

### **Credit by Examination**

#### **If a Student Has Taken the Course / Subject (Grades 6-12)**

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

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

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

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

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

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

The examinations offered by the district are approved by the district's board of trustees. The dates on which examinations are scheduled during the 2022-2023 school year will be published in appropriate district publications and on the district's website.

The only exceptions to the published dates will be for any examinations administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system.

When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific examination only once.

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

### **Kindergarten Acceleration**

The student must be at least 5 years of age at the time the request is made and must be currently enrolled in the district. The parent must initiate the request by completing the request for Kindergarten Acceleration Form and filing with the campus principal. Kindergarten acceleration can only occur during the first six weeks of the school year. [For further information, see [Kindergarten Acceleration](#), policy [EHDC](#), and [EHDC REGULATION](#) and [EXHIBIT](#).]

### **Students in Grades 1–5**

A student in elementary school will be eligible to accelerate to the next grade level if the student scores at least 80 on each examination in the subject areas of language arts, mathematics, science, and social studies, a district administrator recommends that the student be accelerated, and the student's parent gives written approval of the grade advancement. For math acceleration in grades 1 -5, see [Math Acceleration](#).

A student in elementary school will be eligible for single subject acceleration in mathematics if the student scores at least 90 on the mathematics credit-by-exam, a district administrator recommends that the student be accelerated, and the student's parent gives written approval of the mathematics advancement.

## **Students in Grades 6–12**

A student may take an examination to earn high school credit for a specific course no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course. For math acceleration in grades 6 and 7, see [Math Acceleration](#).

A student in middle school will be eligible for single subject acceleration in mathematics if the student scores at least 80 on the mathematics credit-by-exam, a district administrator recommends that the student be accelerated, and the student's parent gives written approval of the mathematics advancement.

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

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

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

### **Dating Violence**

Dating violence will not be tolerated at school. Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

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



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.

For more information on dating violence, see:

Texas Attorney General's office recognizing and responding to dating violence flier (<https://www.texasattorneygeneral.gov/sites/default/files/files/childsupport/papa/session%2010/recognizing-relationship-violenceen.pdf>) · The CDC's Preventing Teen Dating Violence (<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/teendatingviolence/fastfact.html>).

## **Discrimination**

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

## **Harassment**

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

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

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

## **Sex-based Harassment and Gender-Based Harassment**

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

Examples of sex-based 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.

Sex-based harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature, such as comforting a child with a hug or taking the child's hand. However, romantic and other inappropriate social

relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

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

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

### **Pregnancy or Related Conditions**

The district does not discriminate on the basis of pregnancy or a related condition. Please contact your child's counselor for pregnancy-related accommodations.

### **Retaliation**

Retaliation against a person who makes a report or participates in an investigation of discrimination, harassment, or 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 of prohibited conduct as defined by the FFH series of policies and FFH([EXHIBIT](#)) the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined by that policy. If not, the district will refer to policy [FFI](#) to determine if the allegations, if proven, would constitute bullying, as defined by law and that policy. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying as defined by law and policy [FFI](#), an investigation of bullying will also be conducted.

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

## **Discrimination**

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

## **Distance Learning (All Grade Levels)**

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

Discuss the distance learning opportunities that are available with your child's counselor.

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

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

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

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

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

A copy of policy [EHDE](#) and [NISD's Academic Planning Guide](#) is available to parents of middle and high school students. If you do not receive a copy or have questions about this policy, please contact your child's school counselor.

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

### **School Materials**

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

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

### **Non-school Materials**

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

Students must obtain prior approval from the principal's designee before selling, posting, circulating, or distributing more than 10 copies of written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any non-school material must include the name of the sponsoring person or organization. The decision regarding approval will be made within two school days.

See Board Policy [FNAA \(LEGAL\)](#) and [\(LOCAL\)](#) for regulations on the time, place, and manner of distribution of non-school literature.

The Principal or designee is responsible for designating time, place, and manner restrictions for distribution of non-school literature from students for approved non-school materials to be placed for voluntary viewing or collection by students. [See policy [FNAA](#).]

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

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

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

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by

any district employee or by persons or groups not associated with the district, except as permitted by policy [GKDA](#).

To be considered for distribution, any non-school materials shall be submitted for review to the Superintendent or designee, for all schools and District buildings, at least three school days prior to the time requested for dissemination.

The superintendent or designee will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at [DGBA](#) or [GF](#).]

The principal or designee will designate the location for approved non-school materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy [GKD\(LOCAL\)](#) or a noncurricular-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.

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

For security, SECONDARY STUDENTS shall wear a school-issued student identification badge in a visible manner on or above the waist. To properly identify the individual to whom the badge belongs, the badge should clearly identify the campus name, student name, student photo, and barcode.

For security, middle and high school students shall wear a school-issued student identification badge in a visible manner on or above the waist. To properly identify the individual to whom the badge belongs, the badge should clearly identify the campus name, student name, student photo, and barcode.

The district's dress code is established to prevent disruption and minimize safety hazards. All students are expected to dress in a respectful manner within the acceptable standards of the community and in such a manner as to contribute to the academic atmosphere, not detract from it.

NISD expects that all students will dress in a way that is appropriate for the school day and for any school sponsored event. Our Student Dress Code is designed to accomplish several goals:

- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology, dance, or PE.

- Prevent students from wearing clothing or accessories that denote, suggest, or display or reference alcohol, drugs or related paraphernalia or other illegal conduct or activities.
- Prevent students from wearing clothing or accessories that will interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.
- Prevent students from wearing clothing or accessories (including flags or capes) that reasonably can be construed as being or including content that is profane, racist, lewd, vulgar, or obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.
- Dress Code for All Students: The following are minimum requirements regarding student dress and grooming.
- Clothing must cover undergarments. Fabric covering all private parts must be fully covered, without alteration. Plunging necklines are not allowed. All items listed in the “must wear” and “may wear” categories below must meet this basic principle.

**Students Must Wear:**

- Clothing including both a shirt with pants, shorts, dress, skirt, or the equivalent and shoes.
- Clothing must be suitable for all scheduled classroom activities including PE, science labs, CTE courses, and other activities where unique hazards exist.
- Proper undergarments must be worn and covered by non-see-through outer clothing.
- Shirts and dresses must have fabric in the front and on the sides.
- Shirt length must meet the top of pants/waistband without alteration.

**Students May Wear:**

- Athletic attire
- Bandanas as a headband or scarf
- Clothing with commercial or athletic logos if they do not violate the guidelines in the “May Not Wear” section below
- Fitted pants, including opaque leggings, yoga pants and skinny jeans if they do not violate the guidelines in the “May Not Wear” section below
- Hats, caps, visors or similar hat like apparel as long as they do not create a safety concern, a distraction inside of school buildings, classrooms, or instructional settings
- Hoodie sweatshirts (*wearing the hood overhead is not allowed inside the building*). The face and ears must be visible to school staff.
- Religious headwear
- Ripped jeans if underwear and buttocks are not exposed, without alteration
- Sweatpants, shorts, skirts, dresses, pants
- Tank tops with straps at least 2 inches wide (the width of a student ID)

**Students May NOT Wear:**

- Accessories that could be considered dangerous or could be used as a weapon
- Any clothing that reveals undergarments
- Any item that obscures the face or ears (except as religious observance or as required by the district to mitigate health risks associated with the spread of communicable diseases).
- Hate speech, profanity, pornography
- Images or language depicting drugs or alcohol (or any illegal item or activity)
- Images or language that creates a hostile or intimidating environment based on any protected class or consistently marginalized groups
- Strapless, backless, halter, bare-midriff, spaghetti strap shirts/blouses, muscle shirts or sleeveless undershirts.
- Swimsuits (except as required in class or athletic practice)
- Violent language or images

The principal, in connection with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. For special events, defined by campus administration, specific dress requirements may be set.

**Solutions to Address Dress Code:**

If a student is not following the dress code, the administrator/staff member should address the student in private to come up with a solution using the following guidelines:

- Students will be given the option of removing articles and accessories that do not conform to the dress code.
- Students will be asked to put on their own alternative clothing, if readily available at school, to be dressed in compliance to code for the remainder of the day.
- Students will be provided with temporary school clothing to be dressed in compliance to code for the remainder of the day.
- If necessary, students' parents/guardians may be called during the school day to bring alternative clothing for the student to wear for the remainder of the school day.

The school administrators may make appropriate adjustments in the dress code to fit the unique needs of a campus or student needs. The campus administration shall employ appropriate disciplinary procedures to carry out and enforce this policy.

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

### **Safe Use of Technology**

The district is committed to ensuring that students use technology responsibly in a safe digital environment 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 digital citizenship, cybersecurity, and online safety.

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

- Utilize a filtered, wireless network as defined by the federal Children’s Internet Protection Act (CIPA) through which all student devices will connect. This filter will block and prohibit pornographic or obscene materials or applications, including from unsolicited pop-ups, installations, and downloads, that have been determined to be harmful to minors in accordance with CIPA.
- Require staff and students to abide by the Responsible Use Policy for access and use of district technology resources and tools [See [Technology Responsible Use Policy for Students](#)].
- 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 [See Consent to Conduct a Psychological Evaluation.]

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 Northwest ISD HelpDesk via email at [helpdesk@nisdtx.org](mailto:helpdesk@nisdtx.org).

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

The district permits students to possess personal mobile telephones; however, these devices must be silenced, including during all testing, unless they are being used for approved instructional purposes. An administrator or classroom teacher may deny a student’s use of the cell phone or device on campus or in the classroom when it is used in violation of applicable policy and rules [See policy [FNCE\(LOCAL\)](#).] The student shall acknowledge receipt and understanding of regulations and shall sign the [Student Guidelines for Responsible Use of Technology Resources](#) [See policy [CQ](#) ]. A student must follow the Bring Your Own Device specifications to possess other telecommunications devices such as netbooks, laptops, tablets, or other portable computers. See [Bring Your Own Device \(BYOD\)](#) for specifications of personal electronic devices.



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

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated.

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\(LEGAL\)](#).]

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](#).]

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

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

A student must follow the Bring Your Own Device specifications to possess other electronics devices such as netbooks, laptops, tablets, or other portable computers. See [Bring Your Own Device \(BYOD\)](#) for specifications of personal electronic devices.

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

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

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

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students must also sign [Student Guidelines for Responsible Use of Technology Resources \(RUP\)](#) that contains applicable rules for use (separate from this handbook). [See policy [CQ](#)].

When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

### **Responsible Use of District Technology Resources**

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

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

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

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined in accordance with the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement.

Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child ["Before You Text" Sexting Prevention Course](#), a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

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

In addition, any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct.

## **End-of-Course (EOC) Assessments**

[See **Graduation** and **Standardized Testing** ]

## **English Learners (All Grade Levels)**

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

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at **Standardized Testing**, may be administered to an English learner for a student up to grade 5. In limited circumstances, a

student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

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

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

Participation in school and school-related activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships with other students; participation, however, is a privilege, not a right. Eligibility for participation in many of these activities is governed by state law as well as rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. If a student is involved in an academic, athletic, or fine arts activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students involved in UIL activities, and their parents can access the UIL Parent Information Manual at [UIL Parent Information Manual](#); a hard copy can be provided by the coach or sponsor of the activity on request. To report a complaint of alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or [curriculum@tea.texas.gov](mailto:curriculum@tea.texas.gov).

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

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

#### **The following requirements apply to all extracurricular activities:**

- A student who receives a grade below 70 at the end of a grading period may not participate in extracurricular activities for a time period, as stipulated in the *UIL Side-by-Side* at <https://www.uil texas.org/policy/tea-uil-side-by-side> [FM (Legal)]. Students in advanced courses, such as pre-AP, AP, GT courses, and dual credit college courses, are required to maintain a passing standard of 60 or higher in order to maintain UIL eligibility [FMF(Local)]. Students who fall below this passing standard will lose UIL eligibility in accordance with UIL regulations and for the period of time identical to students who lose eligibility in non-advanced courses.
- A student who has an individualized education program (IEP) who fails to meet the standards in the IEP may not participate for a time period, as stipulated in the *UIL Side-by-Side*.
- An ineligible student may practice or rehearse.
- A student is allowed in a school year up to ten absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition. All extracurricular activities and public

performances, whether UIL activities or other activities approved by the Board, are subject to these restrictions.

- A student who misses a class because of participation in an activity that has not been approved will receive an unexcused absence unless the absence is excused by campus administration.

Sponsors and coaches of extracurricular activities, including but not limited to: interscholastic academics and athletics, cheerleaders, drill teams, and marching bands, may develop and enforce standards of behavior that are higher than the district-developed *Student Code of Conduct* and may condition membership or participation in the activity on adherence to those standards. These higher standards are outlined in each extracurricular group's guidelines and constitutions. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. No provision of an extracurricular behavioral standard shall have the effect of discriminating on the basis of sex, race, disability, religion, or ethnicity. If a violation is also a violation of school guidelines and expectations, the consequences specified by the *Student Code of Conduct* or by local policy will apply in addition to any consequences specified by the organization.

Expected standards of behavior shall be approved by the principal and the Superintendent or designee before they are communicated to students. Students shall be informed of any extracurricular behavior standards at the beginning of each school year or, in the case of interscholastic athletics, cheerleaders, drill team, and marching band, at the time the students report for workouts or practices that occur prior to the actual beginning of classes. Signing the registration documentation serves as receipt and awareness of the *Student Handbook and Code of Conduct* and acknowledges the responsibilities outlined therein. Failure to sign does not exempt the student from following the Extra/Co-Curricular portions of the *Student Handbook and Code of Conduct*.

Organizational standards of conduct of an extracurricular activity are independent of the *Student Handbook and Code of Conduct*. Violations of the organization's standards of conduct that are also violations of the *Student Handbook and Code of Conduct* may result in school-assessed disciplinary actions. Likewise, students who violate the District's *Student Handbook and Code of Conduct* will be assessed appropriate disciplinary consequences for the infraction and the consequences may result in a student's removal or limited participation in an extracurricular activity if the disciplinary action or level of offense violates the higher standards of conduct specified by the student's extracurricular organization. Administrators and sponsors are expected to discipline students according to established guidelines and expectations.

[Board Policies](#) FM (LEGAL/LOCAL), FNC (LOCAL), and FO (LEGAL/LOCAL)

## **Standards of Behavior - Extra/Co-Curricular Agreement**

### **Violations of the Northwest ISD Student Extra/Co-Curricular Agreement**

#### **Standards of Behavior - Extra/Co-Curricular Agreement**

Participation in extracurricular activities is a privilege, not a right. Students who choose to participate in extracurricular activities are expected to be role models, and exemplary behavior is always expected of them. Extracurricular participants have the responsibility to:

- Always remember they are representatives of their school, family, and community.
- Project a positive, respectful image of themselves, their school, and their extracurricular activities.
- Always be considerate of those around them and actively avoid situations that may reflect poorly on themselves and/or the Northwest ISD.
- Exhibit proper behavior; failure to do so will result in discipline in accordance with the Northwest ISD Student Code of Conduct and Extracurricular Code of Conduct.
- Adhere to the specified guidelines and rules of their chosen activities.
- Adhere to the specified guidelines and rules of the Student Code of Conduct.

### **Activity Standards**

Sponsors of extracurricular and co-curricular activities 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 board policy will apply, in addition to any consequences specified by the organization's standards of behavior.

### **Term of the Agreement**

Consequences for violating the Extracurricular/Co-curricular Student Agreement of Conduct (the "Agreement") will be in effect for all students participating in extracurricular/co-curricular activities year-round. The Agreement is effective from the date of signature until the first day of instruction for the school year after the performance/competition season. For example, if an 8th grade student signs the Agreement in May for an extracurricular activity he will participate in during his 9th grade year, the Agreement is effective until the first day of instruction of his 10th grade year.

Consequences for violations that occur during summer break will be administered during the subsequent school session. School-sponsored extracurricular and co-curricular activities in which students perform or compete are covered by the Agreement. Records of first and second level offenses do not carry over to the next school year, except in instances in which the suspension period has not been completed.

### **ROLES AND RESPONSIBILITIES**

The **Administrator** has the responsibility and authority to ensure that

1. All violations of the Extracurricular/Co-Curricular Agreement of Conduct ("Agreement") are thoroughly investigated;
2. Decisions are made and based on the facts; and
3. All students across all organizations are treated in a consistent manner.

The role of the **Coach/Director/Sponsor** is to

1. Report suspected violations,

2. Participate in the investigation as required by the administration,
3. Assist with decisions regarding violations and/or disciplinary action, and
4. Enforce the sanctions laid out in these guidelines.

## **OFF CAMPUS VIOLATIONS**

### **Off-Campus Violations Include:**

1. Student engages in conduct that violates the activity guidelines, as determined by the campus administrator and/or the appropriate coordinator/coach/sponsor of the activity.
2. Student is under the influence of, consumes, possesses, delivers, provides, solicits, or sells any prohibited substance, including but not limited to illegal drugs, alcohol, tobacco products, e-cigarettes, or vaping paraphernalia (such as vape pen, e-vaporizer, dab pen, JUUL, liquid cartridges or any other device used to inhale an aerosol).
3. Student promotes or participates in the depiction of the use, sale, possession, and/or distribution of any prohibited substance, including but not limited to illegal drugs, alcohol, tobacco products, e-cigarettes, or vaping paraphernalia.
4. Student is not in the presence of his/her parents and is in a situation where alcohol, tobacco, vaping or any prohibited substance is being used by, in the possession of, and/or in the presence of other minors (including but not limited to field parties, keg parties, raves, etc.) and the student does not make an affirmative attempt to remove him/herself from the situation immediately.

NOTE: No consequences will be assessed for students who immediately leave an activity upon learning of the introduction of alcohol and/or drugs and self-report the incident to a campus administrator and/or organization sponsor at the beginning of the next school day.

5. Student engages in any other offense that violates the Student Code of Conduct and/or compromises the integrity, reputation, or credibility of the organization(s).
6. Student engages in criminal conduct or delinquent conduct, other than a routine traffic citation. Delinquent conduct is defined in Texas Family Code Section 51.03. An administrator may determine that a student engaged in criminal conduct or delinquent conduct if:
  - a. the student is arrested or taken into custody by law enforcement for criminal conduct or delinquent conduct;
  - b. the student is charged with a crime, convicted, pleads guilty or no contest, receives deferred adjudication, receives deferred prosecution, or is adjudicated of delinquent conduct;
  - c. a court or jury finds the student engaged in criminal conduct or delinquent conduct;
  - d. the school receives a notification under Texas Code of Criminal Procedure Section 15.27, indicating the student engaged in criminal conduct or delinquent conduct; or
  - e. the superintendent or designee has a reasonable belief that the student engaged in criminal conduct or delinquent conduct.

#### First Offense

- Conference with student, parent, assistant principal and sponsor.
- Student will be assigned by school official the following:
  - 10 school day suspension from performances/contests (If the conduct occurs outside of the activity's performance or competition season, the consequence will begin at the beginning of the next season.)
  - Students may practice/rehearse in accordance with the activity's guidelines or handbook.

In cases involving substance abuse, students may be asked to attend substance abuse intervention. Failure to attend intervention will constitute an additional level one offense and extracurricular/co-curricular suspension until all requirements are met.

#### Second Offense

- Conference with student, parent, assistant principal and sponsor.
- Student will be assigned the following:
  - 30 school day suspension from performances/contests (If the conduct occurs outside of the activity's performance or competition season, the consequence will begin at the beginning of the next season.)
  - Students may practice/rehearse in accordance with the activity's guidelines or handbook.

In cases involving substance abuse, students may be asked to attend substance abuse intervention. Students involved in their second substance abuse offense must attend substance abuse intervention. Failure to attend intervention shall result in continued extracurricular/co-curricular suspension until all requirements are met.

#### Third Offense

- Conference with student, parent, assistant principal and sponsor.
- Student will be suspended from activities for one calendar year.
  - In cases involving substance abuse, students may be asked to attend substance abuse intervention. Students involved in their second substance abuse offense must attend substance abuse intervention. Failure to attend intervention shall result in continued extracurricular/co-curricular suspension until all requirements are met.

#### **STUDENTS ASSIGNED TO A DAEP OR JJAEP**

Violations at this level may include but are not limited to:

1. Continued violations at previous levels;
2. Extremely severe offenses; or
3. Violations of the Student Code of Conduct Levels IV and/or V as determined by the campus administration in coordination with the activity's coordinator/coach/sponsor.
  - A student placed in a DAEP for reasons set out in Texas Education Code Section 37.006 may not attend or participate in school-sponsored or school-related extracurricular activities.

- The University Interscholastic League may set other standards, which will require compliance of students in UIL-sponsored activities.
- When a student returns from a DAEP or JJAEP placement, the student will have a 5 school day transition period. During this transition period, the student will be eligible to practice with the extracurricular/co-curricular activity but will not be eligible to perform or compete.

### **Transition Plan for Returning to Campus**

Not later than five instructional days after the date of a student's return from an alternative education program, the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from school counselors; school resource officers; assistant principal; and classroom teachers/coaches/sponsors/directors who are or may be responsible for implementing the student's personalized transition plan.

The campus administrator will develop a personalized transition plan for the student. The transition plan will include recommendations for the best educational placement of the student and a reintegration plan for participating in extracurricular/co-curricular activities that includes expectations and consequences if expectations are not met. The transition plan may include:

- Recommendations for counseling, behavioral management, or academic assistance for the student with a concentration on the student's academic or career goals;
- Recommendations for assistance for obtaining access to mental health services provided by the district or school, a local mental health authority, or another private or public entity;
- The provision of information to the student's parent/guardian about the process to request a full individual and initial evaluation of the student for purposes of special education services under Texas Education Code Section 29.004;
- A regular review of the student's progress toward the student's academic or career goals; and
- An extracurricular probation period if the student fails to comply with rules and regulations of the extracurricular/co-curricular activity.

When necessary, the campus administrator, or the administrator's designee, shall meet with the student's parent/guardian to coordinate plans for the student's transition.

***Appeals relating to the Agreement are handled in accordance with [Board Policies FNG \(LEGAL\)](#) and [FNG \(LOCAL\)](#).***

*Appeals of the Co-Curricular/Extracurricular Contract are handled in accordance with [FNG\(LEGAL\)](#) and [FNG\(LOCAL\)](#).*



All NISD Athletic Coaches and Athletic Directors follow the Texas High School Coaches Association Code of Ethics Article IX — Management of Felony Crime, which states, "*It will be considered a breach of the Code of Ethics to willingly allow a student/athlete who is charged with and under indictment for a felony crime to participate in an athletic contest. This action should not be considered a presumption of guilt, but rather it affords the accused athlete the time and opportunity to clear his/her name. The student/athlete may be allowed to remain on his/her athletic team as a suspended member, but should not be allowed to represent his/her school or community in an athletic contest while under this suspension.*" For student athletes, in the event of conflict between the sanctions imposed under section 2 of the Student Guidelines and the Texas High School Coaches Association Code of Ethics, Article IX — Management of a Felony, the Texas High School Coaches Association Code of Ethics, Article IX—Management of a Felony, will prevail.

## **Offices and Elections**

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

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

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student health and accident insurance.
- Musical instrument rental and uniform maintenance when uniforms are provided by the district.
- Instrument repair/maintenance.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.

- Summer school for courses that are offered tuition-free during the regular school year.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TXVSN).
- A maximum fee of \$50 for an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district provided request form.

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the campus principal or designee. Student privileges in extra-curricular activities may be denied due to excessive outstanding and unpaid fees/fines. [For further information, see policy [FP](#).]

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

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes, subject to prior approval of the campus principal and in accordance with board policy, campus guidelines, and administrative regulations. [For further information, see policies of [FJ](#) and [GE](#).]

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

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

### **Grade-Level Classification (Grades 9–12 Only)**

Reclassification of grade levels is made at the beginning of each school year. However, students who have not been promoted to a higher grade due to lack of credits, may be eligible for reclassification at the end of the 1st semester. In order to be considered for reclassification at the end of the 1st semester, the student must have administrator approval and a graduation plan for the student must be in place. (See [Secondary Grading Guidelines](#))

Grade-level advancement for students in grades 9-12 shall be earned by course credits. To be promoted:

- From grade 9, a student must have acquired six credits.
- From grade 10, a student must have acquired 13 credits.
- From grade 11, a student must have acquired 19 credits.

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

Grading guidelines for each grade level or course will be provided on the [district webpage](#). These guidelines have been reviewed by each applicable curriculum department and have been approved by the district Grading Guidelines committee. These guidelines establish:

- The minimum number of assignments, projects, and examinations required for each grading period
- How the student's mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.)
- Circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally failed
- Procedures for a student to follow after an absence

Grading consequences for academic dishonesty, including cheating or copying the work of another student, plagiarism (including the unauthorized use of artificial intelligence (AI) such as ChatGPT), and unauthorized communication between students during an examination

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

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

### **Requirements for a Diploma**

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

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

### **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 has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment, should a student choose this option. [See the school counselor for more information on the state testing requirements for graduation.]

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

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

[See **Standardized Testing** for more information.]

### ***Foundation Graduation Program***

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

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 the student graduate without an endorsement. The district will advise is 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 parents of this fact. However, 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 school district will permit a student to satisfy the curriculum requirements for graduation under the foundation program with the distinguished level of achievement, including an endorsement, by successfully completing courses in the core curriculum of a public Texas institution of higher education. Please see your counselor for more information.

### ***Credits Required***

The foundation graduation program requires completion of the following credits:

<b>Course Area</b>	<b>Number of Credits: Foundation Graduation Program</b>	<b>Number of Credits: Foundation Graduation Program with an Endorsement</b>
English/Language Arts	4	4
Mathematics	3	4
Science	3	4
Social Studies	3	3
Physical Education	1	1
Languages other than English	2	2
Fine Arts	1	1
Speech	.5	.5
Electives	4.5	6.5
<b>Total</b>	<b>22 credits</b>	<b>26 credits</b>

Additional considerations apply in some course areas, including:

- **Mathematics.** To obtain the distinguished level of achievement under the foundation graduation program, which will be included on a student's transcript and is a requirement to be considered for automatic admission to a Texas four-year college or university, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits.
- **Physical education.** A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education [[Texas Education Code 28.002\(g-l\)](#)]. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.

- **Languages other than English.** Students are required to earn 2 credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits. A student may satisfy one of the two required credits by successfully completing a dual language immersion program in elementary school. In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

### ***Available Endorsements***

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

- Science, technology, engineering, and mathematics (STEM),
- Business and industry,
- Public services,
- Arts and humanities, or
- Multidisciplinary studies.

### ***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 (TAFSA).

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 dependent student submits a form provided by the district indicating that the student opts out; or
- A school counselor authorizes the student to opt out for a 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: A 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.

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

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

A student may amend his or her personal graduation plan after this initial confirmation. The school will send written notice of any such amendment made by the student to the student's parent.

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

Information regarding specific courses required or offered in each curriculum area will be distributed to students each spring to enroll in courses for the upcoming school year.

**Note:** The district may require the completion of certain courses for graduation even if these courses are not required by the state for graduation.

Please be aware that not all courses are offered at every secondary campus in the district.

### **Certificates of Coursework Completion**

A certificate of coursework completion will be issued to a special education 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, a student must perform satisfactorily on the end of course (EOC) assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily

on no more than two EOC assessments but meets the other requirements for graduation under state law. 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.

### **Graduation Speakers**

Certain graduating students will be given an opportunity to have speaking roles at graduation ceremonies. Only those students who hold one of the following positions of honor will be eligible to give these remarks:

- Student council officers of the graduating class,
- Class officers of the graduating class, or
- The top three academically ranked graduates.

However, if the student was assigned to disciplinary placement at any time during the spring semester, he or she will not be eligible to speak at graduation.

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

[See [FNA\(LOCAL\)](#)]

### **Graduation Expenses**

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

### **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, Teach for Texas Grant Program, and Future Texas Teachers Scholarship 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 school counselor for information about other scholarships and grants available to students.



## **Harassment**

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

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

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

Examples include:

- Any type of physical brutality;
- Any type of physical activity that subjects the student to an unreasonable risk of physical or mental harm, such as sleep deprivation, exposure to the elements, confinement to small spaces, or calisthenics;
- Any activity involving consumption of food, liquids, drugs, or other substances that subjects the student to unreasonable risk of physical or mental harm;
- Any activity that adversely affects the mental health or dignity of the student, such as ostracism, shame, or humiliation; and
- Any activity that induces, causes, or requires the student to violate the Penal Code.

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.

[See **Bullying** and policies [FFI](#) and [FNCC](#).]

## **Health – Physical and Mental**

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

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

Parents of a student with a communicable or contagious disease or a suspected contagious disease should phone the Campus Health Coordinator so that other students who might have been exposed to the disease can be alerted. The district is also required to report certain contagious (communicable) diseases or illnesses to the Texas Department of State Health

Services (TDSHS) or our local/regional health authority. This information is available at [nisdtx.org/students-families/health-services](http://nisdtx.org/students-families/health-services).

Students and staff members may choose to wear facial coverings for disease mitigation.

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

## **Immunization (All Grade Levels)**

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

The [immunizations required](#) are: diphtheria, tetanus, and pertussis; rubella (measles), mumps, and rubella; polio; hepatitis A; hepatitis B; varicella (chicken pox); and meningococcal (7<sup>th</sup> grade and above). 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.

The [vaccine requirements](#) apply to all students entering, attending, enrolling in, and/or transferring to the district. Incomplete immunizations may prevent attendance in school or can restrict attendance once enrolled if immunizations fail to be updated according to the requirements.

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

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

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

Head lice, although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time, and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to determine whether

the student will need to be picked up from school and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return.

Notice will also be provided to parents of elementary school students in the affected classroom or grade as required by Texas law. The student with lice will not be identified.

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

[See policy [FFAA](#).]

### **Medicine at School (All Grade Levels)**

Medication that must be administered to a student during school hours must be provided by the student's parent or guardian. All medication, whether prescription or nonprescription, must be kept in the nurse's office in a locked cabinet; an exception may be made for emergency medications. Medications will be administered by the nurse or another authorized district employee, unless the student is authorized to possess his or her own medication because of asthma or a severe allergy as described below or as otherwise allowed by law. Herbal and dietary supplements and/or oils may not be dispensed by the nurse. If herbal supplements or other medications are prescribed by a doctor, they may be stored in a secure location in the clinic or campus front office and taken by the student if a plan has been developed through the 504 or ARD process. A staff member other than the nurse may assist if agreed upon through the 504 or ARD process.

The district will not purchase nonprescription medication to give to a student. Only authorized employees, in accordance with policy [FFAC](#), may administer:

- Prescription medication, in the original, properly labeled container, provided by the parent or guardian, along with a completed [Northwest ISD Medication Administration Request Form](#). All medications must be transported by a parent, legal guardian, or emergency contact and if it is a controlled substance, e.g. Ritalin, the medication will be counted upon its arrival in the health clinic.
- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container provided by the parent along with a written request
- Sample prescription medication labeled with the student's name and accompanied by a signed Texas Board Certified physician order, with a patient information sheet listing its ingredients, actions, and side effects.
- *Nonprescription* medication, in the original, properly labeled container, provided by the parent along with a completed [Northwest ISD Medication Administration Request Form](#).

- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities. The IEP or Section 504 Committee will determine where the supplements are stored and who will administer them.

The district can assume no responsibility for loss or negligent behavior when students carry conventional or alternative medication or dietary supplements without the knowledge of the campus health service personnel. Noncompliance may be subject to disciplinary action.

Any unused medication will be destroyed two weeks after last dosage or after dismissal on the last day of instruction of the current school year. Generally, medication will not be sent home with a student. With few exceptions, most medications and all controlled substances must be picked up by a parent or legal guardian at the school health clinic.

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

Whether a student is at the elementary or secondary level, if sunscreen needs to be administered to treat any type of medical condition, this should be handled through communication with the school nurse so that the district is made aware of any safety and medical issues. Nurses and teachers will not apply sunscreen. The student must be able to apply sunscreen independently or must wear appropriate sun-blocking clothing/accessories as an alternative to sunscreen.

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

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. This permission may be revoked if the student is unable to demonstrate compliance and/or if he/she frequently forgets or loses medication. In that case, medication will need to be stored in the clinic and administered by the nurse.

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.

### **Unassigned Epinephrine Auto-injectors**

In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized school personnel and school volunteers who have been adequately trained to administer an unassigned epinephrine auto-injector to a person who is reasonably believed to be experiencing a severe allergic reaction (anaphylaxis).

An "unassigned epinephrine auto-injector" is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector.

Epinephrine auto-injectors include brand-name devices such as EpiPens®.

Authorized and trained individuals may administer an epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.

The district will ensure that at each campus a sufficient number of school personnel and school volunteers are trained to administer epinephrine so that at least one trained individual is present on campus during regular on-campus school hours and when school personnel are physically on site for school-sponsored activities.

Authorized and trained individuals may administer an unassigned epinephrine auto-injector to a person experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event when an unassigned epinephrine auto-injector is available.

For additional information, see FFAC(LOCAL).

### **Unassigned Medication for Respiratory Distress**

In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized and trained school personnel to administer a medication for respiratory distress on a school campus or at a school-related activity to a person reasonably believed to be experiencing symptoms of respiratory distress.

The district will provide at each campus school personnel who are trained to administer prescription medication for respiratory distress during regular school hours.

“Unassigned medication for respiratory distress” means albuterol, levalbuterol, or another medication designated by the executive commission of the Health and Human Services Commission for treatment of respiratory distress, prescribed by an authorized health-care provider in the name of the district with a non-patient-specific standing delegation order for the administration of a medication for respiratory distress, and issued by an authorized health-care provider.

**For additional information, see FFAC(LOCAL).**

### **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 that serves students in grades 6-12 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.

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.

## **Latex Policy**

A person who is allergic to LATEX may experience mild symptoms (such as itching, redness, or runny nose) or may experience a life-threatening reaction (including difficulty breathing, swelling of the throat, severe congestion, or anaphylaxis). To create a safer environment for students with latex allergies, NISD is committed to reducing or eliminating latex on campus. In addition, we will prepare staff members to react to accidental exposure for the individual who is sensitive.

### ***About Latex Allergy***

Latex allergy is present in 1% to 6% of the general population. Latex, and the powder that is often used with it, contains a protein that can be dangerous to sensitive individuals if they touch it or inhale it. Latex is often found in balloons, gloves, medical supplies, and other common items.

### ***To limit Latex exposure***

Individuals who are responsible for ordering supplies (including PTO/PTA, booster clubs, etc.) should NOT order supplies known to contain LATEX.

Please request a written latex-free verification from vendors when you order these items/supplies:

- Balloons
- Rubber Bands (including bands for training/sports)
- Bandages
- Gloves
- Toys
- Paint

Please note: Latex powder can float in the air or adhere to clothing when a balloon is being inflated or deflated. Therefore, even though the decorations may be out of reach of students, they could still pose a danger.

Decorations may include balloons made of Mylar or latex-free plastic. However, please maintain the written latex-free verification with your records in case a parent requests to see this verification.

### ***Preparing for accidental exposure***

Because it is impossible to create a 100% latex-free environment, NISD will make every effort to create a Latex-SAFE environment (Beierwaltes, P., & Schoessler, A. (2017). Latex Safe at School: A Student-Centered Approach).

This may include using signs or posters, letters to parents of classmates as applicable, class discussion as appropriate, and other interventions that will promote education and safety.

Furthermore, NISD staff will be trained to administer epinephrine if a student displays signs of severe allergic reaction.

### ***What you should know***

As an individual who orders decorations and/or supplies, it is your responsibility to verify that items purchased or rented for events are latex-free. NISD has committed to be a Latex-Safe district. You play an integral part in making that a reality.

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

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

Bodybuilding, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense. A violation of state law concerning anabolic steroids or human growth hormones is a criminal offense punishable by confinement in jail or imprisonment in the institutional division of the Texas Department of Criminal Justice. *Texas Education Code 38.008 and Board Policy FNCF (EXHIBIT)*

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

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

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

If a student has been hospitalized or placed in residential treatment for a mental health condition or substance abuse, the district has procedures to support the student's return to school. Please contact the campus counselor or administration 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. [For further information, see policy [FFAC](#).]

For related information, see:

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

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

Dr. Jamie Farber  
Director of Guidance and Counseling  
2001 Texan Dr. Justin, Texas 76247  
[ifarber@nisdtx.org](mailto:ifarber@nisdtx.org) 817-215-0187

## **Physical Activity Requirements**

### ***Elementary School***

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

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

### ***Middle School***

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

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



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

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

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

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

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

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

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's athletics program
- District marching band
- Any district extracurricular program identified by the superintendent.

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

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.

#### ***Spinal Screening Program***

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

All students who meet the Texas Department of State Health Services criteria will be screened for abnormal spinal curvature during the school year(s) mandated by the Department of State Health Services. For information on spinal screening by an outside professional or exemption from spinal screening based on religious beliefs, see policy [FFAA\(LEGAL\)](#) or contact the superintendent.

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

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

All students are screened for complications related to vision and hearing in the following grade levels:

4 years old by Sept 1

Kinder, 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup> grades

Any other first-time entrants to the district in any grade if there is not proof of a recent screening in accordance with the schedule here noted.

During this screening, we also conduct the Acanthosis Nigricans (AN) screening for risk factors related to Type 2 Diabetes.

Students are screened for complications related to spinal abnormalities according to the following schedule:

Girls – Grades 5 and 7

Boys – 8<sup>th</sup> grade

Northwest ISD has a screen team comprised of trained and certified screeners who visit the appropriate campuses during the fall semester to complete a mass screening. The campus nurse follows up with any student who the screen team has initially identified as having a concern in any of the areas screened. [See policy [FFAA](#).]

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

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

Please see the district's [Health Services](#) website for information regarding meningitis.

**Note:** College students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. This may affect a student who wishes to enroll in a dual credit course taken off campus. For questions, please ask your campus nurse.

#### ***Diabetes***

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

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

The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening reactions either by 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. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy. The district has included food allergy disclosure in the

online enrollment process. If the student develops a food allergy during the school year, please complete the [Emergency Information for School Health Clinic](#) form, and submit to the campus nurse.

[See policy [FFAF](#) and **Celebrations**]

### ***Seizures (All Grade Levels)***

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

### **Tobacco, E-Cigarettes, and Nicotine Products Prohibited (All Grade Levels)**

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 (All Grade Levels)] 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. [See the Student Code of Conduct and policies at [FNCD](#) and [GKA](#).]

### **Health-Related Resources, Policies, and Procedures**

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

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

- Campus school nurses
- Campus school counselor(s)

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

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at: <https://www.nisdtx.org/about-nisd/school-board/about-nisd/school-board/policyregulations> .

- Food and nutrition management: CO, COA, COB
- Wellness and health services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC

- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma Informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF
- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: FFH
- Freedom from Bullying: FFI

In addition, the District Improvement Plan details the district's strategies to improve student performance through evidence-based practices that address physical and mental health.

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

For further information regarding these procedures and access to the District Improvement Plan, contact Angela Scott, Public Affairs Coordinator, (817) 215 - 1088, [ascott@nisdtx.org](mailto:ascott@nisdtx.org).

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

During the preceding school year, the district's School Health Advisory Council (SHAC) held 5 meetings. Additional information regarding the district's SHAC is available from the Assistant Director of PE/Health at 817-215-0202.

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.

[See policies at [BDF](#) and [EHAA](#). See **Consent to Human Sexuality Instruction** for additional information.]

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

Northwest ISD is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at [FFA\(LOCAL\)](#) and corresponding plans and procedures to implement the policy. You are encouraged to contact Kitty Poehler, Executive Director of Benefits and Risk Management at 817-215-0071 or [kpoebler@nisdtx.org](mailto:kpoebler@nisdtx.org) with questions about the content or implementation of the district's wellness policy and plan.

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

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

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact Jim Sadler, the district's designated asbestos coordinator, at 817-215-0019 or [jsadler@nisdtx.org](mailto:jsadler@nisdtx.org).

## **Homeless Students (All Grade Levels)**

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

For more information on services for homeless students, contact the district's homeless education liaison, Lilia Vasquez, 504/ At Risk Coordinator, at 817-698-1067 or [Lilia.vasquez@nisdtx.org](mailto:Lilia.vasquez@nisdtx.org).

[See **Students Who Are Homeless**]

## **Homework (All Grade Levels)**

Homework is assigned at the discretion of the teacher, engages the student in valuable activities, and develops effective study habits by incorporating practice, enrichment, reinforcement, extension, or application of knowledge and skills related to topics covered in class. Homework can be an integral part of the learning process, and students should be able to see the purpose of homework and clearly understand the requirements. The district encourages a reasonable amount of academic work to be done at home to complement learning during the school day. Homework also gives the child and parents an opportunity to share in the educational process. Any questions or concerns regarding homework should be directed to the teacher.

Students should anticipate homework time may vary by grade, subject, and rigor of the course (such as honors, AP, dual credit, etc.). Although homework at the secondary level is not designed to cover material not introduced in the classroom, watching a video, reading, or outlining a chapter prior to class coverage may be assigned in order to prepare for the next class session.

The student's responsibility is to complete assignments on time and to schedule after-school activities so that they do not interfere with the completion of assignments. The student assumes the responsibility for making up work when absent from class.

## **Law Enforcement Agencies (All Grade Levels)**

### **Questioning of Students**

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal or principal's designee will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if the questioning or interview is part of a child abuse investigation. In other circumstances:

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

## **Students Taken into Custody**

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

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation.
- By a law enforcement officer to obtain fingerprints or photographs to establish a student's identity, where the child may have engaged in conduct indicating a need for supervision, such as running away.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety.
- To comply with a properly issued directive from a juvenile court to take a student into custody.

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

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

## **Notification of Law Violations**

The district is required by state law to notify:

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

[For further information, see policy [FL\(LEGAL\)](#)]

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

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

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. No student will be allowed to leave with any person not named on the student registration card unless prior written permission by a parent or guardian has been received. Identification may be required.

- The district is committed to the protection of students entrusted to its custody during the school day. Therefore, campus administrators shall exercise caution in releasing students during the school day. The procedures controlling the release of a student from school are as follows:
- Definite and satisfactory identification (i.e., driver's license or picture ID) shall be required of the person authorized to talk with a student or to take a student from school. The following persons will be allowed access to a student: a) the student's parents/guardians, unless restricted by court order; b) a person who has written authorization from the student's parent/guardian; or c) a person who is authorized by a legal order to have access to, or to take possession of, a student.
- A teacher shall not allow a student to leave school without securing the permission of the principal or administrative designee.
- A telephone call from a person representing himself/herself as a parent shall be verified by a principal or designee. The parent shall be notified any time a request for the release of a student is denied by the principal.
- When checking a student out of school, a parent or guardian must follow campus checkout procedures.
- High school students who have a car on campus must obtain an early dismissal pass to leave campus during the school day by presenting a signed and dated note from the parent. These students shall check out through the appropriate office before leaving the campus.

Parents requesting that a student be allowed to leave the campus for medical or family matters must make a request, in writing or by personal contact. The principal or principal's designee will verify the request.

## **During Lunch**

All Northwest ISD campuses are closed campuses. Students are not allowed to leave campus for any reason during the school day without properly checking out. Furthermore, students are not

allowed to leave campus for lunch without permission from the principal or principal's designee.

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

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

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct. This can also be considered an unexcused absence.

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

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

### **Makeup Work**

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

All students shall be allowed to make up work when they are absent from class.

1. Students shall have a time equal to days absent from class plus one day to complete all missed assignments.
2. Under extenuating circumstances such as long-term illness or family emergencies, teachers may choose to give students more than one day for each day missed to make-up assignments.
3. In situations where the assignments were given before the student was absent, a shorter time frame may be required at the teacher's discretion. Students who miss class for scheduled extra-curricular or co-curricular events are expected to have all previously assigned work submitted when they return the next day.
4. Make-up tests or quizzes should be administered during tutorial times to prevent the student from missing additional class time; however, students who cannot attend tutorials must be given the opportunity to make up this work during the regular school day. Students who are absent for scheduled extra-curricular or co-curricular events are expected to be prepared to take any previously scheduled tests or quizzes when they return the next day.
5. Modifications of this procedure, which may require administrative approval, should be discussed with the appropriate administrator in a timely manner.

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 make up work. Please remember the importance of student attendance at school. With limited exceptions, , all absences account for the 90 percent set in state law regarding the state laws regarding attendance for credit or final grade.[See **Attendance for Credit or Final Grade**]



## **In-School Suspension (ISS) and Out-of-School Suspension (OSS) Makeup Work (All Grade Levels)**

### ***DAEP Makeup Work (Grades 9-12)***

If a high school student is enrolled in a foundation curriculum course at the time of removal to disciplinary alternative education program (DAEP), he or she will have an opportunity to complete the course before the beginning of the next school year. The district may provide the opportunity for 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.

### ***Opportunity to Complete Courses***

A student removed from the regular classroom to ISS or another setting, other than 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 correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district [See policy FO(LEGAL) for more information.

### ***Alternative Means to Receive Coursework***

While a student is in ISS or OSS, the district will provide the student with all course work for the student's foundation curriculum classes that the student misses as a result of the suspension.

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

Northwest Independent School District prohibits discrimination on the basis of race, religion, color, national origin, gender, sex, or disability in any education program or activity that it operates and provides equal access to the Boy Scouts and other designated youth groups.

Individuals may report concerns or questions under Title IX to Dr. Cindy Bauter, Executive Director of Student Affairs and Title IX Coordinator, 2001 Texan Dr. Justin, TX 76247, (817)215-0567, [cynthia.bauter@nisdtx.org](mailto:cynthia.bauter@nisdtx.org). Individuals may report concerns or questions under ADA/Section 504 to Lilia Vasquez, 504/At Risk Coordinator, 2001 Texan Dr. Justin, TX 76247, (817)698-1067, [lilia.vasquez@nisdtx.org](mailto:lilia.vasquez@nisdtx.org). The notice of nondiscrimination is located at <https://www.nisdtx.org/about-nisd/student-affairs>.

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 admission and employment.

Inquiries about the application of Title IX may be referred to the district's Title IX Coordinator (see below), to the Assistant Secretary for Civil Rights of the Department of Education, or both. Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.

- The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex,

including sex-based harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment. *Dr. Cynthia Bauter, Executive Director of Student Affairs and Title IX Coordinator, 2001 Texan Dr. Justin, TX 76247, (817)215-0567.*

Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with the process described at FFH(LOCAL).

- For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Lilia Vasquez, 504/ At Risk Coordinator, 2001 Texan Dr. Justin, TX 76247, (817)698-1067.
- All other concerns regarding discrimination: See the superintendent, Dr. Mark Foust, Ed.D., Superintendent, 2001 Texan Dr. Justin, TX 76247, (817)215-0030.

[See policies [FB](#), [FFH](#), and [GKD](#).]

## Open Records

Texas Public Information Act (Texas Government Code Chapter 552) gives the public the right to access and receive copies of government records. Under Northwest Independent School District School Board Policy, the Officer for Public Information will make public information available for inspection and copying as governed by Texas Government Code Chapter 552 and 20 U.S.C. 1232 CFR Part 99 (the Family Education Rights and Privacy Act, known as FERPA). Additional information and useful forms may be obtained from the links below. Questions about Open Records or submitting a Public Information Request (PIR) may be directed to the Northwest Independent School District General Counsel's Office, at 817-215-0138 or by writing to one of the following addresses:

- By mail: Public Information Request P.O. Box 77070, Fort Worth, Texas 76177
- By email: [publicinforequest@nisdtx.org](mailto:publicinforequest@nisdtx.org)
- By fax: 817-215-0170
- In person: Northwest Independent School District Administration Office, Public Information Office, 2001 Texan Drive, Justin, Texas 76247

Board Policy [GBA \(LEGAL\)](#)

## Parent and Family Engagement (All Grade Levels)

### Working Together

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

- Encouraging your child to put a high priority on education and working with your child 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 child’s school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling**]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences**]
- Becoming a school volunteer. [For further information, see policy [GKG](#) and **Volunteers**]
- Participating in campus parent organizations.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. [For further information, see policies at [BQA](#) and [BQB](#)]
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction and other wellness issues. [See policies at [BDF](#), [EHAA](#), [FFA](#), and information in this handbook at **School Health Advisory Council (SHAC)**]
- Being aware of the school’s ongoing bullying and harassment prevention efforts.
- Contact school officials if you are concerned with your child’s emotional or mental well-being.
- Attending board meetings to learn more about district operations. [See policies at [BE](#) and [BED](#) for more information]

### **Parking and Permits (Secondary Grade Levels Only)**

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 from their home campus to park in a school parking lot. So long as space is available, parking permits may be issued throughout the year. Students will not be permitted to speed, double-park, park across a white or yellow line, park in a fire lane, or sit in parked cars during school hours. 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 a Minute of Silence (All Grade Levels)**

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

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

[See policy [EC](#) for more information.]

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

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

## **Promotion and Retention**

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

## **Prekindergarten or Kindergarten - Grade 3**

A parent may request in writing that a student repeat prekindergarten, kindergarten, or grade 1, 2, or 3. Before granting the request, the district may convene a retention committee to meet and discuss the request and will invite the parent to participate.

## **Elementary and Middle Grade Levels**

In grades 1 - 3, promotion is based on an overall average of 70 on a scale of 100 based on course level, grade-level standards (Texas Essential Knowledge and Skills) for all subject areas, and a grade of 70 or above in language arts and mathematics. [See policy [EIE\(LOCAL\)](#).]

In grades 4 - 8, promotion is based on an overall average of 70 on a scale of 100 based on course level, grade-level standards (Texas Essential Knowledge and Skills) for all subject areas, and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies. [See policy [EIE\(LOCAL\)](#).]

## **High School Grade Levels**

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

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

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

### **Release of Students from School**

[See **Leaving Campus**]

### **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 setting.

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

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

At the end of the *3<sup>rd</sup> and 6<sup>th</sup> week of a nine-week grading period*, parents will receive a progress report. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, parents are encouraged to schedule a conference with the teacher. [See **Working Together**]

Teachers follow grading guidelines that have been approved by the Superintendent pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy.

[See policy [EIA\(LOCAL\)](#) and **Grading Guidelines**]

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 district uses an electronic program to communicate academic information about your child, including for report card and progress reporting [Home Access Center](#) (HAC).

## **Retaliation**

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

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

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow the behavioral standards in this handbook and the Student Code of Conduct, as well as any additional rules for behavior and safety set by the principal, campus administrator, teachers, or bus drivers.
- Help secure the campus by keeping all exterior doors closed, latched, and locked unless the door is actively monitored by a district employee.
- Follow instructions from 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.
- Know emergency evacuation routes and signals.
- Do not prop open doors or curtail campus security procedures.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

## **Accident Insurance**

Soon after the school year begins, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child. Insurance forms are available at [Student Accident Insurance Form](#)

Paperwork to purchase this insurance must be returned directly to the insurance provider. Parents who have questions related to the insurance should contact the insurance provider.

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

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

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

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

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

The district will offer instruction in CPR and the use of an 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 or AED 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 keep care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.).

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

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

The emergency care authorization form will be used by the district when a student's parent or authorized designee 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.

Please contact the school nurse to update any information that the nurse or the teacher needs to know.

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

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

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number previously provided to the district has changed. State law requires parents to update contact information within two weeks after the date the information changes.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways:

Information will be posted as soon as possible on the district's:

- Website: [www.nisdtx.org](http://www.nisdtx.org);
- Facebook: <https://www.facebook.com/NorthwestIndependentSchoolDistrict>
- Twitter: [www.twitter.com/northwestisd](http://www.twitter.com/northwestisd)
- School Messenger
- District's emergency notification system
- and through the following venues:

KDFW TV Channel 4	KTVT TV Channel 11
KXAS TX Channel 5	KRLD Radio 1080 AM
WFAA TV Channel 8	WBAP Radio 820 AM

[See **Communications-Automated Emergency** for more information.]

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

[See **Standardized Testing**]

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

[See [NISD Academic Planning Guide](#) for specific information.]

## **School Facilities**

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

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

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

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

### ***Criminal Trespass (All Grade Levels)***

Students found on Northwest Independent School District property during periods of suspension or expulsion will be subject to arrest and charged with criminal trespass. Students assigned to Out-of-School Suspension (OSS), Disciplinary Alternative Education Program (DAEP), or expulsion with placement to the Juvenile Justice Alternative Education Program (JJAEP) are prohibited from attending any school-sponsored or school-related activities according to the level of suspension or expulsion.



## **Food and Nutrition Services (All Grade Levels)**

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

Free and reduced-price meals are available based on financial need or household situation. Information about a student's participation is confidential. The district may share information such as a student's name and eligibility status to help enroll eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent notifies the district that a student's information should not be disclosed during online registration.

Contact Christina Day with NISD/Aramark Food Services to apply for free or reduced-price meal services at 817-215-0053 or [cday@nisdtx.org](mailto:cday@nisdtx.org) or [apply for free or reduced-price meal services online](#).

See [CO\(LEGAL\)](#) for more information.

Parents are strongly encouraged to continually monitor their child's meal account balance. As established by the Board, a student with an exhausted or insufficient balance on his or her meal card or meal account shall be allowed to continue to purchase meals for up to five school days. [See [CO\(LOCAL\)](#) for more information]

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, audiotape, 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](mailto: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.

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

The district has adopted and implemented the state and federal policies and guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see Christina Day with Aramark/NISD Food Services at 817-215-0007 or [CDay@nisdtx.org](mailto:CDay@nisdtx.org) [See policies at [CO](#) and [FFA](#).]

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

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

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child’s school assignment area may contact Jim Sadler, the district’s IPM coordinator, at 817-215-0019 or [jsadler@nisdtx.org](mailto:jsadler@nisdtx.org)

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

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

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

The library is open for independent and guided student use during times assigned by the campus.

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 librarian and their child's teacher about special considerations regarding library materials self-selected by their student.

A parent who wants to access the school's library or any available online catalog should contact the principal or campus librarian.

The district welcomes student and parent feedback on library materials and services. Parents may contact the campus librarian. A district employee or parent may request the reconsideration of a library material by contacting the campus librarian or another administrator or by submitting a request for reconsideration of library material request on a form available in the district's administrative office.

[For more information, see [EFB\(LOCAL\)](#). Meetings of Noncurriculum-Related Groups]  
**(Secondary Grade Levels Only)**

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

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

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

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

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

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

The district may require a fee for student participation in a field trip 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 (All Grade Levels)**

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in district property.

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

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

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may occasionally conduct searches and investigations. There is no legal right on the part of a parent to be notified or to be present when students are in conversation with or being questioned by school officials concerning school-related behaviors or concerns.

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 \(All Grade Levels\)](#).]

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 suspicion less security procedures, including the use of metal detectors.

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

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

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

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

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

[See policy [FNF\(LEGAL\)](#) and [Electronic Devices and Technology Resources](#) for more information.]

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

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

## **Sex-Based Harassment**

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

## **Skateboards, Scooters, Roller Blades, and Rollers**

Students and others are not permitted to use bicycles, skateboards, scooters, roller blades, and/or rollers on campus grounds at any time. If a student is using any one of these as a means of transportation to or from school, he or she must walk and carry the bicycle, skateboard, scooter, roller blades, and/or rollers while on school property. Skateboards, scooters, roller blades, and/or rollers should be kept in a locker or designated place approved by campus administration or staff until the end of the school day.

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

The district provides special programs for gifted and talented students, homeless students, students in foster care, bilingual students, migrant students, English learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should refer to the NISD [Who to Call](#) list.

## **Standardized Testing**

### **Secondary Grade Levels**

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

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the school counselor early during their junior year to determine the appropriate examination to take; these examinations are usually taken at the end of the junior year. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT, and more information can be obtained on these assessments from the school counselor. Additional information for Advanced Placement (AP) Exams, SAT, ACT, PSAT/NMSQT, and TSI is located in the [High School Academic Planning Guide](#).

**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 TSI assessment is to assess the reading, mathematics, and writing skills that first year students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This assessment may be required before a student enrolls in a dual credit course offered through the district as well. Achieving certain benchmark scores on this assessment for college readiness may also waive certain end-of-course assessment requirements in limited circumstances.

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

#### ***Grades 3–8***

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

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

#### ***Standardized Testing for a Student Enrolled Above Grade Level***

If a student in grades 3-8 is enrolled in 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.

#### ***Requesting Administration of STAAR/EOC in Paper Format (All Grade Levels)***

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.

### ***Standardized Testing for as Student in Special Programs***

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

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

### ***Failure to Perform Satisfactorily on a STAAR or EOC Assessment***

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 subsequent school year by:

- 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.

### ***Personal Graduation Plans - Middle School Students***

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

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

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

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

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

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

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

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

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

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

[See **Graduation** for additional information.]

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

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

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

Identified students in Pre-Kindergarten through fifth grade, who are eligible, will be provided the opportunity to participate in summer interventions for additional support. These programs will offer instruction in essential knowledge and skills and will give students opportunities to study and practice these skills.

Participation in summer interventions and subsequent essential knowledge and skills mastery may be considered for some students in grades 6 – 12, in order to continue content acceleration and academic mastery. Students who do not pass required courses during the school year should attend the tuition-based summer school program. Financial assistance will be provided to those that qualify for reduced fees, based on financial need, and participate in the National School Lunch Program or qualify based on McKinney-Vento status.

Enrichment programs, fine arts programs, and athletic camps are also offered for tuition throughout the summer.

Students attending summer school are expected to adhere to the same discipline standards as outlined in this booklet. Failure to comply with the discipline standards may result in the



student's dismissal from the summer school program. If the infraction represents a mandatory removable or expellable offense, the student will be placed in the appropriate Disciplinary Alternative Education Program (DAEP) or Juvenile Justice Alternative Education Program (JJAEP) in the upcoming year as specified in this handbook.

Students assigned to a DAEP (on or off campus) or JJAEP in which the period of placement extends into the next school year must complete an application to request permission to attend summer school. An administrator from the home campus and summer school campus (as well as the DAEP or JJAEP, if appropriate) must approve the request in order for the student to attend. The application can be obtained by contacting a campus principal or assistant principal.

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

A student who is tardy to class may be assigned consequences. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the Student Code of Conduct.

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

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

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

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

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

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

### **Tip Line**

The district provides an on-line "tip line" for students, parents, teachers and others to anonymously share any safety or health concerns regarding our school community. Reports can

be made on-line at <http://www.nisdtx.org/tipline>

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

Please see the [NISD Bus Rider Handbook](#) for specific information regarding transportation.

### **School-sponsored Trips**

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

In the case of an emergency or if a bus accident occurs, students will only be allowed to leave with a parent or another designated adult with the permission of Robert Aucoin, Director of Outsourced Operations, at 817-215-0190 or [robert.aucoin@nisdtx.org](mailto:robert.aucoin@nisdtx.org) or his designee. This provision would also include when a bus is transporting students to and from school.

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

The district makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students.

Bus routes and stops will be designated annually, and any subsequent changes will be posted at the school and on the district's website. For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops.

#### **Special Note for Kindergarten and First Grade After School Drop-off**

Northwest Independent School District and its transportation department want to make sure small children arrive home safely. In order to ensure the student's safety, we do not drop off Kindergarten or First Grade students without a responsible person to take custody of that student. A responsible person could be an older sibling, parent, adult neighbor, etc. Students should have a responsible person at the stop to receive the student or a visual confirmation if dropped off in front of the house. In instances where the student will be walking home with a responsible person, a signed and dated note should be given to the driver to confirm drop-off plans. This will include bus stops that are located at the front apartment building/complex.

Because the district has identified bus routes due to hazardous traffic conditions while walking to and from school, the district will provide transportation to these students. Please contact Robert Aucoin, Director of Outsourced Operations at 817-215-0190 or [robert.aucoin@nisdtx.org](mailto:robert.aucoin@nisdtx.org) for additional information.

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

817-698-1287 or email [transportation@nisdtx.org](mailto:transportation@nisdtx.org). [See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

Students are expected to assist district staff in ensuring that buses and other district vehicles remain in good condition and that transportation is provided safely. When riding in district vehicles, including buses, students are held to behavioral standards established in this handbook and the Student Code of Conduct. [[Regulation FFFF](#)] Students must:

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

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

The following procedures will be adhered to when inappropriate behavior occurs on a bus serving a regular route or an activity trip:

1. The driver or district employee will attempt to correct the misbehavior of the passengers.
2. If the driver or district employee is unable to correct the misbehavior of a passenger, the driver or district employee will remove the student from the bus and will send the student to the principal's office in order to maintain discipline on the bus.
3. The principal or designee will investigate the incident and notify the driver of the action taken.
4. If the misconduct is a violation of the *Student Handbook and Code of Conduct*, the principal will send written notice of the violation to the student's parent.
5. If determined necessary by the principal, a conference involving the principal, the student passenger(s), the driver, and parent(s) will be held.
6. The principal may suspend the student's bus riding privileges or other listed behavior interventions in accordance with the *Student Handbook and Code of Conduct*.

In the case of serious misconduct that endangers the safety of other passengers or the driver, the driver has the authority to call for law enforcement assistance, and the principal and parent(s) will be notified of the situation as soon as possible. In such an instance, the student will not be provided bus service until a conference involving all persons listed above has been held in accordance with the *Student Handbook and Code of Conduct*.

## **Restrictions for Violation of School Bus Guidelines and Expectations and Regulations**

Bus drivers will report all violations to the school principal. The principal or designee will enforce the bus safety guidelines and expectations in the evaluation of the report to determine whether the violation should be considered an offense. ***The following guidelines will generally be followed; however, the guidelines do not constitute a hierarchy that must be followed for all violations.*** [\[Regulation FFFF\]](#)

**First Offense:** A principal will warn the student and send a letter of warning to the student's parents. The warning should include a reminder that the student will lose bus riding privileges for five school days on the third offense.

**Second Offense:** A principal will warn the student and send a letter of warning to the student's parents. The warning should include a reminder that the student will lose bus-riding privileges for five school days on the third offense.

**Third Offense:** The student will be removed from the bus for five school days. The school principal will attempt to notify the student's parents by phone and/or letter within twenty-four (24) hours.

**Fourth Offense:** The student will lose bus riding privileges for the remainder of the semester or ten school days, whichever is longer. The school principal will attempt to notify the student's parents by phone and/or by letter within twenty-four (24) hours.

**Fifth Offense:** The student will lose bus riding privileges for the remainder of the school year. The school principal will attempt to notify the student's parents by phone and/or by letter within twenty-four (24) hours.

**Major Offense:** Any offense considered "major" by the school principal, including but not limited to conduct that constitutes a discretionary or mandatory removal under the *Student Handbook and Code of Conduct*, will result in the immediate removal of bus privileges for whatever length of time deemed appropriate. The school principal will attempt to notify the student's parents by phone and/or by letter within twenty-four (24) hours.

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

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

cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

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

Illegally parked cars may be towed or impounded by a boot locked on a car tire at the owner's expense. A campus administrator may terminate a student's driving and/or parking privileges at any time that he/she feels this action is appropriate. Loss of driving and/or parking privileges does not allow another student driver to drive the offender's vehicle while he/she (the offender) rides as a passenger.

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

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

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

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which your child receives special education services. For more information or to request the installation and operation of this equipment, contact the principal or Executive Director of Student Support Services, who the district has designated to coordinate the implementation of and compliance with this law.

[See [EHBAF\(LOCAL\)](#).]

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

#### ***General Visitors***

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must:

- Request entry to the school at the primary entrance unless otherwise directed by a district employee.
- Report to the main office.
- Be prepared to show identification.
- Exit the school at the primary entrance and leave all exterior doors closed, latched, and locked unless actively monitored by a district employee.
- Comply with all applicable district policies and procedures.

If requested by a district employee, a visitor must provide identification such as a driver's license, other picture identification issued by a government entity, or employee or student identification issued by the district. A person who refuses to provide identification and who reasonably appears to have no legitimate reason to be on district property may be ejected from district property.

Raptor is a visitor tracking system that enhances school security. The system reads visitor's driver's licenses (or other United States government-issued photo IDs), compares information to a sex offender database, alerts campus administrators if a match is found, then (assuming no match was made) prints a visitor badge that includes a photo of the visitor. Campus administration will have final approval regarding visitor access if the visitor is without proper identification. Individuals may visit classrooms or observe virtual instruction during instructional time only with approval of the principal or teacher. Visitors may not interfere with instruction or disrupt the normal school environment. Even if the visit is approved prior to the visitor's arrival, the individual must check in at the main office first.

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

## **Visitors at Lunch**

### **Elementary School Visitors at Lunch**

Lunch visitors at the elementary level may be parents, immediate family members, and campus mentors. Immediate family members are defined as the student's parents/stepparents, siblings, grandparents, or any person residing in the home. If a parent/guardian wishes to restrict visitation of immediate family members to their child, a written request must be submitted to the campus principal or principal's designee; however, the school cannot prohibit a parent and/or guardian who has specific access to the student at lunch pursuant to a court order. Lunch visitors may not bring food or drinks to school for anyone other than their own children. Lunch visitors should leave at the end of the lunch period.

### **Secondary School Visitors at Lunch**

Due to space and safety concerns at the secondary level, lunch visitors will be restricted to parents/guardians, grandparents (with written permission), and campus mentors. Siblings may attend, if accompanied by a parent or guardian. Lunch visitors may not bring food or drinks to school for anyone other than their own children. Mentors may not use visitation at lunch with an assigned student mentee as an opportunity to create a limited open forum or limited public forum. A violation to this restriction may result in the mentor losing the privilege of visiting during lunch.

## **Unauthorized Persons**

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

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

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

[See the Student Code of Conduct.]

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

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

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

### ***College and Career Fair***

Throughout the school 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.

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

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact your child's campus or Partners in Education, for more information and to complete an application.

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

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

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

A student under age 18 may be withdrawn from school only by a parent, legal guardian, or court-appointed guardian. The student, parent, and/or guardian will then return textbooks and library books and clear any outstanding fines or records. A parent or guardian must sign the withdrawal form. A copy of the withdrawal form will be given to the parent/guardian and a copy will be placed in the student's permanent record.

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

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

## Student Handbook Glossary

**Accelerated instruction including supplemental instruction**, is an intensive educational program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment. 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**, or the American College Test, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

**ACT-Aspire** refers to an assessment that took the place of ACT-Plan and is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

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

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

**CPS** stands for Child Protective Services.

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

**DFPS** is the Texas Department of Family Protective Services.

**DPS** stands for the Texas Department of Public Safety.

**ECO** or Extended Classroom Opportunity is a three-hour detention after school. ECO is usually assigned for tardiness, as discipline consequence or a time for students to make up seat time to earn back credit.

**Emergent bilingual student** refers to a student of limited English proficiency. Other related terms include English learner, English language learner, and limited English proficient student.

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

**ESSA** is the federal Every Student Succeeds Act passed in December 2015.

**FERPA** refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for



directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

**IEP** stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services. 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** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

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

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

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

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

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

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under

the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

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

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Students must pass the STAAR EOC assessments as a condition of graduation. Students have multiple opportunities to take the tests, if necessary, for promotion or graduation.

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

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

**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.

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

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

**UNEXCUSED ABSENCE** can be defined by, but not limited to, the following:

- Being absent without parental consent or knowledge.
- Leaving campus during class or lunch period without official permission.
- Being in an unauthorized area of the school or campus without permission.
- Willfully failing or refusing to attend school.
- Being absent without written notification and by phone contact from a parent or legal guardian; and

- Family/Individual vacations/visits.

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

## **Appendix: Freedom from Bullying Policy**

Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit policy [FFI](#). Below is the text of Northwest ISD's policy [FFI\(LOCAL\)](#) as of the date that this handbook was finalized for this school year.

### **Student Welfare: Freedom from Bullying**

Policy [FFI\(LOCAL\)](#) adopted on 11-7-2017

### **FFI(LOCAL) - STUDENT WELFARE: FREEDOM FROM BULLYING**

**Note:** This policy addresses bullying of district students. For purposes of this policy, the term bullying includes cyberbullying.

- For provisions regarding discrimination and harassment involving district students, see [FFH](#). Note that FFI shall be used in conjunction with [FFH](#) for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see [FFG](#).

### **Bullying Prohibited**

The district prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of district policy and is prohibited.

Examples: Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

### **Retaliation**

The district prohibits retaliation by a student or district employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

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

### **False Claim**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a district investigation regarding bullying shall be subject to appropriate disciplinary action.

### **Timely Reporting**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the district's ability to investigate and address the prohibited conduct.

## **Reporting Procedures**

### **Student Report**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other district employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

### **Employee Report**

Any district employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

### **Report Format**

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

### **Notice of Report**

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

### **Prohibited Conduct**

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy [FFH](#), including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the district shall proceed under policy [FFH](#). If the allegations could constitute both prohibited conduct and bullying, the investigation under [FFH](#) shall include a determination on each type of conduct.

### **Investigation of Report**

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

### **Concluding the Investigation**

Absent extenuating circumstances, the investigation should be completed within ten district business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

### **Notice to Parents**

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

### **District Action**

#### **Bullying**

If the results of an investigation indicate that bullying occurred, the district shall promptly respond by taking appropriate disciplinary action in accordance with the district's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The district may notify law enforcement in certain circumstances.

#### ***Discipline***

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

#### ***Corrective Action***

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the district's policy against bullying.

#### ***Transfers***

The principal or designee shall refer to [FDB](#) for transfer provisions.

#### ***Counseling***

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

#### **Improper Conduct**

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the district may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

### **Confidentiality**

To the greatest extent possible, the district shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

### **Appeal**

A student who is dissatisfied with the outcome of the investigation may appeal through [FNG\(LOCAL\)](#), beginning at the appropriate level.

### **Records Retention**

Retention of records shall be in accordance with [CPC\(LOCAL\)](#).

### **Access to Policy and Procedures**

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the district's website, to the extent practicable, and shall be readily available at each campus and the district's administrative offices.

Northwest ISD [[FFI\(LOCAL\)](#)-A] UPDATE 109 DATE ISSUED: 11/7/2017





# **2024-2025**

# **Code of Conduct**

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## Accessibility

If you have difficulty accessing this handbook because of a disability, please contact Micah Gierkey Executive Director for Student Support Services at 215-698-0985 or [mgierkey@nisdtx.org](mailto:mgierkey@nisdtx.org).

## Purpose

The Student Code of Conduct (“Code”) is the district’s response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the *Northwest ISD* Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

**Please note:** The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) are subject to the provisions of those laws.



## **School District Authority and Jurisdiction**

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

The district has disciplinary authority over a student:

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

## **Campus Behavior Coordinators**

In accordance with the district's innovation plan, the district is exempt from the state law requiring that a single person at each campus be designated to serve as the campus behavior coordinator. Contact your child's assistant principal if you have questions about student misconduct. Contact information may be found at <https://www.nisdtx.org/>.

## **Threat Assessment and Safe and Supportive School Team**

The campus administrators will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

## **Searches**

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

## **Reporting Crimes**

The principal 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 school resource officers (SROs), and security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the campus administrator 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 school resource officers include, but are not limited to, conducting investigations of criminal violations occurring on district property or at district-sponsored or school-related activities; patrolling district facilities and campuses for the purpose of controlling narcotic/alcohol sale and use and other crimes; establishing good rapport with students to establish role models for good community/criminal justice system relationships; providing security on the various district campuses for prevention of theft, trespassing, and intrusion; in coordination with the district, acting as a liaison with public safety authorities on agreed-upon matters affecting school security; consulting with district and campus administration on methods of increasing security in and around the premises of each school; and preserving the peace within the Officer's jurisdiction by all lawful and appropriate means, consistent with the memorandums of understanding with cooperating law enforcement agencies. The duties of district security personnel include, but are not limited to, patrolling district facilities and campuses for the purpose of increased safety and security of students, staff, and guests; communicating safety procedures and expectations of conduct at school and school events to students, staff, participants, and guests; and assisting to preserve the peace, consistent with the contracts with entities providing such services.

## **"Parent" Defined**

Throughout the Code of Conduct and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

## **Participating in Graduation Activities**

The district has the right to limit a student's participation in graduation activities for violating the district's Code of Conduct.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

## **Unauthorized Persons**

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

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

In accordance with exemptions reflected in the district's innovation plan, a district official shall have authority to refuse entry or eject a person from property under the district's control without a warning or written notice. GKC(LOCAL).

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** for information regarding a student assigned to DAEP at the time of graduation.

## **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and disciplin

## General Conduct Violations

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

### Level System

Disciplinary offenses in the *Student Handbook and Code of Conduct* are categorized into five levels that identify sample offenses and possible disciplinary options available to the teacher or administrator. In general, discipline shall be progressively administered so that each level has an increasing degree of intervention designed to promote student self-discipline unless Board policy, state law, or the *Student Code of Conduct* specifies otherwise. Depending on the circumstances and severity of the offense, progressive discipline may not be administered. The teacher or administrator responsible for the discipline of a student in a given situation may use discretion in determining the action(s) most appropriate to the setting and the infraction, except in regard to mandatory placements specified in state law (Level IV and V offenses). Campus administrators have the authority to discipline students for violations of the *Student Handbook and Code of Conduct* that occur on campus, on a school bus, or at school-related or school-sponsored activities, as well as certain off-campus offenses as specified by law.

### Levels I, II, III, IV, and V

The discipline chart below depicts examples of offenses and disciplinary options applicable at each campus level for Levels I, II, and III. Level IV offenses are assessed DAEP placements, and Level V offenses are assessed JJAEP placements. There is no appeal process for disciplinary consequences assigned at Levels I, II, and III and at Level IV if the placement in the DAEP does not extend beyond 60 school days or the end of the next semester, whichever is earlier. Level IV placements in the DAEP that extend beyond 60 school days or the end of the next semester, whichever is earlier. Level V expulsions are the only disciplinary consequences that entitle students to an appeal hearing. Parental questions or complaints regarding ancillary issues related to disciplinary measures taken in these cases should be addressed to the teacher or campus administration as appropriate and in accordance with *Board Policy FNG (LOCAL)*. Refer to the disciplinary charts for the offenses and consequences.

# Northwest Independent School District Student Handbook and Code of Conduct

## Guide to the 2024-2025 Discipline Level System

*This chart depicts examples of offenses at each of the disciplinary levels and the possible consequences available to administrators. The consequences outlined in this chart are not an exhaustive list and do not require administrators to implement consequences in a particular hierarchy. For more specific detail, refer to Disciplinary Chart by Level and Grade in the Code of Conduct portion of the handbook*

<b>Level 1</b>	<ul style="list-style-type: none"> <li>• Being tardy to class</li> <li>• Running or making excessive noise, obstructing, or otherwise disrupting in the hall, classroom, or building/supervised settings</li> <li>• Failing to follow classroom guidelines and expectations</li> <li>• Neglecting to bring required materials or assigned work to class</li> <li>• Failing to participate in classroom activities or fulfill assignments</li> <li>• Eating, drinking, or chewing gum in an undesignated area</li> <li>• Throwing objects or passing unauthorized notes</li> <li>• Talking back/arguing or name calling</li> </ul>	<ul style="list-style-type: none"> <li>• Horseplay/scuffling (not fighting)</li> <li>• Possessing and/or using nuisance items</li> <li>• Disrupting the orderly classroom process</li> <li>• Violating dress code and grooming standards (Elementary)</li> <li>• Telling a falsehood (Elementary)</li> <li>• Spitting (without bodily contact) (Secondary)</li> <li>• Academic dishonesty/copying from any source (Elementary)</li> </ul>
<b>Level 2</b>	<ul style="list-style-type: none"> <li>• Committing persistent offenses from Level 1 (minor acts of misconduct, including repeated bus infractions)</li> <li>• Using food inappropriately</li> <li>• Using inappropriate language/actions/gestures/pictures/ symbols/sounds (verbal or written)</li> <li>• Failing to comply with the directives of a member of the school staff; being disrespectful or insubordinate</li> <li>• Being truant, including skipping class/mandatory tutorials and/or leaving school/class without permission</li> <li>• Being tardy excessively</li> <li>• Physically contacting another student creating a disruptive environment</li> <li>• Violating dress code (Secondary)</li> <li>• Creating or participating in a disturbance</li> <li>• Failing to serve detention (All) / Saturday Detention (Secondary)</li> <li>• Abusing the use of a hall pass (Secondary)</li> <li>• Possessing lighters or matches</li> <li>• Academic dishonesty/copying from any source (Secondary)</li> <li>• Possessing a laser pointer for other than approved use</li> <li>• Possessing a current prescription (student's own medication) or possessing, distributing, using, or being under the influence of a nonprescription drug, natural and/or homeopathic-like substances, or herbal/dietary/nutritional aids or supplements not FDA approved (Elementary Only)</li> <li>• Displaying or using a cell phone/other electronic device during instructional time (visual or auditory) without expressed permission</li> </ul>	<ul style="list-style-type: none"> <li>• Possessing a look-alike weapon (Elementary Only)</li> <li>• Violating the responsible use policy for technology</li> <li>• Telling a falsehood to an adult (not associated with an investigation-High School)</li> <li>• Defacing or damaging library or classroom materials or textbooks, including removal of bar codes; defacing/damaging another's property</li> <li>• Using a skateboard, scooter, roller blades, shoes with wheels, or other similar devices on school property</li> <li>• Possessing or using a camera, radio, CD player, MP3 player, hand-held electronic game, or other unauthorized electronic device without expressed permission</li> <li>• Recording on campus, audio or video, is prohibited unless permission has been expressly granted by a staff member</li> <li>• Being present in area without authorization</li> <li>• Creating an unsafe environment by opening or propping open doors and allowing access into the building or facility individuals who are not following district guidelines for entering NISD properties.</li> <li>• Engaging in an inappropriate act of familiarity with another and/or public display of affection</li> <li>• Loitering on school campus before or after school</li> <li>• Selling or soliciting for sale unauthorized merchandise</li> <li>• Posting or distributing unauthorized publications</li> <li>• Violating parking guidelines /procedures (High School Only)</li> <li>• Being in an area for reasons not designed for the locations appropriate use (restrooms, locker rooms...) (Elementary)</li> <li>• Being in a restroom or stall with another person when the restroom or stall is designed for an individual.</li> </ul>
<b>Level 3</b>	<ul style="list-style-type: none"> <li>• Engaging in conduct that disrupts the school environment or educational process</li> <li>• Using profane, vulgar, or obscene language, pictures, gestures, symbols, and sounds (written or verbal)</li> <li>• Intentionally or knowingly making libelous or slanderous remarks about students, employees, or others</li> <li>• Using ethnic, racial, or gender-related slurs or committing inappropriate acts toward a specific racial/ethnic person/group</li> <li>• Mutual combat/fighting; encouraging or promoting a fight</li> <li>• Using lighters or matches</li> <li>• Possessing, selling, giving, or delivering to another person tobacco, e-cigarette, vape pen, e-vaporizer, dab pen, JUUL, liquid cartridges or any other device used to inhale an aerosol.</li> <li>• Possessing or using tobacco/restricted smoking materials</li> <li>• Using a laser pointer other than for approved use (Secondary)</li> <li>• Possessing, distributing, or using fireworks of any kind, stink bombs, smoke bombs, "poppers," other noxious chemicals (including pepper-spray or mace-type materials), or "shock" pens and other similar devices</li> <li>• Possessing ammunition, including paintballs</li> <li>• Possessing, distributing, or creating pornographic or sexually-oriented material and/or accessing pornography</li> <li>• Possessing, distributing, or concealing a prohibited weapon not included as a removable or expellable offense (See chart for examples)</li> <li>• Stealing or unauthorized possession of another person's property; theft; committing burglary</li> <li>• Using threatening language, actions, pictures, gestures, symbols, and sounds, including hit lists (written or verbal)</li> <li>• Trespassing and/or facilitating or being party to allowing trespass</li> <li>• of another student(s) or person(s) into a campus or facility.</li> <li>• Possessing (Secondary), exhibiting, delivering, using, or selling look-alike weapons</li> <li>• Forging or altering school records, parent notes, forms, or other school/home communications / falsifying a report</li> </ul>	<ul style="list-style-type: none"> <li>• Assaulting another student or an adult that is not a removable or expellable offense</li> <li>• Vandalizing, defacing, or damaging school property, including non-felony graffiti; inappropriate use of property causing damage or injury</li> <li>• Failing to disclose information, hiding/covering up information/evidence for self or others, committing perjury, or lying as a witness during a school investigation</li> <li>• Engaging in behavior that is illegal that does not constitute an expellable offense</li> <li>• Engaging in inappropriate sexual conduct</li> <li>• Engaging in sex-based harassment (verbal, written, or by gesture), including stalking</li> <li>• Public lewdness / Indecent exposure</li> <li>• Hazing, harassing, stalking (non sexual), or bullying</li> <li>• Creating a potential health or safety hazard or a situation that may result in possible injury</li> <li>• Being in an area for reasons not designed for the locations appropriate use (Secondary)(Hacking (illegal or unauthorized entry or attempted entry into computer files)</li> <li>• Interfering with school activities, including trespassing, boycotting, and group demonstrations</li> <li>• Committing extortion, coercion, or blackmail</li> <li>• Gambling</li> <li>• Possessing a current prescription (student's own medication) or possessing, distributing, using, or being under the influence of a nonprescription drug, natural and/or homeopathic-like substances, or herbal/dietary/nutritional aids or supplements not FDA (Secondary)</li> <li>• Participating in an unauthorized organization, secret society, or gang / gang related activity (Elementary and Middle School)</li> <li>• Selling, giving, or delivering to another person a non-prescription drug or possessing, transmitting, selling, or attempting to sell what is represented to be a prohibited substance (Elementary Only)</li> <li>• Attempting to sell/purchase a prohibited substance without being in possession (Elementary Only)</li> </ul>

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Consequences for Levels I, II, III		
<ul style="list-style-type: none"> <li>Verbal / Written correction</li> <li>Cooling off time or "time out"</li> <li>Parent call or conference</li> <li>Loss of privilege(s)</li> <li>Counselor/Student conference</li> <li>Confiscation of item (possible fine assessed)</li> <li>Change of seat assignment</li> <li>Temporary removal from class</li> <li>Special assignment or duties (with parent approval)</li> </ul>	<ul style="list-style-type: none"> <li>Detention (before, during lunch, after school)</li> <li>Restitution of damages/restoring to order</li> <li>Exclusion from extracurricular activities</li> <li>Withdrawal or restriction of bus privileges</li> <li>Required Parent Meeting</li> </ul>	<ul style="list-style-type: none"> <li>In-School Suspension (ISS)</li> <li>Out-of-School Suspension (OSS) (not to exceed 3 days at a time)</li> <li>Saturday Detention (Secondary)</li> <li>Extended Classroom Opportunities (ECO-High School)</li> <li>DAEP placement (discretionary)</li> </ul>
Removals to DAEP		
<b>Mandatory Placements</b> <ul style="list-style-type: none"> <li>False alarm or report involving a public school or terroristic threat</li> <li>Conduct punishable as a felony</li> <li>Assault with bodily injury</li> <li>Marijuana or controlled substances (non-felony)</li> <li>Dangerous drugs (non-felony)</li> <li>Alcohol (non-felony)</li> <li>E-cigarettes (pending updated DOI plan)</li> <li>Abusable volatile chemicals</li> <li>Public lewdness / Indecent exposure</li> <li>Retaliation against any school employee (regardless of location)</li> <li>Gang Activity / Fraternity / Sorority / Secret Society</li> <li>Title 5 felonies (off-campus)</li> </ul>	<b>Discretionary Placements</b> <ul style="list-style-type: none"> <li>Persistent misbehavior at Level III</li> <li>Expellable offenses occurring on another district's property in Texas</li> <li>Aggravated robbery against a student (regardless of location)</li> <li>Engaged in conduct described in TEC 37.007(a)</li> <li>Selling, giving, being under influence, or delivering to another person a non-prescription drug or possessing, transmitting, selling, or attempting to sell what is represented to be a prohibited substance or drug paraphernalia</li> <li>In possession of any device designed to propel a projectile (See chart for detail)</li> <li>Attempting to sell/purchase a prohibited substance without being in possession</li> <li>Non-Title 5 felonies (off-campus)</li> <li>Continued presence threatens safety of others or detrimental to educational process</li> </ul>	<b>Discretionary Placements</b>
Expulsions to JJAEP		
<b>Mandatory Placements</b> <ul style="list-style-type: none"> <li>Firearm</li> <li>Location restricted knife</li> <li>Club</li> <li>Prohibited weapon</li> <li>Aggravated assault, sexual assault, or aggravated sexual assault</li> <li>Arson</li> <li>Murder, capital murder, or criminal attempted murder or capital murder</li> <li>Indecency with a child</li> <li>Aggravated kidnapping</li> <li>Aggravated robbery</li> <li>Manslaughter</li> <li>Criminally negligent homicide</li> <li>Continuous sexual abuse of young child/children</li> <li>Marijuana or controlled substances (felony)</li> <li>Dangerous drugs (felony)</li> <li>Alcohol (felony)</li> <li>Retaliation against an employee or volunteer (regardless of location involving above items)</li> </ul>	<b>Discretionary Placements</b> <ul style="list-style-type: none"> <li>Assault against an employee or a volunteer (on campus or within 300')</li> <li>Deadly conduct (on campus or within 300')</li> <li>Retaliation against an employee or volunteer (regardless of location)</li> <li>Criminal mischief (felony)</li> <li>Aggravated robbery against a student (off-campus)</li> <li>Expellable offenses occurring on another district's property in Texas</li> <li>Title 5 felonies (off-campus)</li> </ul>	<p><b><i>School officials shall notify local law enforcement authorities any time it is suspected that a criminal act occurred on school or district property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.</i></b></p>

## Level IV – All Grade Levels

Level IV offenses are primarily acts of misconduct for which mandatory removal to a Disciplinary Alternative Education Program (DAEP) is required by law. *Texas Education Code 37.006*. Before ordering removal of a student to DAEP, administrators will consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the campus administrator concerns a mandatory or discretionary action. Secondary students who commit one of the mandatory removable offenses listed below will be assigned to the District's DAEP.

A student **shall be removed** from class and placed in a DAEP if the student:

1. Engages in conduct involving a public school that contains the elements of the offense of false alarm or report under *Section 42.06, Penal Code*, or terroristic threat under *Section 22.07 Penal Code*; or
2. Commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school sponsored or school-related activity on or off school property:
  - a. Engages in conduct punishable as a felony (if not specified as a mandatory expellable offense at Level V);
  - b. Engages in conduct that contains the elements of the offense of assault under *Texas Penal Code Section 22.01(a)(1)*;

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- c. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
    1. Marijuana or a controlled substance, as defined by *Chapter 481, Health and Safety Code*, or by *21 USC Section 801 et seq.*; or
    2. A dangerous drug, as defined by *Chapter 483, Health and Safety Code*;
  - d. Sells, gives, or delivers to another person an alcoholic beverage, as defined by *Section 1.04, Alcoholic Beverage Code*, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage;
  - e. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under *Health and Safety Code Sections 485.031 through 485.033*; or
  - f. Engages in conduct that contains the elements of the offense of public lewdness under *Section 21.07, Penal Code* or indecent exposure under *Section 21.08, Penal Code*.
3. Is involved in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang. *FNCC (LEGAL)*
  4. Is involved in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society. *FNCC (LEGAL)*

**In lieu of placement in a DAEP, the District may expel a student for conduct listed in items 1, 2(c), 2(d), or 2(e) above.**

Except as provided by *Texas Education Code 37.007(d)*, (expellable offenses related to retaliation), a student **shall be removed** from class and placed in a DAEP if the student engages in conduct on or off school property that contains the elements of the offense of retaliation under *Section 36.06, Penal Code*, against any school employee.

A student **shall be removed** from class and may be expelled and placed in an alternative setting, either JJAEP or DAEP, based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity under *Texas Education Code 37.0081* if:

1. The student received deferred prosecution under *Section 53.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
2. A court or jury finds that the student has engaged in delinquent conduct under *Section 54.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
3. The student is charged with engaging in conduct defined as a felony offense in *Title 5, Penal Code*;
4. The student has been referred to a juvenile court for allegedly engaging in delinquent conduct under *Section 54.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
5. The student has received probation or deferred adjudication for a felony offense under *Title 5, Penal Code*;
6. The student has been convicted of a felony offense under *Title 5, Penal Code*; or
7. The student has been arrested for or charged with a felony offense under *Title 5, Penal Code*; and the Board or the Board's designee determines that the student's presence in the regular classroom: a) threatens the safety of other students or teachers; b) will be detrimental to the educational process; and c) is not in the best interests of the District's students.

Northwest Independent School District administrators **may recommend** a discretionary placement of a student in the DAEP (in lieu of expulsion) who has committed the following violations of the Code of Conduct:

1. Student found to have engaged in the offense of aggravated robbery under *Section 29.03, Penal Code*, against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off of school property.
2. Student found to have engaged in conduct described in *Texas Education Code 37.007(a)* if the student engages in that conduct on the school property of another district in this state or while attending a school-sponsored or school-related activity of a school in another district in this state.
3. Student who sells, gives, is under the influence of, or delivers to another person a non-prescription drug or possesses, transmits, sells, or attempts to sell what is represented to be a prohibited substance or equipment, products, or materials used as drug paraphernalia.
4. Is in possession of any device, not included as a removable or expellable offense by statute, which is designed to propel a projectile either by a spring-type mechanism, air, or gas. This includes, but is not limited to, items such as BB-guns, pellet guns, paintball guns, slingshots, etc.
5. Student who attempts to sell/purchase (whether or not successful) or is involved in the delivery or exchange of a prohibited substance without being in possession.

Secondary students who engage in serious or persistent misbehavior at the home campus may be recommended for a discretionary placement at the DAEP.

In addition, a student **may be removed** from class and placed in a Disciplinary Alternative Education Program (DAEP) based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in *Title 5, Penal Code*; and
2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.



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Students in grades Pre-K through second grade may not be removed from class and placed out-of-school suspension except in limited circumstances allowed by Texas Education Code 37.005(c). A student who is enrolled in a grade level below grade 3 may 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 of school property, the student engages in: (1) conduct that contains the elements of an offense related to weapons under Penal Code 46.02 or 46.05; (2) conduct that contains the elements of a violent offense related under Penal Code 22.01, 22.011, 22.02, 22.021; or (3) selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana or a controlled substance, as defined by Health and Safety Code Chapter 481, or by 21 U.S.C. Section 801 et seq.; a dangerous drug, as defined by Health and Safety Code Chapter 483; or an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04.

Elementary students placed in a DAEP may be placed at an alternate location. Elementary students may not be placed in a DAEP with students not in elementary school.

A student who has been identified as a **registered sex offender** is required to be disciplined under Level IV as specified in state law.

1. Notwithstanding any provision of *Subchapter A, Chapter 62, Code of Criminal Procedure*, on receiving notice under *Article 15.27, Code of Criminal Procedure*, or *Chapter 62, Code of Criminal Procedure*, that a student is required to register as a sex offender under that chapter, the District shall remove a student, as identified above, from the regular classroom and determine the appropriate placement of the student in the manner outlined below.
  - a. The district shall place a student, as identified in paragraph #1 above, who is under any form of court supervision, including probation, community supervision, or parole, in the appropriate alternative education program as provided by *Section 37.309* for at least one semester.
  - b. The district may place a student, as identified in paragraph #1 above, who is not under any form of court supervision in the appropriate alternative education program as provided by *Section 37.309* for one semester or in the regular classroom. The district may not place the student in the regular classroom if the District Board of Trustees determines that the student's presence in the regular classroom:
    - (1) threatens the safety of other students or teachers;
    - (2) will be detrimental to the educational process; or
    - (3) is not in the best interests of the district's students.
  - c. At the end of the first semester of a student's placement in an alternative education program under paragraphs (a) and (b) above, the District Board of Trustees shall convene a committee to review the student's placement in the alternative education program. The committee must be composed of:
    - (1) a classroom teacher from the campus to which the student would be assigned were the student not placed in an alternative education program;
    - (2) the student's parole or probation officer or, in the case of a student who does not have a parole or probation officer, a representative of the local juvenile probation department;
    - (3) an instructor from the alternative education program to which the student is assigned;
    - (4) a school district designee selected by the Board of Trustees; and
    - (5) a counselor employed by the district.
  - d. The committee by majority vote shall determine and recommend to the school Board of Trustees whether the student should be returned to the regular classroom or remain in the alternative education program.
  - e. If the committee recommends that the student be returned to the regular classroom, the Board of Trustees shall return the student to the regular classroom unless the Board determines that the student's presence in the regular classroom:
    - (1) threatens the safety of other students or teachers;
    - (2) will be detrimental to the educational process; or
    - (3) is not in the best interests of the district's students.
  - f. If the committee recommends that the student remain in the alternative education program, the Board of Trustees shall continue the student's placement in the alternative education program unless the Board determines that the student's presence in the regular classroom:
    - (1) does not threaten the safety of other students or teachers;
    - (2) will not be detrimental to the educational process; and
    - (3) is not contrary to the best interests of the district's students.
  - g. If, after receiving a recommendation under paragraph (f) above, the District Board of Trustees determines that the student should remain in an alternative education program, the Board shall, before the beginning of each school year, convene the committee described by paragraph (c) above, to review, in the manner provided paragraphs (c) through (f), the student's placement in an alternative education program.
  - h. The placement under these provisions of a student with a disability who receives special education services must be made in compliance with the *Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)*. The review outlined above of the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. The ARD committee may request that the Board of Trustees convene a committee as described above to assist the ARD committee in conducting the review.
2. The district shall place a student who is required by the Board of Trustees to attend an alternative education program under these provisions in a disciplinary alternative education program, subject to the following exception. The district shall place a student who is required by the Board of Trustees to attend an alternative education program under this subchapter in a juvenile justice alternative education program if:
  - a. the memorandum of understanding entered into between the district and juvenile board under Texas Education Code Section 37.011(k) provides for the placement of students to whom this subchapter applies in the juvenile

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- justice alternative education program; or
  - b. a court orders the placement of the student in a juvenile justice alternative education program.
3. If a student transfers from another school district during the student's mandatory placement in an alternative education program, the district may:
  - a. require the student to complete an additional semester in the appropriate alternative education program without conducting a review of the student's placement for that semester as outlined in paragraphs (c) through (f) above; or
  - b. count any time spent by the student in an alternative education program in the district from which the student transfers toward the mandatory placement requirement.
4. If a student, as identified in paragraph #1 transfers from another school district at a time when he/she is not subject to the mandatory placement, the district shall determine whether to place the student in the appropriate alternative education program or in a regular classroom. The district shall follow the procedures specified under paragraphs (c) through (f) above in making the determination.
5. A student or the student's parent or guardian may appeal a decision by the District Board of Trustees to place the student in an alternative education program under these provisions by requesting a conference among the Board of Trustees, the student's parent or guardian, and the student. The conference is limited to the factual question of whether the student is required to register as a sex offender under *Chapter 62, Code of Criminal Procedure*. If the District Board of Trustees determines at the conclusion of the conference that the student is required to register as a sex offender under *Chapter 62, Code of Criminal Procedure*, the student is subject to placement in an alternative education program in the manner provided by these provisions. A decision by the Board of Trustees under this section is final and may not be appealed. (See "Disciplinary Alternative Education Program" for more information.)

### Level V – All Grade Levels

Level V offenses are primarily acts of misconduct for which mandatory expulsion is required by law. *Texas Education Code 37.007*. Before ordering the expulsion of a student, the board or the board's designee must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the board concerns a mandatory or discretionary action.

Secondary students who commit one of the following mandatory expellable offenses will be assigned to a Juvenile Justice Alternative Education Program (JJAEP).

A student **shall be expelled** from school if the student, on school property or while attending a school-sponsored or school-related event on or off school property:

1. Uses, exhibits, or possesses:
  - a. A firearm as defined by *46.01(3), Penal Code*;
  - b. A location restricted knife as defined by *46.01(6), Penal Code*;
  - c. A club as defined by *46.01 (1), Penal Code*; or
  - d. A weapon listed as a prohibited weapon under *46.05, Penal Code*.
2. Engages in conduct that contains the elements of the offense of:
  - a. Aggravated assault under *22.02, Penal Code*, sexual assault under *22.011, Penal Code*, or aggravated sexual assault under *22.021, Penal Code*;
  - b. Arson under *28.02, Penal Code*;
  - c. Murder under *19.02, Penal Code*, capital murder under *19.03, Penal Code*, or criminal attempt to commit murder or capital murder under *15.01, Penal Code*;
  - d. Indecency with a child under *21.11, Penal Code*;
  - e. Aggravated kidnapping under *20.04, Penal Code*;
  - f. Aggravated robbery under *29.03, Penal Code*;
  - g. Manslaughter under *19.04, Penal Code*;
  - h. Criminally negligent homicide under *19.05, Penal Code*; or
  - i. Continuous sexual abuse of a young child or children under *21.02, Penal Code*.
3. Engages in the following conduct, if the conduct is punishable as a felony:
  - a. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
    - (1) Marijuana or a controlled substance, as defined by *Chapter 481, Health and Safety Code*, or by *21 USC Section 801 et seq.*;
    - or
    - (2) A dangerous drug, as defined by *Chapter 483, Health and Safety Code*; or
  - b. Sells, gives, or delivers to another person an alcoholic beverage, as defined by *Section 1.04, Alcoholic Beverage Code*; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of an alcoholic beverage.

A student **shall be expelled** if the student engages in conduct that contains the elements of any offense listed in items #1, #2, or #3 above against any employee or volunteer in retaliation for or as a result of the person's employment or association with

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the district without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property.

A student **shall also be expelled** if the student brings a firearm, as defined by federal law to any District school. The student must be expelled from the student's regular campus for a period of **at least one year**. The following modifications may apply:

1. The Superintendent or other chief administrative officer of the district **may modify** the length of the expulsion or assess another comparable penalty that results in the student's exclusion from the regular school program, on a case-by-case basis;
2. The district **shall provide** educational services to an expelled student in a DAEP if the student is younger than ten (10) years of age on the date of expulsion; and
3. The district **may provide** educational services to an expelled student who is ten (10) years of age

or older in a DAEP. Exceptions to the one-year expulsion are found in *Board Policy FNCG (LEGAL) and FOD (LEGAL)*.

A student **may be expelled** if - while on school property, while 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 event on or off school property - the student engages in conduct that contains the elements of an offense of:

1. Assault under *Section 22.01(a)(1), Penal Code*, against a district employee or a volunteer as defined by *Section 22.053, Texas Education Code*; or
2. Deadly conduct under *Section 22.05, Penal Code*.

A student **may also be expelled** if the student engages in conduct that contains the elements of an offense of an assault against any employee or volunteer in retaliation for or as a result of the person's employment or association with a district, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property.

A student **may be expelled** if the student, **while placed** in a Disciplinary Alternative Education Program (DAEP) for disciplinary reasons, engages in serious misbehavior that violates the District's *Student Handbook and Code of Conduct*.

A student who engages in conduct that contains the elements of the offense of criminal mischief under *Section 28.03, Penal Code*, **may be expelled** if the conduct is punishable as a felony. The student shall be referred to the authorized officer of the juvenile court regardless of whether the student is expelled. A student **may be expelled** for engaging in the offense of aggravated robbery under *Section 29.03, Penal Code* against another student without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.

A student **may be expelled** for engaging in conduct described in *Texas Education Code 37.007(a)* if the student engages in that conduct on the school property of another district in this state or while attending a school-sponsored or school-related activity of a school in another district in this state.

A student **shall be removed** from class and may be expelled and placed in an alternative setting, either JJAEP or DAEP, based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity under *Texas Education Code 37.0081* if:

1. The student received deferred prosecution under *Section 53.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
2. A court or jury finds that the student has engaged in delinquent conduct under *Section 54.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
3. The student is charged with engaging in conduct defined as a felony offense in *Title 5, Penal Code*;
4. The student has been referred to a juvenile court for allegedly engaging in delinquent conduct under *Section 54.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
5. The student has received probation or deferred adjudication for a felony offense under *Title 5, Penal Code*;
6. The student has been convicted of a felony offense under *Title 5, Penal Code*; or
7. The student has been arrested for or charged with a felony offense under *Title 5, Penal Code* and the Board or the Board's designee determines that the student's presence in the regular classroom: a) threatens the safety of other students or teachers, b) will be detrimental to the educational process, and c) is not in the best interests of the district's students.

A student between 6 and 10 years of age **may not be expelled**, but **must be placed** in a DAEP for an expellable offense. A student between 6 and 10 years of age, who brings a firearm to school, and thereby violates the federal firearms provision, **shall not be expelled but placed in DAEP**. *Texas Education Code 37.007(e) and (h)*. A student younger than 6 years of age **may not be placed** in a DAEP except for firearm violations. *Texas Education Code 37.006(l) and 37.007(h)*. Elementary students placed in a DAEP will be accommodated on their home campuses, to the extent available and appropriate. An elementary student may be placed in a DAEP at another location. Elementary students may not be placed in a DAEP with students not in elementary school.

(See "Expulsion" for more information.)

## Mistreatment of Others

Students shall not:

- Use of profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses**)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student’s consent.
- Engage in conduct that constitutes sex-based or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

## Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP—Placement and/or Expulsion for Certain Offenses**)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses**)
- 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;
- Knuckles;
- \*A location-restricted knife;
- \*A club;
- \*A firearm;
- A firearm silencer or suppressor
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer for other than an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

\*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses**. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

## Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.

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

Students shall not:

- Possess, 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, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

### **Misuse of Technology Resources and the Internet**

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the 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 verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

### **Miscellaneous Offenses**

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- 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 Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

### **Discipline Management Techniques**

Discipline shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

### **Students with Disabilities**

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the district 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 ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

## Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- Out-of-school suspension, as specified in **Out-of-School Suspension**.
- Placement in a DAEP, as specified in **DAEP**.
- Placement and/or expulsion in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses**.
- Expulsion, as specified in **Expulsion**.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

## Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:



- Using techniques designed or likely to cause physical pain.
- 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 engages the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities including prone or supine floor restraint.
- Impairing the student's breathing including applying pressure to the student's torso or neck or placing something in, on or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized
- Education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

## **Notification**

The appropriate administrator 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 appropriate administrator 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.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

## **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administration as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the assistant principal's office, or the central administration office or through Policy Online at the following address: (<https://www.nisdtx.org/>).

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sex-based 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).

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office or the assistant principal's office to maintain effective discipline on the bus. The principal or assistant principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the assistant principal may restrict or revoke a student's transportation privileges, in accordance with law.

## **Removal from the Regular Educational Setting**

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

### **Routine Referral**

A routine referral occurs when a teacher sends a student to the appropriate administrator's office as a discipline management technique. The campus administrator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

### **Formal Removal**

A teacher may also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or

2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the 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 appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out of school suspension
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

### **Returning a Student to the Classroom**

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

## **Out-of-School Suspension**

### **Misconduct**

Students may be suspended for any behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;

- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

### **Process**

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended, a student shall have an informal conference with the appropriate administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

The appropriate administrator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus administrator 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.

A student who is assigned an Out-of-School Suspension (OSS) is prohibited from being on any school campus or property and from attending or participating in school-sponsored or school-related activities on or off school property, including practice, until the day following the last day of the Out of School Suspension (OSS) assignment.

Additional penalties may be imposed by sponsors of extracurricular groups/organizations in accordance with established guidelines.

### **Continuation of Placement**

If a student who is assigned an Out-of-School Suspension (OSS) withdraws and enrolls in another school district before the expiration of the period of suspension, the district is required to

forward a copy of the suspension notice along with other student records. The district in which the student enrolls may continue the Out-of-School Suspension (OSS) or may allow the student to attend regular classes without completing the period of suspension. If a secondary student withdraws from the district after being assigned a suspension and returns within the same school year, the student will be required to serve the remainder of his/her Out-of-School Suspension (OSS) if the suspension was not completed in another district.

## **Transfers**

Northwest Independent School District will require a student enrolling in the district to complete an Out-of-School Suspension (OSS) ordered by the previous school district upon receipt of the written notice.

## **Coursework During Suspension**

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that does not require the use of the internet.

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

## **Disciplinary Alternative Education Program (DAEP) Placement**

The *Texas Education Code* requires districts to assign students to a Disciplinary Alternative Education Program (DAEP) for certain offenses. Northwest Independent School District shall provide a DAEP that:

1. Is provided in a setting other than a student's regular classroom;
2. is located on or off a regular school campus;
3. Provides for the students who are assigned to the DAEP to be separated from students who are not assigned to the program;
4. focuses on English/language arts, mathematics, science, history, and self-discipline;
5. Provides for students' educational and behavioral needs;
6. Provides supervision and counseling;
7. Employs only teachers who meet all certification requirements established under *Subchapter B, Chapter 21*; and
8. Provides not less than the minimum amount of instructional time per day required by *Section 25.082(a)* of the *Texas Education Code*.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 (students must be at least 6 years of age) and secondary classification shall be grades 6–12. The Special Programs Center serves as the district's DAEP site for secondary students.

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 campus administrator shall take into consideration:

Self-defense (see **glossary**),

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

### **Discretionary Placement: Misconduct That May Result in DAEP Placement**

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code of Conduct. Secondary students who engage in serious or persistent misbehavior at the home campus **may be recommended** for a **discretionary** placement in DAEP. In addition, a student **may be removed** from class and placed in a DAEP based on

**conduct occurring off campus and while the student is not in attendance at a school-sponsored or school event.**

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

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

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
  - 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. 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, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** )
  - 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. (See **glossary**.)
  - 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 or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion**) Except as provided

by *Texas Education Code 37.007(d)*, (expellable offenses related to retaliation), a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property that contains the elements of the offense of retaliation under *Section 36.06, Penal Code* against any school employee.

- Northwest Independent School District administrators **will recommend** placing a student in the DAEP (in lieu of expulsion) who is found to have engaged in the offense of aggravated robbery under *Section 29.03, Penal Code*, against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property.
- A student shall be removed from class and may be expelled and placed in alternative setting, either JJAEP or DAEP, based on conduct occurring off campus and while the student is no in attendance at a school-sponsored or school-related activity if:
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see **glossary**),
  2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
  3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

The following events may support a superintendent or designee's reasonable belief that the student engaged in such conduct:

- The student has been referred to a juvenile court for allegedly engaging in delinquent conduct under *Section 54.03, Family Code*, for conduct defined as a felony offense in *Title 5, Penal Code*;
- The student has received probation or deferred adjudication for a felony offense under *Title 5, Penal Code*;
- The student has been convicted of a felony offense under *Title 5, Penal Code*; or
- The student has been arrested for or charged with a felony under *Title 5, Penal Code*; and the Board or the Board's designee determines that the student's presence in the regular classroom: a) threatens the safety of other students or teachers, b) will be detrimental to the educational process, and c) is not in the best interest of the district's students.

## **Sexual Assault and Campus Assignments**

If a student has been convicted of continuous sexual abuse of a young child or 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 if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.



## **Process**

Removals to a DAEP shall be made by a campus administrator.

## **Conference**

When a student is removed from class for a DAEP offense, the appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.

At the conference, the appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal. The student may not be returned to class pending the conference.

Students assigned to the off-campus DAEP will be suspended for three (3) school days prior to reporting to the DAEP to allow time for the conference and for transportation to be arranged. A student placed in a DAEP shall not be provided transportation unless he or she is a student who is already receiving transportation in accordance with Special Education or McKinney-Vento needs. Parents, who wish to do so, may transport their student to a DAEP on the first day of removal. *Texas Education Code 37.009*

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 administrator 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, or
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

## **Placement Order**

After the conference, if the student is placed in the DAEP, the appropriate administrator shall write a placement order. A copy of the DAEP placement order and information for the parent or 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 campus administration 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 of space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time campus administration is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an ecigarette, 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**

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal, and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

Academically, the mission of DAEP shall be to enable students to perform at grade level. However, Northwest Independent School District is not required to provide a course necessary to fulfill a student's high school graduation requirement other than the core areas while placed in the DAEP setting. Students may be withdrawn from a course for a remainder of the semester if the course is not offered at the DAEP. Advanced courses, such as but not limited to, Pre-AP, AP, dual credit, and CTE courses, are not offered at the DAEP. The district is required to offer a student placed in DAEP an opportunity to complete coursework necessary to stay on track for graduation before the beginning of the next school year. The district will not charge the student for any method of completion provided by the district. *Board Policy FOCA (LEGAL)*.

### **Length of Placement**

The appropriate administrator shall determine the duration of a student's placement in a DAEP.

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

Elementary students persistently misbehaving or committing mandatory removable offenses will be placed in accordance with law and in consideration of the age and maturity of the student.

While placements in the DAEP are for a specified period of time, students must also successfully complete the DAEP's behavior expectation levels before they are eligible to return to their home campus. Likewise, students who successfully complete their behavior expectation levels and meet other criteria based on exemplary behavior may be recommended for early release. (The behavior expectation levels, and the early-release option will both be explained to the student/parent during the intake conference.)

Students who continue to violate the Code of Conduct while at DAEP or who commit an offense with requires mandatory removal to a DAEP while already assigned to the DAEP will have their assignment extended.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

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

### ***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.

Students assigned to a DAEP in which the period of placement extends into the next school year must have the approval of the appropriate principal(s) and a review committee in order to attend summer school in Northwest Independent School District.

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

### ***Exceeds School Year***

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

For placement in a DAEP to extend beyond the end of the school year, the campus administrator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code of Conduct.

### ***Exceeds 60 Days***

For placement in a DAEP to extend beyond 60 days or the end of the next semester, 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.

If placement in a DAEP extends beyond 60 school days or the end of the semester, whichever is earlier, the student and/or parent student's parents or guardian will be given notice and the opportunity to participate in a proceeding before the building principal or administrator assigned by the district. [*Texas Education Code 37.009(b)*] The parent must notify the principal in writing within three (3) school days of receipt of the disciplinary notice if a hearing is to be requested.

### **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus administrator's office, the central administration office, or through Policy On Line at the following address: <https://pol.tasb.org/Home/Index/391>

In order to appeal the campus-level hearing decision, a written request for an appeal must be submitted to the Executive Director of Secondary Education within three (3) days of the notice of the campus-level hearing officer's decision or the right to appeal is waived. The student will be placed in the DAEP during the appeal process.

The Director of Secondary Education will contact the parent within five (5) school days of receipt of the written request for appeal to schedule an informal district-level committee to hear the appeal. The proceedings will be recorded to provide an accurate record of the proceedings, and the parents will be notified in writing of the decision as promptly as possible. The decision of the district-level committee is final. However, parents/students may still exercise their right to avail themselves of the complaint process outlined in Board Policy FNG (LOCAL). A disciplinary consequence cannot be overturned as a result of the complaint process. (See "Complaints and Concerns.")

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**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

A student placed in a DAEP shall not be provided transportation unless he or she is a student who is already receiving transportation in accordance with Special Education or McKinney-Vento needs.

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

### **Placement Review**

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

### **Additional Misconduct**

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

### **Notice of Criminal Proceedings**

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

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

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

### **Withdrawal during Process**

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the appropriate administrator 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 campus administrator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

### **Newly Enrolled Students**

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school, or another district as specified upon receipt of the written order.

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.

If a student enrolling in the district is under the age of 18 years and is establishing a residence separate and apart from the person's parent/guardian, the district is not required to admit the student if the student:

- Has engaged in conduct or misbehavior within the preceding year that has resulted in removal to a DAEP or expulsion.
- Has engaged in delinquent conduct or conduct in need of supervision and is on probation or other conditional release for that conduct; or
- Has been convicted of a criminal offense and is on probation or other conditional release. *Texas Education Code 25.001(d)*

### **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, school-sponsored activity, or school operations, the student shall be given oral notice of the reason for the action. Not later

than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

### **Transition Services**

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA (LEGAL) for more information.

### **Placement and/or Expulsion for Certain 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, is required to register as a sex offender, or parole, the placement shall be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

#### ***Review Committee***

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

#### ***Newly Enrolled Student***

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

## ***Appeal***

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

If the Board's designee determines at the conclusion of the conference that the student is required to register as a sex offender under *Chapter 62 of the Code of Criminal Procedure*, the student shall be placed in JJAEP.

## **Certain Felonies**

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if the board or campus administrator 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 for 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 and the Board or the Board's designee determines that the student's presence in the regular classroom: a) threatens the safety of other students or teachers, b) will be detrimental to the educational process, and c) is not in the interests of the district's students.

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

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.



### ***Hearing and Required Findings***

If a student is being recommended for expulsion to the DAEP for a Title 5 Felony according to *Texas Education Code 37.0081*, the student is entitled to a hearing regardless of the length of expulsion to the DAEP. At the campus-level hearing, the hearing officer must determine that the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

### ***Length of Placement***

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

### ***Placement Review***

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the campus administrator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

### ***Newly Enrolled Students***

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

## **Expulsion**

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the appropriate administrator shall take into consideration:

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

## **Discretionary Expulsion: Misconduct That May Result in Expulsion**

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement**)

### ***Any Location***

A student shall be removed from class and may be expelled and placed in an alternative setting, either JJAEP or DAEP, based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
  - Engaging in conduct that contains the elements of one of the following offenses against another student:
    - Aggravated assault.
    - Sexual assault.
    - Aggravated sexual assault.
    - Murder.
    - Capital murder.
    - Criminal attempt to commit murder or capital murder.
    - Aggravated robbery.
    - Breach of computer security. (See **glossary**)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

### ***At School, Within 300 Feet, or at a School Event***

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.

- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

### ***Within 300 Feet of School***

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony controlled substance or 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, 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 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 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 shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

### **Process**

If a student is believed to have committed an expellable offense, the appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing. Before a student may be expelled, the Board or its designee must provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parents or guardian is invited, in writing to attend. At the hearing, the student is entitled to be represented by the student's parents or guardian or another adult who can provide guidance to the student and who is not an employee of the district. If the district makes a good faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, the student's parents or guardian, or another adult representing the student attends. Unless the student's parent/guardian signs a waiver forfeiting the student's rights to a hearing, a hearing must be held. *Texas Education Code 37.009(f)*

For a secondary student who has committed a disciplinary infraction for which expulsion is mandatory under statute, the student shall, to the extent provided by the law or by the memorandum of understanding, immediately attend an educational program in a Juvenile Justice Alternative Education Program (JJAEP) upon completion of the campus-level hearing and a decision to recommend placement at the JJAEP. The JJAEP will be the student's assigned placement pending the outcome of any further appeals. Elementary students will also be placed in accordance with law and in consideration of the age and maturity of the child during the appeal process.

Until a hearing can be held, the campus administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- DAEP.

### ***Hearing***

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.
4. 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.

Parents will be provided written notice of a recommendation for expulsion. To afford a reasonable opportunity for preparation, the written notice shall include the date and time of the hearing, the names of witnesses against the student, and the nature of the evidence and documents to be used.

A parent or guardian may appeal a campus-level recommendation for expulsion. In order to do so, a written request must be made in writing within three (3) school days of the receipt of written notification of the campus-level decision. The written request should be addressed to the District's Chief Hearing Officer:

Dr. Cynthia Bauter  
Executive Director of Student Affairs  
PO Box 77070  
Ft. Worth, TX 76177

The District's Chief Hearing Officer shall provide the student an opportunity for a hearing before a District-level hearing committee at which the student will be afforded the requisite due process. The District's Chief Hearing Officer shall contact the parent within five (5) school days of receipt of the written request for appeal.

The board of trustees delegates to the District Chief Hearing Officer authority to conduct hearings and expel students.

### ***Board Review of Expulsion***

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

### ***Expulsion Order***

Before ordering the expulsion, the board or campus administrator 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 board or its designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

### **Length of Expulsion**

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements. As required by Texas Education Code 37.011, the Northwest Independent School District Board of Trustees has entered into agreements with the County Juvenile Boards (Denton and Tarrant) to have the Juvenile Justice Alternative Education Program (JJAEP) provide educational services to secondary students expelled from the district for mandatory and discretionary reasons. The length of the student's assignment to the JJAEP is determined by the Memorandum of Understanding (MOU) with the Juvenile Board.

Elementary students who commit expellable offenses will be recommended for expulsion; however, the student may be placed in a DAEP setting in accordance with law and in consideration of the age and maturity of the child.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion or assess another comparable penalty that results in the student's exclusion from the regular school program 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.

Additional penalties may be imposed by sponsors of extracurricular groups/organizations in accordance with established guidelines when the student returns to campus.

### **Withdrawal during Process**

When a student has violated the district's Code in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the campus 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 campus administrator or the board may issue an additional disciplinary order as a result of those proceedings.

### **Restrictions during Expulsion**

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

### **Newly Enrolled Students**

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and



2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

### **Emergency Expulsion Procedures**

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

### **DAEP Placement of Expelled Students**

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

### **Transition Services**

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA (LEGAL) and FODA (LEGAL) for more information.

## Glossary

**Abuse** is improper or excessive use.

**Aggravated robbery** is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
  - a) 65 years of age or older, or
  - b) A disabled person.

**Armor-piercing ammunition** is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is defined in part by Penal Code 28.02 as:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
  - a) Any vegetation, fence, or structure on open-space land; or
  - b) Any building, habitation, or vehicle:
    - 1) Knowing that it is within the limits of an incorporated city or town,
    - 2) Knowing that it is insured against damage or destruction,
    - 3) Knowing that it is subject to a mortgage or other security interest,
    - 4) Knowing that it is located on property belonging to another,
    - 5) Knowing that it has located within it property belonging to another, or
    - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - a) Recklessly damages or destroys a building belonging to another, or
  - b) Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

**Breach of computer security** includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or

deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

**Bullying** is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

Bullying includes cyberbullying. (See below) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

**Chemical dispensing device** is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of 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.

**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.

**Criminal street gang** is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

**Cyberbullying** is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular

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

**Dangerous drug** is defined by Health and Safety Code 483.001 as a device or 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** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

**Deadly conduct** under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Deferred adjudication** is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

**Deferred prosecution** may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

**Delinquent conduct** is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

**Discretionary** means that something is left to or regulated by a local decision maker.

**E-cigarette** means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling 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.

**Explosive weapon** is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

**False alarm or report** under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

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1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

**Fighting/Mutual Combat** - Fighting is defined as two or more students or persons that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s) or persons(s).

**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.
5. Such term does not include an antique firearm.

**Graffiti** includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Handgun** is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

**Harassment** includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b)(2) of the Education Code; or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
  - a) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - b) Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
  - c) Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
  - d) 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;

- e) Making a telephone call and intentionally failing to hang up or disengage the connection;
- f) Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
- g) Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- h) 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.
- i) 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:

- 4. Any type of physical brutality;
- 5. 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;
- 6. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- 7. 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, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to

be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

**Location-restricted knife** is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

**Knuckles** means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

**Look-alike weapon** means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

**Machine gun** as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

**Mandatory** means that something is obligatory or required because of an authority.

**Paraphernalia** are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

**Parent** “parent” includes a parent, legal guardian, or other person having lawful control of the child.

**Possession** means to have an item on one’s person or in one’s personal property, including, but not limited to, clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including, but not limited, to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any school property used by the student, including, but not limited to, a locker or desk.

**Prohibited weapon** under Penal Code 46.05(a) means:

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
  - a) An explosive weapon;
  - b) A machine gun;
  - c) A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device;

**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.

**Public school fraternity, sorority, secret society, or gang** means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are accepted from this definition.

**Reasonable belief** is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, and must consider the information furnished in the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

**Self-defense** is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

**Serious misbehavior means:**

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a) Public lewdness under Penal Code 21.07;
  - b) Indecent exposure under Penal Code 21.08;
  - c) Criminal mischief under Penal Code 28.03;
  - d) Hazing under Education Code 37.152; or
  - e) Harassment under Penal Code 42.07(a)(1) of a student or district employee.

**Serious or persistent misbehavior** includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete 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.

**Short-barrel firearm** is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

**Terroristic threat** is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:



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2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

**Tire deflation device** is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

**Title 5 felonies** are those crimes listed in 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 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05 – .06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[See FOC(EXHIBIT).]

**Under the influence** means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

**Use** means voluntarily introducing into one's body, by any means, a prohibited substance.

**Zip gun** is defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.