

MONTGOMERY ISD

PRE-KINDERGARTEN – 5TH GRADE

Keenan Elementary
19180 Keenan Cut-Off
Montgomery, TX 77316
936-276-5500

Lone Star Elementary
16600 FM 2854
Montgomery, TX 77316
936-276-4500

Montgomery Elementary
13755 Liberty Street
Montgomery, TX 77316
936-276-3600

Lincoln Elementary
700 Martin Luther King Jr. Dr.
Montgomery, TX 77356
936-276-4700

Madeley Ranch Elementary
3500 Madeley Ranch Road
Montgomery, TX 77356
936-276-4600

Stewart Creek Elementary
18990 Stewart Creek Road
Montgomery, TX 77356
936-276-3500

2020-2021

STUDENT / PARENT HANDBOOK

INTRODUCTION

This handbook has been prepared to be a source of information for students and parents. Students are responsible for the contents. Parental signatures are required to show that a copy of this document has been reviewed electronically or as a paper document. Please sign the perforated signature page in the appendix and return it to the school. This book reflects the policies of the Board of Trustees as well as regulations set by the Texas Education Agency and will be in effect during this school year unless preempted by law.

The Student Handbook is not a contract between the school and parents or students. It can be amended at any time at the discretion of the school district. If the district makes changes to the handbook during a school year, the administration of the district and the campus will communicate those changes in ways that are designed to inform parents and students of the new or revised information.

Please understand that this Handbook is intended to serve as a reference and guide for your use. However, during the course of the school year, it is impractical to address every circumstance or situation that could possibly occur. Therefore, the campus principal has the authority to make decisions in the best interest of the students, faculty and the school. Please refer to the Steps to Eliminate Problem Situations in the handbook. A copy of the district's policy manual is available online at www.misd.org.

MISD ELEMENTARY

Table of Contents

Welcome Letter	
MISD Board Members and Elementary Staff	
Compliance with Legal Requirements Involving Discrimination	
MISD Steps to Eliminate Problem Situations	
2020-21 MISD School Calendar	
2020-21 MISD.Eligibility Calendar	
Preface	

SECTION 1: Parental Rights

Consent, Opt-Out, and Refusal Rights	Page 1
Consent to Conduct a Psychological Evaluation	Page 1
Consent to Display a Student's Original Works and Personal Information	Page 1
Consent to Video or Audio Record a Student When Not Otherwise Permitted by Law	Page 1
Prohibiting the Use of Corporal Punishment.....	Page 1
Limiting Electronic Communications with Students by District Employees	Page 1
Objecting to the Release of Directory Information	Page 2
Release of such protected information is restricted to.....	Page 2
Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation	Page 2
Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction	Page 3
Reciting a Portion of the Declaration of Independence in Grades 3–12	Page 3
Reciting the Pledges to the U.S. and Texas Flags	Page 3
Religious or Moral Beliefs.....	Page 3
Tutoring or Test Preparation.....	Page 3
Right of Access to Student Records, Curriculum Materials, and District Records/Policies.....	Page 3
Instructional Materials.....	Page 3
Notices of Certain Student Misconduct to Noncustodial Parent	Page 3
Participation in Federally Required, State-Mandated, and District Assessments	Page 3
Student Records.....	Page 3
Accessing Student Records	Page 3
Teacher and Staff Professional Qualifications	Page 4
Students with Exceptionalities or Special Circumstances.....	Page 4
Children of Military Families	Page 4
Parental Role in Certain Classroom and School Assignments	Page 4
Multiple Birth Siblings	Page 4
Safety Transfers/Assignments.....	Page 4
Service/Assistance Animal Use by Students	Page 5
Students in the Conservatorship of the State (Foster Care).....	Page 5
Students Who Are Homeless	Page 5
Students Who Have Learning Difficulties or Who Need Special Education Service	Page 6
Special Education Referrals	Page 6
Section 504 Referrals	Page 6

SECTION II: Other Important Information for Students and Parents

Absences/Attendance	Page 7
Attendance for Credit.....	Page 7
Note After an Absence	Page 7
Official Attendance-Taking Time	Page 8
Compulsory Attendance	Page 8
Exemptions to Compulsory Attendance.....	Page 8
Failure to Comply with Compulsory Attendance.....	Page 8
Accountability under State and Federal Law	Page 9
Bullying.....	Page 9
Celebrations	Page 10
Child Sexual Abuse and Other Maltreatment of Children	Page 10
Warning Signs of Sexual Abuse	Page 10
Warning Signs of Trafficking	Page 10
Reporting and Responding to Sexual Abuse, Sex Trafficking, and Other Maltreatment of Children	Page 11
Complaints and Concerns	Page 11
Conduct.....	Page 12
Applicability of School Rules	Page 12
Disruptions of School Operations	Page 12
Counseling	Page 12
Academic Counseling.....	Page 13
Personal Counseling	Page 13
Credit by Examination	Page 13
Dating Violence, Discrimination, Harassment, and Retaliation.....	Page 14
Dating Violence	Page 14
Discrimination.....	Page 14
Harassment.....	Page 14
Sexual Harassment and Gender-Based Harassment.....	Page 14
Retaliation	Page 15
Reporting Procedures.....	Page 15
Investigation of Report.....	Page 15
Distance Learning	Page 15
Distribution of Literature, Published Materials, or Other Documents	Page 16
Student Non-School Materials.....	Page 16
Non-Student Nonschool Materials.....	Page 16
Dress and Grooming	Page 16
Electronic Devices and Technology Resources	Page 17
Possession and use of Personal Telecommunications Devices, Including mobile Telephones and other Electronic Devices.....	Page 17
Possession and Use of other Personal Electronic Devices	Page 17
Instructional Use of Personal Telecommunications and Other Electronic Devices.....	Page 17
Electronic Communication with Students by District Employees.....	Page 17
Acceptable Use of District Technology Resources.....	Page 18
Unacceptable and Inappropriate Use of Technology Resources.....	Page 18

English Language Learners.....	Page 18
Extracurricular Activities, Clubs, and Organizations (All Grade Levels)	Page 18
Fees	Page 19
Fundraising.....	Page 19
Gang-Free Zones	Page 20
Grading Guidelines.....	Page 20
Re-teaching and Reassessment	Page 20
Homework	Page 20
Make-Up Work	Page 20
Cheating/Plagiarism/Academic Dishonesty	Page 20
Hazing	Page 21
Health-Related Matters.....	Page 21
Bacterial Meningitis	Page 21
Diabetes	Page 21
Food Allergies (All Grade Levels).....	Page 21
Head Lice	Page 21
Heath Related Resources, Policies, and Procedures	Page 21
Immunization	Page 22
Medicine At School.....	Page 23
Mental Health Support	Page 24
Physical Activity Requirements	Page 25
School Health Advisory Council (SHAC)	Page 25
Student Illness.....	Page 25
Student Wellness Policy/Wellness Plan	Page 25
Tobacco and E-Cigarettes Prohibited.....	Page 25
Asbestos Management Plan.....	Page 25
Pest Management Plan	Page 26
Law Enforcement Agencies	Page 26
Questioning of Students	Page 26
Students Taken Into Custody	Page 26
Notification of Law Violations.....	Page 26
Leaving Campus	Page 26
Parent and Family Engagement.....	Page 27
Pledges of Allegiance and a Minute of Silence.....	Page 28
Prayer.....	Page 28
Promotion and Retention.....	Page 28
Report Cards/Progress Reports and Conferences	Page 28
Safety	Page 29
Accident Insurance.....	Page 29
Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies.....	Page 29
Emergency Medical Treatment and Information.....	Page 29
Emergency School-Closing Information	Page 29
School Facilities	Page 29
Conduct before and After School	Page 29
Cafeteria Services/Child Nutrition.....	Page 30
Breakfast/Lunch Programs	Page 26

Menus and Pricing.....	Page 30
Free and Reduced Price Meal Applications.....	Page 30
Method of Payment	Page 30
Assessing, Balance Questions	Page 30
Charging Policy	Page 30
Foods of Minimal Nutritional Value (FMNV) Policy	Page 30
Searches	Page 31
Students' Desks, Lockers and Backpacks.....	Page 31
Special Programs	Page 31
State Assessment: STAAR for Elementary Grades.....	Page 32
STAAR Grades 3-8	Page 32
STAAR ALTERNATE 2	Page 32
STAAR Spanish	Page 32
Substance Abuse Prevention and intervention.....	Page 32
Suicide Awareness and Mental Health Support	Page 33
Summer Program Information	Page 33
Textbooks.....	Page 33
Transportation	Page 33
Bus Rules.....	Page 33
Minor Offenses	Page 34
Major Offenses.....	Page 34
Consequences	Page 34
Field Trips.....	Page 34
Vandalism.....	Page 35
Video Cameras.....	Page 35
Visitors to the School.....	Page 35
Classroom Visits.....	Page 35
Lunch Visits.....	Page 35
Unauthorized Persons.....	Page 35
Volunteers	Page 35
Withdrawing from School.....	Page 35

Student Code of Conduct

Appendix

Procedures for Reporting Allegations of Bullying
 Bullying Policy FFI(LOCAL)
 Distance Learning Policy EHDE(LOCAL)
 MISD Release of Directory Information Form
 Responsible Use of Technology Agreement for Students Form
 Change of Address/Phone Number Form
 Authorization and Permission for administration of Medication and Medicine Log

August 2020

To Students and Parents:

Welcome to school year 2020-2021! For this year to be successful for your child, we must all work together: students, parents, teachers, and other school staff members. This student handbook is designed to help us do this.

Parents please understand this handbook is intended to serve as a reference and guide for your use. **However, during the school year it is impractical to address every situation or circumstance that could possibly occur.** Therefore, the campus principal has the authority to make decisions in the best interest of the students, faculty, and school.

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

Both students and parents must be familiar with the Montgomery Independent School District Student Code of Conduct, required by state law and intended to promote school safety and an atmosphere for learning. That document may be found in the Student Code of Conduct located in Section VIII of this book and on the website at www.misd.org and is available in hard copy upon request.

This student handbook is designed to be in harmony with Board policy and the Student Code of Conduct. Please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year.

Changes in policy that affect student handbook provisions will be made available to students and parents through newsletters and other communications.

In case of conflict between Board policy or the Student Code of Conduct and any provisions of student handbooks, the provisions of Board policy or the Student Code of Conduct that were most recently adopted by the Board are to be followed and will legally prevail.

We strongly recommend that parents review the entire handbook with their children and keep it as a reference during this school year. If you or your child have questions about the material in this handbook, please contact your child's teacher, the counselor, or the principal. It is important to acknowledge the receipt and understanding of the handbook. This can be accomplished via online registration or by hard copy.

Please note that references to alphabetical policy codes are included so that parents can refer to current policy. A copy of the District's policy manual is available online at www.misd.org.

Sincerely,
Wendy Graves

MISD BOARD MEMBERS

Jim Dossey - President
Adam Simmons - Vice President
Trey Kirby - Secretary
David Eargle - Trustee
Matt Fuller, Ed.D - Trustee
Gary Hammons - Trustee
Linda Porten - Trustee

SUPERINTENDENT

Heath Morrison, Ed.D.

Keenan Elementary School

Principal: Mallory Kirby
Assistant Principal: Melissa Freeman
Counselor: Kim Wunderlich

Lincoln Elementary School

Principal: Courtney Dyer
Assistant Principal: Kate Norsworthy
Counselor: Deanna Peterson

Lone Star Elementary School

Principal: Catherine Bartlett
Assistant Principal: Kelly Lout
Counselor: Grace Smith

Madeley Ranch Elementary School

Principal: Shelby Smith
Assistant Principal: Jennifer Williamson
Counselor: Renee Sorrell

Montgomery Elementary School

Principal: Carrie Fitzpatrick
Assistant Principal: Kristin Sissom
Counselor: Kelly Lowe

Stewart Creek Elementary School

Principal: Michele Salter
Assistant Principal: Steven Johnson
Counselor: Elaine Clevenger

Nondiscrimination

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

**District Representatives Designated to Coordinate
Compliance with Legal Requirements Concerning:**

- **ADA/Section 504 of the Rehabilitation Act –**
For concerns regarding discrimination on the basis of disability
Contact:
Executive Director of Special Education
Meredith Burg
936-276-2460 ~ meredith.burg@misd.org

20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

- **Dyslexia**
Contact:
Director of Special Programs
Amy Busby
936-276-2244 ~ amy.busby@misd.org

20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

- **Title I, Parent Involvement Coordinator, Liaison for Homeless Children / Youth**
Contact:
Director of Special Programs
Amy Busby
936-276-2244 ~ amy.busby@misd.org

20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

- **Title IX of the Education Amendments of 1972 –**
For concerns regarding discrimination on the basis of sex, including
sexual harassment or gender-based harassment
Contact:

Assistant Superintendent of HR and Communication
Sonja Lopez
936-276-2100 ~ Sonja.Lopez@misd.org

20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

Steps To Eliminate Problem Situations

S. T. E. P. S.

Refers to Montgomery Independent School District's approach to resolving situations which occasionally cause parents, teachers, and students concern.

Resolving those situations quickly and to the satisfaction of all parties is beneficial to the children and the educational program.

The steps 1-4 shown below are the quickest and best methods for reaching satisfactory solutions. Please use them should you ever encounter a situation in Montgomery I.S.D. which is a concern to you.

Athletic Director	276-2400
Business & Finance	276-2000
Child Nutrition (Meals)	276-2000
Curriculum & Instruction	276-2140
Human Resources	276-2000
Maintenance/Custodial	276-2360
Keenan Elementary	276-5500
Lincoln Elementary	276-4700
Lone Star Elementary	276-4500
Madeley Ranch Elementary	276-4600
Montgomery Elementary	276-3600
Stewart Creek Elementary	276-3500
Montgomery Jr. High	276-3300
Oak Hills Jr. High	276-4300
Lake Creek High School	276-4000
Montgomery High School	276-3000
Special Education	276-2460
Superintendent	276-2000
Transportation	276-2300
Technology	276-2500

1

CONTACT THE APPROPRIATE STAFF MEMBER

The most direct route to resolving a concern is to confer directly with the person involved, whether it is a teacher, coach, or bus driver, etc. Over 95% of the concerns are resolved at this level.

2

CONTACT THE PRINCIPAL

A professional educator is in charge of each campus and is responsible for concerns that may arise from the school's operation. Explanations of policies and procedures, various clarifications and all types of campus information are available from the principal.

3

CONTACT THE APPROPRIATE DISTRICT ADMINISTRATOR

This may be the Director of Athletics, Child Nutrition, Human Resources, Transportation, or Special Education; Executive Director for Curriculum; Assistant Superintendent for Administrative Services; or the Superintendent. This step should be taken only when steps one and two have not resolved the concern. Starting at this step will result in your being asked to attempt steps one and two first.

4

CONTACT THE SCHOOL BOARD

After taking steps 1-3 above without resolving a concern, a request in writing for a School Board hearing is step 4. This written request is made through the Superintendent.



REVISED 9/10/20

2020 - 2021 School Calendar

Our Standard
is
Excellence

First Day of School

Thursday, August 13

Last Day of School

Tuesday, May 25

Grading Periods

Elementary [PreK-5th]

Aug. 13 - Oct. 8

[Nine Weeks]

40 days

Oct. 13 - Dec. 17

42 days

Jan. 5 - Mar. 12

46 days

Mar. 22 - May 25

46 days

Total

174 days

Secondary [6th-12th]

[Six Weeks]

Aug. 13 - Sept. 18

26 days

Sept. 21 - Oct. 30

28 days

Nov. 2 - Dec. 17

28 days

Jan. 5 - Feb. 11

27 days

Feb. 16 - Apr. 1

28 days

Apr. 5 - May 25

37 days

Total

174 days

Staff Development / Workday

Aug 5-12, Oct 9, Nov 3, Jan 4

Feb 12, May 26-27

Holidays

Labor Day	September 7
Student Holiday	October 9
District Holiday	October 12
Student Holiday	November 3
Thanksgiving Break	November 23-27
Winter Break	Dec. 18 - Jan 1
Student Holiday	January 4
Martin Luther King, Jr	January 18
Student Holiday	February 12
President's Day	February 15
Spring Break	March 15-19
Good Friday	April 2
Memorial Day	May 31

Inclement Weather Days

May 26 and 27

Early Release Days:

Dec 16 & 17, May 24 & 25

Secondary [6th-12th] (11:30 a.m.)

Elementary [PreK-5th] (1:00 p.m.)

Legend

- Staff Development/Workday
- District-wide Holiday
- X
 District Early Release

August 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24/31	25	26	27	28	29

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 2021						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

February 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2021						
S	M	T	W	T	F	S
					1	2
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2021						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2021						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July 2021						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

For all testing dates, see
www.misd.org
or contact the appropriate campus.

MONTGOMERY INDEPENDENT
SCHOOL DISTRICT

20774 Eva Street ~ Montgomery, Texas 77356
936-276-2000 ~ www.misd.org

MONTGOMERY ISD
NINE WEEK ELIGIBILITY CALENDAR
for Elementary – 5th Grade
2020 - 2021

GRADING PERIOD	ENDING DATE	REGAIN OR LOSE ELIGIBILITY	ENDING DATE THREE WEEK EVALUATION	REGAIN ELIGIBILITY	ENDING DATE SIX WEEK EVALUATION	REGAIN ELIGIBILITY
*1 st Six Weeks	September 18	September 25	N/A	N/A	N/A	N/A
1 st Nine Weeks	October 8	October 15	October 30	November 6	November 20	December 6
2 nd Nine Weeks	December 17	January 11	January 22	January 29	February 11	February 18
3 rd Nine Weeks	March 12	March 28	April 9	April 16	April 30	May 7

The following items are important to remember:

- ♦ *All Texas schools must check grades for all participants at the end of the first six weeks of the school year.
- ♦ Students can regain eligibility at the end of the three and six week evaluation periods. They must be passing all classes. **They cannot lose eligibility.**
- ♦ The last grade that may be used to calculate the three and six weeks regaining of eligibility must be entered on or before the ending date. Grades recorded after the ending date cannot be used for eligibility. **For eligibility purposes, at a minimum, teachers must have grades recorded in Gradebook by the end of three, six and nine week periods.**
- ♦ A seven calendar day grace period to lose eligibility and a seven calendar day waiting period to regain eligibility are still in effect. Students will become eligible or ineligible at 3:30/3:35 p.m. seven days from the ending date of the grading period.
- ♦ All students are eligible during a school holiday of a full calendar week or more. When the bell rings to dismiss students for the December holidays, all students are eligible until classes resume in January. The same is true for the Thanksgiving Break and Spring Break.

SECTION I: Parental Rights

This section of the MISD Student Handbook includes information related to certain right of parents as specified in state or federal law.

CONSENT, OPT-OUT, AND REFUSAL RIGHTS

Consent to conduct a Psychological Evaluation

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

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

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

The district has also established procedures for staff to notify the school counselor regarding a student who may need intervention.

The Campus Principal can provide further information regarding these procedures as well as educational materials on identifying risk factors, accessing resources for treatment or support on- and off-campus, and accessing available student accommodations provided on campus.

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

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

Teachers may display students' work, which may include personally identifiable student information, in classrooms or elsewhere on campus as recognition of student achievement. However, the district will also display students' artwork, special projects, photographs taken by students, original videos or voice recordings, and other original works on the district's website, a website affiliated or sponsored by the district, such as a campus or classroom website, and in district publications, which may include printed material, video or other method of mass communication. To deny displaying artwork, parents should submit a written denial sent to campus administration.

Consent to Video/Audio Record a Student when not Otherwise Permitted By Law

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

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

Prohibiting the Use of Corporal Punishment

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

If you do not want corporal punishment to be administered to your child as a method of student discipline, please submit a written statement to the campus principal stating this decision. A signed statement must be provided each year. Please note that if the district is made aware that a student is in temporary or permanent conservatorship (custody) of the state, through foster care, kinship care, or other arrangements, corporal punishment shall not be administered, even when a signed statement prohibiting its use has not been submitted by the student's caregiver or caseworker.

You may choose to revoke this prohibition at any time during the year by providing a signed statement to the campus principal. However, district personnel may choose to use discipline methods other than corporal punishment even if the parent requests that this method be used on the student.

Limiting Electronic Communications with Students by District Employees

- Teachers and other approved employees are permitted by the district to use electronic communication with students within the scope of the individual's professional responsibilities, as described by district guidelines. For example, a teacher may set up a social networking page for his or her class that has information related to class work, homework, and tests. As a parent, you are welcome to join or become a member of such a page.
- However, text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity. The employee is required to include his or her immediate supervisor and the student's parent as recipients on all text messages. 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 child's education records without written consent. "Directory information" is information that is generally not considered harmful or an invasion of privacy if released. MISD will only release this "directory information" to Colleges and Universities, School Related Entities, such as PTO, graduation-related vendors, campus photographers, booster club organizations and military Recruiters.

However, a parent or eligible student may object to the release of a student's "directory information." This objection must be made in writing to the principal within ten school days of your child's first day of instruction for this school year. Please use the form provided in the appendix entitled "MISD Release of Directory Information."

Release of such protected information is restricted to:

- The parents—whether married, separated, or divorced—unless parental rights have been legally terminated and if the school is given a copy of the court order terminating these rights. Federal law requires that as soon as the student becomes eligible, control of the records goes to the student. However, the parents may continue to have access to the records if the student is a dependent for tax purposes.
- District staff members who have what federal law defines as a "legitimate educational interest" in a student's records. Such persons would include school officials (such as Board members, the Superintendent, and principals), school staff members (such as teachers, counselors, and diagnosticians), or an agent of the District (such as a medical consultant).
- Various governmental agencies, including juvenile service providers or in response to a subpoena or court order and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- A school to which a student transfers or in which he or she subsequently enrolls.
- Release to any other person or agency—such as a prospective employer, or for a scholarship application—will occur only with parental or student permission as appropriate. The District must comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parents have advised the District not to release their child's information without prior written consent. 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. Records may be inspected by a parent or eligible student during regular school hours. If circumstances effectively prevent inspection during these hours, the District shall either provide a copy of the requested records, or make other arrangements for the parent or student to review the requested records. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

Consent Required before Student Participation in Federally Funded Survey, Analysis, or Evaluation

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

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

A parent may inspect:

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

REMOVING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM A REQUIRED COMPONENT OF INSTRUCTION

Reciting a Portion of the Declaration of Independence

To request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3 – 12 to recite a portion of the text of the Declaration of Independence during the week in which September 17th falls unless (1) you provide a written statement requesting that your child be excused, (2) the District determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the United States government extends diplomatic immunity. [See policy EHBK(LEGAL) at misd.org]

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

To request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required moment of silence or silent activity that follows.

Religious or Moral Beliefs

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

Tutoring or Test Preparation Purposes

Based on informal observations, evaluative data such as grades earned on assignments or tests, or results from diagnostic assessments, a teacher may determine that a student is in need of additional targeted assistance in order for the student to achieve mastery in state-developed essential knowledge and skills. The schools 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, the school will not remove a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the school days on which the class is offered, unless the student's parent consents to this removal. The school may also offer tutorial services, which students whose grades are below 70 will be required to attend. Also refer to policies EC and EHBC, and contact your student's teacher with questions about any tutoring programs provided by the school.

RIGHT OF ACCESS TO STUDENT RECORDS, CURRICULUM MATERIALS, AND DISTRICT RECORDS/POLICIES

Instructional Materials

- To review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum and to examine tests that have been administered to your child. 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.

Notices of Certain Student Misconduct to Noncustodial Parent

- To request in writing, if you are a non-custodial parent, that you be provided for the remainder of the school year a copy of any written notice usually provided to a parent related to misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. See policies FL (LEGAL) and (LOCAL), FO (LEGAL) and the Student Code of Conduct.

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

- You may request information regarding any state or district policy related to your child's participation in assessments required by federal law, state law, or the district.

STUDENT RECORDS

Accessing Student Records

To review your child's student records when needed. These records include:

- Attendance records
- Test scores
- Grades
- Disciplinary records
- Counseling records

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

A parent (or the student if he or she is 18 or older or is attending an institution of postsecondary education) may inspect the student's records and request a correction if the records are considered inaccurate or otherwise in violation of the student's privacy rights. If the District refuses the request to amend the records, the requestor has the right to request a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, contesting a student's grade in a course is handled through the general complaint process defined by policy FNG. Copies of student records are available at a cost of ten cents per page, payable in advance. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, one copy of the record will be provided at no charge upon written request of the parent.

Teacher and Staff Professional qualifications

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

STUDENTS WITH EXCEPTIONALITIES OR SPECIAL CIRCUMSTANCES

Children of Military Families

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

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

In addition, absences related to a student visiting with his or her parent, including a stepparent or legal guardian, who has been called to active duty for, is on leave from, or is returning from a deployment of at least four months will be excused by the district. 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

- To request, if your children are multiple birth siblings, (e.g., twins, triplets, etc.) assigned to the same grade and campus that they be placed in either the same classroom or in separate classrooms, your written request must be submitted no later than the 14th day after the enrollment of your children. (See FDB (Legal)).

Safety Transfers/Assignments

As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying, which includes cyberbullying, as defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. See the superintendent for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the district decides to transfer your child to another campus. Transportation is not provided for a transfer to another campus.
- To request the transfer of your child to another campus (or a neighboring district) if your child has been the victim of a sexual assault by another student assigned to the same campus, whether that assault occurred on or off campus and that student has

been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.

- To request, if your children are multiple birth siblings, (e.g., twins, triplets, etc.) assigned to the same grade and campus that they be placed in either the same classroom or in separate classrooms, your written request must be submitted no later than the 14th day after the enrollment of your children. (See FDB (Legal).
- If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. However, the district is not required to provide transportation to the other children in the household. The parent or guardian should speak with the principal of the school regarding any transportation prior to requesting a transfer for any other children in the home. [See policy FDB (LOCAL).]
- The principal is authorized to transfer a student from one classroom to another.

Service/Assistance Animal Use by Students

A parent of a student who uses a service/assistance animal because of the student's disability must submit a request in writing 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.

Student in the Conservatorship of the State (Foster Care)

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

A student who is currently in the conservatorship (custody) of the state and who enrolls in the district after the beginning of the school year will allowed credit-by-examination opportunities outside the district's established testing windows, and the district will grant proportionate course credit by semester (partial credit) when a student does only passes one semester of the two-semester course.

A student who is currently in the conservatorship (custody) of the state and who is moved outside of the district's or school's attendance boundaries, or who is initially placed in the conservatorship of the state and who is moved outside the district's or school's boundaries, is entitled to continue in enrollment at the school he or she was attending prior to the placement or move until the student reaches the highest grade level at the particular school. In addition, if a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

Please contact Jada Mullins, who has been designated as the district's liaison for children in the conservatorship of the state, at (936) 276-2140, with any questions.

Students Who Are Homeless

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.

Students 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
- The award of partial credit (awarding credit proportionately when a student passes only one semester of a two-semester course)
- Eligibility requirements for participation in extracurricular activities and
- Graduation requirements

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

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

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

Please contact Jada Mullins, who has been designated as the district's Homeless Students liaison, at (936) 276-2140, with any questions.

Students Who Have Learning Difficulties of Who Need Special Education or Section 504 Services

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

If a student is experiencing learning difficulties, his or her parent may contact the individuals listed below to learn about the school's overall general education referral or screening system for support services. This system links students to a variety of support options, including making a referral for a special education evaluation or for a section 504 evaluation to determine whether the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.

Special Education Referrals

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

Please note that 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 not 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 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 for the school district in a companion document titled Parent's Guide to the Admission, Review, and Dismissal Process.

Contact Person for Special Education Referrals

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is Meredith Burg at (936) 276-2460.

Additional information about Special Education Referrals can be found at this link:

<http://www.misd.org/upload/page/0212/docs/SB%20139%20Child%20Find%20Update1.pdf>

Section 504 Referrals

Each school district must have standards and procedures in place for the evaluation and placement of students in the district's Section 504 program. Districts must also implement a system of procedural safeguards that includes notice, an opportunity for a parent or guardian to examine relevant records, an impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

Contact Person for Section 504 Referrals –

The designated person to contract regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is Meredith Burg at (936) 276-2460.

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

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

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

Students who receive Special Education Services with Other School-Aged Children in the Home; see **Safety Transfers/Assignments** page 4.

Section II: Other Important Information for Students and Parents

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.

ABSENCES/ATTENDANCE

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

Attendance for Credit or Final Grade

To receive credit in a class or a final grade, 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, which allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit 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 at FEC)

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

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

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

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

Note After An Absence

Parent's Note after an absence

When a student is absent from school, the student—upon arrival or return to school—must bring a note, signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older.

Doctor's Note After an Absence for Illness

Within days of returning to school, a student absent for more than 5 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. [See FEC(LOCAL).]

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

Official Attendance-Taking Time

The district must submit attendance of its students to the Texas Education Agency (TEA) reflecting attendance at a specific time each day. Official attendance is taken every day at 10:00 a.m. A student absent for any portion of the day, including at the official attendance-taking time, should follow the procedures above to provide documentation of the absence.

Hours of Operation: 2019-20

SCHOOL	START TIME	END TIME
PK - 5 th grade	8:15	3:40

Compulsory Attendance

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

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

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

Prekindergarten and Kindergarten

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

Exemptions to Compulsory Attendance

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

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

As listed in Section: 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.

Failure to Comply With Compulsory Attendance

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

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 re-evaluation, and/or modifications to the student's individualized education program or Section 504 plan, as appropriate.

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 his or her child's attendance and to require the student to come to school. The notice will also inform the parent that the district will initiate truancy prevention measures and request a conference between school administrators and the parent. These measures will include a behavior improvement plan, school-based community service, or referrals to either in-school or out-of-school counseling or other social services. Any other measures considered appropriate by the district will also be initiated.

The truancy prevention facilitator for the campus is the principal. 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 through 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 policy FEA(LEGAL).]

Accountability under State and Federal Law – All Grades

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

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;
- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA;
- Information compiled by TEA for the submission of a federal report card that is required by the No Child Left Behind Act.

This information can be found on the district's website at <http://www.misd.org>. Hard copies of any reports are available upon request to the district's administration office. TEA also maintains additional accountability and accreditation information TEA Performance Reporting division and <http://www.tea.texas.gov>.

BULLYING

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

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

Bullying includes cyberbullying. Cyberbullying is defined by state law as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

The district is required to adopt policies and procedures regarding:

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

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

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct. The district will also provide notice

to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying. A student may anonymously report an alleged incident of bullying by the Montgomery ISD Helpline at 1-800-392-STOP (7867).

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

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

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, 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 his or her child be transferred to another classroom or campus within the district.

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).

[Also see Dating Violence, Discrimination, harassment, and Retaliation on page 19 and 20, Student Transfers on page 4, Hazing on page 21, policy FFI, and the district improvement plan, a copy of which can be viewed in the campus office.]

CELEBRATIONS

Although a guardian is not prohibited from providing food for a school-designated function (birthdays, classroom activities, celebrations, etc.) please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child's teacher prior to bringing any food in this circumstance. Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify guardian of any known food allergies when soliciting potential volunteers to bring food products. If a guardian provides food for a celebration, the food must be store bought or pre-approved by the principal. Also see Food Allergies on page 24.

CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN

Child Sexual Abuse, Sex Trafficking and Other Maltreatment of Children

The district has established a plan for addressing child sexual abuse, sex trafficking, and other maltreatment of children, which may be accessed at www.misd.org on each campuses counseling website under the resources tab. Trafficking includes both sex and labor trafficking.

Warning Signs of Sexual Abuse

As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child.

- Possible physical, behavioral, and emotional warning signs of sexual abuse include:
- Difficulty sitting or walking;
- Pain in the genital areas;
- Claims of stomachaches and headaches;
- Verbal references or pretend games of sexual activity between adults and children;
- Fear of being alone with adults of a particular gender;
- Sexually suggestive behavior;
- Withdrawal;
- Depression;
- Sleeping and eating disorders; and
- Problems in school.

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**]

Warning Signs of Trafficking

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

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

Possible warning signs of sexual trafficking in children include:

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

Additional warning signs of labor trafficking in children include:

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

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

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

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

Parents, if your child is a victim of sexual abuse, sex trafficking, 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.](#)]

Reports of abuse, trafficking, 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, Sex Trafficking, and Other Maltreatment of Children

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

- [Child Welfare Information Gateway Factsheet](#)
- [KidsHealth, For Parents, Child Abuse](#)
- [Texas Association Against Sexual Assault, Resources](#)
- [Office of the Texas Governor's Child Sex Trafficking Team](#)
- [Human Trafficking of School-aged Children](#)

COMPLAINTS AND CONCERNS

Usually student or parent complaints or concerns can be addressed simply—by a phone call or a conference with the teacher. For those complaints and concerns that cannot be handled so easily, the District has adopted a standard complaint policy at FNG (LOCAL) in the

District's policy manual. A copy of this policy may be obtained in the principal's office, Superintendent's office or on the District's Web site at www.misd.org.

In general, the student or parent should first discuss the complaint with the classroom teacher, then with the campus principal. If unresolved, a written complaint and a request for a conference should be sent to the Superintendent. If still unresolved, the District provides for the complaint to be presented to the Board of Trustees. [Please refer to the S.T.E.P.S. at the front of the handbook]

CONDUCT

Any and all infractions of the Code of Student Conduct, or the rules and regulations of each school, may be handled at the discretion of the principal and assistant principal. The district may impose campus and classroom rules in addition to those found in the Montgomery Independent School District Student Code of Conduct. Violations of campus and classroom rules may or may not constitute violations of the MISD Code of Conduct.

Applicability of School Rules

As required by law, the District has developed and adopted a Student Code of Conduct that prohibits certain behaviors and establishes standards of acceptable behavior—both on and off campus—and consequences for violation of the standards. Students need to 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.

To achieve the best possible learning environment for all students, the Student Code of Conduct and other campus rules 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. The District has disciplinary authority over a student in accordance with the Student Code of Conduct.

Disruptions of School Operations

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

- Does not comply with established campus policies and procedures.
- Interferes with the movement of people in an exit, an entrance, or a hallway of a District building without authorization from an administrator.
- Interferes with an authorized activity by seizing control of all or part of a building.
- Uses force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Uses force, violence, or threats to cause disruption during an assembly.
- Interferes with the movement of people at an exit or an entrance to District property.
- Uses force, violence, or threats in an attempt to prevent people from entering or leaving District property without authorization from an administrator.
- Disrupts classes 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; entering a classroom without authorization; and disrupting the activity with profane language or any misconduct.
- Interference with the transportation of students in vehicles owned or operated by the district.

COUNSELING:

The district has a comprehensive school counseling program that includes:

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

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

Academic Counseling

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

Personal Counseling

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 follow campus procedures. 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.

CREDIT BY EXAMINATION

If a Student Has Taken the Course

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

If the student is granted approval to take an examination for purpose, the student must score at least 70 on the examination to receive credit for the course or subject. The parent will be responsible for the cost of each test.

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

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

If a Student Has Not Taken the Course

A student will be permitted to take an examination to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The examinations offered by the district are approved by the district's board of trustees. The dates on which examinations are scheduled during the 2020–21 school year will be published in appropriate district publications and on the district's website. The only exceptions to the published dates will be for any examinations administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system. When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific examination only once.

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 60 or higher on an exam administered through the CLEP, or a score of 3 or higher on an AP exam, as applicable. A student may take an examination to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

A student in elementary school will be eligible to accelerate to the next grade level if: (1) the student scores at least 80 on each examination in the subject areas of language arts, mathematics, science and social studies, (2) a district administrator recommends the student be accelerated, and (3) the student's parent gives written approval of the grade advancement.

If a student plans to take an exam, the student (or parent) must register with the school counselor no later than 30 days prior to the scheduled testing date. The district will cover the cost of each test. MISD uses Texas Tech University for all exams.

TESTING AND REGISTRATION DATES

Testing Dates	Registration Deadline
June 11 & 12, 2020	May 1, 2020
July 23 & 24, 2020	June 12, 2020
November 12 & 13, 2020	October 2, 2020
March 25 & 25, 2021	February 12, 2021

DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION

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

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

Dating Violence

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

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

Discrimination

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

Harassment

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

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

Two types of prohibited harassment are described below.

Sexual Harassment and Gender-Based Harassment

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

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

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

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender. Examples of gender-based harassment directed against a student, regardless of the student's actual or perceived sexual orientation or gender identity, may include, but not be limited to, offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Retaliation

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

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

Reporting Procedures

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

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

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

Investigation of Report

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

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

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

If the district's investigation indicates that prohibited conduct occurred, appropriate disciplinary action, and, in some cases, corrective action, will be taken to address the conduct. The district may take disciplinary and corrective action even if the conduct that is the subject of the complaint was not unlawful. All involved parties will be notified of the outcome of the district investigation within the parameters and limits allowed under the Federal Educational Records 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).

DISTANCE LEARNING

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

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

Depending on the TxVSN course in which a student enrolls, the course may be subject to the "no pass, no play" rules. [Also see **Extracurricular Activities, Clubs, and Organizations** on page 18.] 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 principal, a student will not be allowed to enroll in a TxVSN course if the school offers the same or a similar course.

A copy of policy EHDE will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the school.

The additional distance learning opportunities available to district students can be inquired about from the school as well.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the TxVSN in order 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.

Distribution of Literature, Published Materials, or Other Documents School Materials

Publications prepared by and for the school may be posted or distributed, with the prior approval of the principal, sponsor, or teacher. Such items may include school poster, brochures, flyers, etc. All publications are under the supervision of a teacher, sponsor, and the principal.

Student Non-School Materials

Unless a student obtains specific prior approval from the principal, written materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials over which the school does not exercise control may not be posted, sold, circulated, or distributed on any school campus. To be considered, any non-school material must include the name of the sponsoring organization or individual. The decision regarding approval will be made in two school days.

The student may appeal the decision in accordance with policy FNG (LOCAL). Any student, who sells, circulates posts 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 this approval will be removed.

Non-student Non-school Materials

Written or printed materials, handbills, photographs, pictures, films, tapes, party or other invitations or other visual or auditory materials over which the District does not exercise control shall not be sold, circulated, or distributed by persons or groups not associated with the school or a school support group on school premises unless the person or group obtains specific prior approval from the Superintendent or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual.

The requestor may appeal the Superintendent or designee's decision in accordance with policy GF (LOCAL).

DRESS AND GROOMING

Students will be expected to keep themselves well-groomed and neatly dressed at all times. Any form of dress or hairstyle or grooming that is contrary to good hygiene or which is considered a distraction or disruptive to the purpose and conduct of the school will not be permitted. Dress shall not create a health or other hazard to the students' safety.

The dress code for Montgomery I.S.D. includes, but is not limited to, the following:

- Shorts, skirts, or dresses must be modest (mid-thigh or longer) with normal movement. If leggings are worn under other garments, the hem of the accompanying garment must be mid-thigh or longer.
- Walking shorts may be worn provided they are in good taste. No bicycle shorts, spandex, running or jogging shorts are allowed. Shorts, pants and jeans must be hemmed and have no holes or cutouts above the knee.
- Strapless, transparent, tight, low-cut or revealing clothes may not be worn to school. Inappropriate clothing includes any casual beach-like attire, including backless blouses, off the shoulder blouses/dresses, halter type tank tops, tops with spaghetti straps, or pants, shirts and sleeves that have been cut off. Undergarments should not be visible. Midriffs must not show. No stomachs should be visible with normal movement.
- No hats, caps, or bandanas are to be worn in any school building at any time.
- Raincoats, trench coats and other full-length over-garments worn to school due to inclement weather must be stored in the classroom- Such garments may not be worn inside the building.
- Hair must be neat, clean and combed. Extreme styles or color are not acceptable. Mustaches and beards may be worn if neat and trimmed.
- Students may not wear clothing that displays vulgar, lewd, or obscene writing or images and may not wear emblems that advertise or depict tobacco, alcohol, drugs, or weapons. Pants may not be excessively baggy or hang below the natural waistline.
- Noisy or distracting jewelry or accessories may not be worn. Nose/Facial piercing, tongue studs and/or visible body piercing, except for earrings, are prohibited. Chains of any length or size (including wallet chains) are not allowed. Visible tattoos are prohibited. Sunglasses may not be worn in building.
- It is not appropriate for students to wear house slippers, pajamas, or bedclothes to school. Students should not bring blankets or pillows.

Each year there are "fads" that show up on our campuses. We are neither listing these nor making a regulation to cover all problems that may arise. When a fad starts on a campus and becomes a distraction, it shall be immediately eliminated. It is impractical to list every possibility of dress and grooming. **The principal of each campus shall apply the Grooming Code and make all final decisions regarding what is acceptable and appropriate considering the age and activities of the students.**

Infractions of the dress code will result in the student being sent to the office. On the first offense, the violation will be corrected as soon as possible, parents will be contacted, a warning will be issued, and student will be sent to class with code. Second offense will follow the procedures mentioned above except discipline consequence will be issued. Three or more offenses will result in parent

coming to school to correct violation or the student being sent to ISS for the remainder of the day and a discipline consequence assigned. Any violation that cannot be corrected in the above mentioned manner will result in the student being placed in ISS for the remainder of the day.

If a student fails to report to the office when instructed, they will receive the appropriate discipline consequence.

The final determination of what is disruptive or distracting shall be made by the principal or assistant principal. Parents and students who disagree shall follow the procedure for appeals (Board Policy FNG).

ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES

Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones and Other Electronic Devices

For safety purposes, the district permits students to possess personal cell phones; however, these devices must remain turned off and kept in backpack or other approved location during the instructional day, including during all testing, unless they are being used for approved instructional purposes. A student must have approval to possess or use other telecommunications devices such as netbooks, laptops, tablets, or other portable computers.

The use of mobile telephones or any device capable of capturing images or recording is strictly prohibited while at school or at a school-related or school-sponsored event without prior approval.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The parent may pick up the confiscated telecommunications device from the principal's office.

Confiscated telecommunications devices that are not retrieved by the student's parents will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See Searches on page 34 and policy FNF.]

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

Possession and Use of Other Personal Electronic Devices

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

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See Searches on page 34 and policy FNF.]

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

Instructional Use of Personal Telecommunications and Other Electronic Devices

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

Electronic Communication with Students by District Employees

Teachers and other approved employees are permitted by the district to communicate with students through the use of electronic media within the scope of the individual's professional responsibilities. For example, a teacher may set up a social networking page for his/her class that has information related to class work, homework, and tests. As a parent, you are welcome to join or become a member of such a page. An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests.

Acceptable Use of District Technology Resources

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

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, where 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 according to 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 <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

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

Elementary Campuses (Grades PK- 5)

First Offense:

Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day which is defined to be between 3:45 p.m. and 4:15 p.m.

Second Offense:

Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day.

Third and Subsequent Offenses:

Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day.

Note:

- If a parent/legal guardian cannot come to the school to pick up a confiscated electronic device by the end of the school day, the device will stay in the custody of the school administrator until the parent/legal guardian can arrange their schedule to pick up the device.
- If a parent/legal guardian cannot pay the administrative fee, the device will stay in the custody of the school administrator until the parent/legal guardian can pay the assessed fee.

ENGLISH LEARNERS

A student with limited English proficiency (LEP) 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 LEP student. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

In order to determine a student's level of proficiency in English, the LPAC will use information from a variety of assessments. If the student qualifies for services and once a level of proficiency has been established, the LPAC will then designate instructional accommodations or additional special programs 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 under State Assessment section of this handbook, may be administered to an English learner LEP student or, for a student up to grade 5. In limited circumstances, a student's LPAC may waive certain graduation requirements related to the English I and II end-of-course (EOC) assessments. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners LEP students who qualify for services.

If a student is considered LEP an English learner 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

- 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.
- Participation in some of these activities may result in events that occur off-campus. When the district arranges transportation for these events, students are required to use the transportation provided by the district to and from the events. Exceptions to this may only be made with the approval of the activity's coach or sponsor.
- Eligibility for 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. Students involved in UIL athletic activities and their parents can access the UIL Parent Information Manual at <http://www.uil-texas.org/athletics/manuals>; 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 the Texas Education Agency at (512)

463-9581 or curriculum@tea.state.tx.us. [See <http://www.uiltexas.org> for additional information on all UIL-governed activities.] The following requirements apply to all extracurricular activities:

- A student who receives at the end of a grading period a grade below 70 in any academic class, other than a class identified as honors or advanced by either the State Board of Education or by the local Board, may not participate in extracurricular activities for at least three school weeks.
- A student with disabilities who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but not participate in any competitive activity.
- 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.
- Please note: Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by local policy will apply in addition to any consequences specified by the organization.
- [For further information, see policies FM and FO.]

FEES

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

- Costs for material 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 or publications.
- Voluntarily purchased student accident insurance.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Fees for lost, damaged, or overdue library books.
- Summer school for courses that are offered tuition-free during the regular school year.
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

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

FUNDRAISING

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

GANG-FREE ZONES

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

GRADING GUIDELINES

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

Re-teaching and Reassessment

Grades 2-5 teachers will provide reasonable opportunity to reassess mastery of TEKS when a student fails to master the content and receives a failing grade (below 70%) on major tests (those that count twice) and in class projects. The campus procedure will be developed collaboratively by administration, teacher leaders, and either the Campus Advisory Committee or another committee with a variety of representation. Annually, the campus will develop campus-wide procedures that receive approval from the campus Principal and District designee. The original failing grade for the major assignment counts twice until the retest replaces the original test grade at no higher than 75%.

Homework

Homework is a valuable aid in helping students make the most of their experience in school and is considered to be an important component of the instructional program.

Homework is given for:

- Practice – to review and practice specific skills or material covered in class
- Preparation – To prepare students for an upcoming class topic
- Extension – To apply concepts or skills learned in class to new situations
- Long-Range Homework – To integrate a variety of skills into long-range projects

Make-Up Work

Students who are absent will receive the number of days absent plus one day to turn in the make-up work for full credit. Students will not be required to test on the day they return from being absent. A student is responsible for obtaining and completing the make-up work. If the student does not make up the missed assignments and test within the specified number of days, he/she will not receive full credit.

CHEATING/PLAGIARISM/ACADEMIC DISHONESTY

Montgomery ISD expects its students to maintain the highest degree of academic ethics. This means putting the utmost effort into all class work and assignments and avoiding the ethical pitfalls of plagiarism and cheating.

Plagiarism Rationale: Plagiarism demonstrates a lack of integrity and character that is inconsistent with the goals and values of MISD. Plagiarism interferes with the assessment and feedback process that is necessary in order to promote academic growth. Plagiarism may prevent further instruction in areas of weakness and delay the student in reaching his or her potential. Plagiarism includes, but is not limited to:

- Taking someone else's assignments or portion of an assignment and submitting it as your own
- Submitting material written by someone else or rephrasing the ideas of another without giving the author's name or source
- Presenting the work of tutors, parents, siblings, or friends as your own

Cheating Rationale: Cheating demonstrates a lack of integrity and character that is inconsistent with the goals and values of MISD. Education is based on learning specific skills, forming lifelong work habits, and developing mature coping skills according to each student's unique abilities. Students are expected to produce their own work except on projects designated by the teacher as cooperative efforts. If a student is in doubt about the ethical standards applicable to a particular situation, then the student is responsible for clarifying the matter with the teacher.

Cheating includes, but is not limited to:

- Copying, text messaging, faxing, e-mailing, or in any way duplicating assignments that are turned in wholly or in part, as original work
- Giving or receiving answers during tests or quizzes
- Taking credit for group work when you have not contributed an equal or appropriate share toward the final result
- Accessing a test or quiz for the purpose of determining the questions in advance of its administration

If your child is caught cheating and you are called, please remember that this is a learning experience. Please help your child to accept the consequences for his/her inappropriate actions.

Consequences of Plagiarism/Cheating

Grades PK-5 – Any student who is caught cheating or plagiarizing may receive a grade of "zero" for the academic work involved, and the parent(s) of the student(s) will be notified. When work is copied from another student, both students could be penalized with a grade of "zero". Grades of "zero" which are the result of any form of academic dishonesty are irrevocable. The students may receive a "U" for citizenship during the appropriate grading period and campus administration will be notified. Subsequent offenses will be assigned according to the MIDS Student Code of Conduct.

HAZING

Hazing is defined as any intentional, knowing, or reckless act occurring 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 elements in Education Code 37.151, including:

- Any type of physical brutality;

- An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

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

HEALTH-RELATED MATTERS

Bacterial Meningitis

Please see the district's website at www.misd.org under the Parent Information tab for information regarding meningitis.

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

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 reaction either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic, as well as the nature of the allergic reaction. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy. If your child has a known food allergy, complete the Food Allergy/Disability Substitution Request, along with physician's signature. The form can be found online at www.misd.org under "District Services", "Child Nutrition" or obtained from the campus.

The district has developed and annually reviews a food allergy management plan, which addresses employee training, dealing with common food allergens, and specific strategies for dealing with students diagnosed with severe food allergies. When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed at www.misd.org under "Child Nutrition".

For District Policy concerning food allergies see www.misd.org under "About MISD", see FFAF(Local) and celebrations on Page 26.

Head Lice

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

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

The district will provide notice to parents of elementary school students in the affected classroom without identifying the student with lice.

More information on head lice can be obtained from the DSHS website Managing Head Lice in School Settings and at Home.

[See policy FFAA for more information.]

HEALTH-RELATED RESOURCES, POLICIES, AND PROCEDURES

Physical and Mental Health Resources

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

- The campus full-time nurse.
- The campus counselor department.
- The local public health authority, Montgomery County Public Health District, which may be contacted at <https://mcpd-tx.org>.

- The local mental health authority, Tri-County Behavioral Healthcare, which may be contacted at www.tricountyservices.org.

Policies and Procedures that Promote Student Physical and Mental Health

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at www.misd.org under About MISD/Board of Trustees/Board Policy Online.

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

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

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

Please contact the Director of Special Programs at 936-276-2000 for further information regarding these procedures and access to the District Improvement Plan.

Immunizations

In accordance with the Texas Department of Health the following immunizations will be required prior to student's enrollment in Montgomery ISD. Additional vaccines may be recommended during the year. If students do not comply with the immunization schedule, he/she may be excluded from school. Please contact the school nurses if you have questions.

This chart summarizes the vaccine requirements incorporated in Title 25 Health Services, §§ 97.61-97.72 of the Texas Administrative Code (TAC).

This chart is not intended as a substitute for consulting the TAC, which has other provisions and details. The Department of State Health Services is granted authority to set immunization requirements by the Education Code, Chapter 38, Health & Safety, Subchapter A, General Provisions.

IMMUNIZATION REQUIREMENTS

A student shall show acceptable evidence of vaccination prior to entry, attendance, or transfer to a child-care facility or public or private elementary or secondary school in Texas.

Vaccine Required (Attention to notes and footnotes)	Minimum Number of Doses Required by Grade Level				NOTES
	K – 5th	6th	7th	8th – 12th	
Diphtheria/Tetanus/Pertussis (DTaP/DTP/DT/Td Tdap) ¹	5 doses or 4 doses		3 doses primary series and 1 Tdap/Td booster within last 5 years.	3 dose primary series and 1 Tdap/TD booster <i>within last 10 years</i>	<p>For K - 6th grade: 5 doses of diphtheria-tetanus-pertussis vaccine; 1 dose must have been received on or after the 4th birthday. However, 4 doses meet the requirement if the 4th dose was received on or after the 4th birthday. For students aged 7 years and older, 3 doses meet the requirement if 1 dose was received on or after the 4th birthday.</p> <p>For 7th grade: 1 dose of Tdap is required if at least 5 years have passed since the last dose of tetanus-containing vaccine.</p> <p>For 8th - 12th grade: 1 dose of Tdap is required when 10 years have passed since the last dose of tetanus-containing vaccine. Td is acceptable in place of Tdap if a medical contraindication to pertussis exists.</p>
Polio ¹	4 doses or 3 doses				<p>For K – 12th grade: 4 doses of polio; 1 dose must be received on or after the 4th birthday. However, 3 doses meet the requirement if the 3rd dose was received on or after the 4th birthday.</p>

Measles, Mumps, and Rubella ^{1 2} (MMR)	2 doses		For K – 12th grade: 2 doses are required, with the 1st dose received on or after the 1st birthday. Students vaccinated prior to 2009 with 2 doses of measles and one dose each of rubella and mumps satisfy this requirement.
Hepatitis B ²	3 doses		For students aged 11 - 15 years, 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax®) was received. Dosage and type of vaccine must be clearly documented. Two (2) 10 mcg/1.0 ml doses of Recombivax®. If Recombivax® is not the vaccine received, a 3-dose series is required.
Varicella ^{1 2 3}	2 doses		The 1st dose of varicella must be received on or after the 1st birthday. For K – 12 th : 2 doses are required.
Meningococcal		1 dose	For 7th – 12th grade, 1 dose of quadrivalent meningococcal conjugate vaccine is required on or after the student's 11th birthday.
Hepatitis A ^{1 2}	2 doses		The 1st dose of hepatitis A must be received on or after the 1st birthday. For K – 7th grade: 2 doses are required. Special note: a child will not be considered delinquent in this series until 18 months have elapsed since receiving the 1st dose.

¹ Receipt of the dose up to (and including) 4 days before the birthday will satisfy the school entry immunization requirement.

² Serologic confirmation of immunity to measles, mumps, rubella, hepatitis B, hepatitis A, or varicella or serologic evidence of infection is acceptable in place of vaccine.

³ Previous illness may be documented with a written statement from a physician school nurse, or the child's parent or guardian containing wording such as: "This is to verify that (name of student had varicella disease (chickenpox) on or about (date) and does not need varicella vaccine." This written statement will be acceptable in place of any and all varicella vaccine doses required.

Exemptions

The law allows (a) physicians to write a statement stating that the vaccines(s) required would be medically harmful or injurious to the health and well-being of the child, and (b) parents/guardians to choose an exemption from immunization requirements for reasons of conscience, including a religious belief. The law does not allow parents/guardians to elect an exemption simply because of inconvenience (for example, a record is lost or incomplete and it is too much trouble to go to a physician or clinic to correct the problem). Schools and child-care facilities should maintain an up-to-date list of students with exemptions, so they may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

Instructions for requesting the official exemption affidavit that must be signed by parents/guardians choosing the exemption for reasons of conscience, including a religious belief, can be found at www.immunizetexas.com

Provisional Enrollment

For children needing medical exemptions, a written statement by the physician should be submitted to the school.

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

Documentation

Since many types of personal immunization records are in use, any document will be acceptable provided a physician or public health personnel has validated it. The month, day, and year that the vaccination was received must be recorded on all school immunization records created or updated after September 1, 1991.

Medicine at School

- A **parent** must deliver a prescription or non-prescription medication in its original, labeled container to the nurse or designee if the student needs to take the medication during the school day. The parent must complete the Medication Permission Form found in the appendix. If the medication is a prescription drug that is to be taken longer than two weeks, the physician must also sign the Medication Permission Form.
- All medication must be brought to school and picked up by a parent (legal guardian). No medicines of any kind will be allowed on a school bus, car, locker or in a student's possession. Any violation will result in disciplinary consequences. The district will not purchase medication to give to your child.**
- All medications must be in its original container. If medication is sent to school loose in a baggie, envelope, etc., it will be disposed of and the student may have consequences.

- At the end of the school year, all medications will be disposed of if not picked up by the parent. A new medication along with a signed Medication Permission Form is required each school year.
- If a student is coming to the Nurse's Station on a frequent basis asking to take Tylenol or other over-the-counter medication which the parent has brought for them, the parent will be notified regarding possible overuse of such a medication and the possible need for the child to be seen by their doctor.
- If a student is taking a prescription medication and for a medical reason, the time or dosage is changed by the doctor, a letter of authorization from the doctor must be given to the nurse before she can make such a change in handling the way the student is receiving medication.
- Herbal medicines such as St. John's Wort, over-the-counter diet medications and steroids for bodybuilding, etc. will not be accepted in the Nurse's Station unless accompanied by a letter of authorization by the physician and co-signed by the parent.
- Students may carry respiratory inhalers for asthma with them if their physician has requested in writing that the student may do so, the inhaler has the student's prescription label on it, if a second labeled inhaler is kept in the nurse's office for emergencies, if the student can demonstrate the correct use of the inhaler to the nurse, and if the parent has completed a permission to medicate form and filed it with the nurse.
- Montgomery ISD strongly discourages the use of prescription pain medication by our students during school hours. It is our feeling that a student in pain should be kept home under the supervision of the parent until his/her pain is relieved. Often students taking pain medication at school other than Tylenol, aspirin, or ibuprofen are not able to stay awake in class. This does not benefit the student. We are also concerned for their safety while under the influence of the pain medication.
- Students whose schedules provide for regular time spent outdoors, including for recess and physical education classes, should apply sunscreen before coming to school. For students at the elementary level, the student's teacher or other district personnel will apply sunscreen to a student's exposed skin if the student brings the sunscreen to school and requests assistance with the application of the sunscreen. Nothing prohibits a student at this level from applying his or her own sunscreen if the student is capable of doing so. 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.

Mental Health Support

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

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

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

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication that is intended to alter perception, emotion, mood, or behavior.

A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [See policy FFEB for more information.]

For related information, see handbook sections:

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

Physical Activity Requirements

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.

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 principal to obtain the results of his or her child's physical fitness assessment conducted during the school year.

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

School Health Advisory Council (SHAC)

During the preceding school year, the district's School Health Advisory Council held four meetings. Additional information regarding the district's School Health Advisory Council is available from Meredith Burg, Director of Special Programs at the MISD website.

Students Illness

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

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

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

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

Student Wellness Policy/Wellness Plan

MISD 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 Jada Mullins with questions about the content or implementation of the district's wellness policy plan.

Tobacco And E-Cigarettes Prohibited

Students are prohibited from possessing or using any type of tobacco product, including electronic cigarettes or any other electronic vaporizing device while on school property at any time or while attending an off campus school-related activity. The district and its staff strictly enforce prohibitions against the use of all tobacco products including electronic cigarettes or any other electronic vaporizing device by students and others on school property and at school-sponsored and school-related activities. (See the Student Code of Conduct and policies at FNCD and GKA.)

Asbestos Management Plan

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available on each campus. If you have any questions or would like to examine the district's plan in more detail, please contact Joe Kinard, the district's designated asbestos coordinator, at 936-276-2360.

Pest Management Plan

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, pesticide use is sometimes necessary to maintain adequate pest control and ensure a safe, pest-free school environment. All pesticides used are registered for their intended use by the United State Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before 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 further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact the MISD Maintenance Department at 936-276-2360.

LAW ENFORCEMENT AGENCIES

Questioning of Students

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

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

Students Taken Into Custody

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

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By law enforcement personnel 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.
- To comply with a properly issued directive from a juvenile court to take a student into custody.
- 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.
- 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 rises what the principal considers to be a valid objection to notifying the parents. Because the principal does not have the authority to prevent or delay a custody action, notification will most likely be after the fact.

Notification of Law Violations

The district is required by state law to notify:

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

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

LEAVING CAMPUS

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

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent: For students in elementary school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.

NONDISCRIMINATION STATEMENT

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

In accordance with Title IX, the district does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to admission and employment. Inquiries about the application of Title IX may be referred to the district's Title IX Coordinator (see below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment: Jada Mullins, Director of Special Programs, 20774 Eva St., Montgomery, TX 77356, 936-276-2150 email: Jada.Mullins@misd.org. Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with the process described at FFH (LOCAL).

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

- For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator: Meredith Burg, Executive Director of Special Education, 20774 Eva St., Montgomery, TX 77356, 936-276-2460 email: Meredith.Burg@misd.org.
- For all other concerns regarding discrimination: See the superintendent, _____, 20774 Eva St. Montgomery, TX 77356, 936-276-2011 email: .

[See policies FB, FFH, and GKD.]

PARENT AND FAMILY ENGAGEMENT

Working Together

A child's education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. Your involvement and engagement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides. Be sure your child comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the District. Discuss with the counselor or principal any questions you may have about the options and opportunities available to your child. Monitor your child's academic progress and contact teachers as needed.
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. A teacher will usually return your call or meet with you during his or her conference period or at a mutually convenient time before or after school.
- Other forms of parent engagement:
 - Becoming a school volunteer. (Refer to MISD Website for required forms to be completed new each school year).
 - Participating in campus parent organizations (the campus personnel are prohibited from distributing directory information)
 - Offering to serve 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.
 - Attending board meetings to learn more about district operations. Regular board meetings are held on the 3rd Tuesday of each month at the District Office at 20774 Eva Street, Montgomery, Texas. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at 20774 Eva Street, Montgomery, Texas and online at www.misd.org. [See policies at BE and BED for more information.]
 - 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]
 - Being aware of the school's ongoing bullying and harassment prevention efforts.
 - Contacting school officials if you are concerned with your child's emotional or mental well-being.

PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE

- Texas law requires students to recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag each day. Parents may submit a written request to the principal to excuse their child from reciting a pledge.
- State law requires that one minute of silence follow recitation of the pledges. The student may choose to reflect, pray, meditate, or engage in any other silent activity so long as the silent activity does not interfere with or distract others. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. 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

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

PROMOTION AND RETENTION

1st grade promotion to the next grade level shall be based on evidence of satisfactory progress ~~performance~~ in Reading, Language Arts and Mathematics that is based on evidence from Standards based report cards.
In grades 2-5, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 in each of the following, Reading/Language Arts, Mathematics, Science and Social Studies.

REPORT CARDS, PROGRESS REPORTS, AND CONFERENCES

Report cards with your child's grades or performance and absences in each class or subject are issued to you once every 9 weeks.
At the end of the first 4 weeks of a 9-week grading period, you will be given a written unsatisfactory progress report if your child's performance in any course [in English language arts, mathematics, science, or social studies] is near or below 70, or is below the expected level of performance. If your child receives a grade lower than 70 in any class or subject during a grading period, you may be requested to schedule a conference with the teacher of that class or subject. The report card or unsatisfactory progress report will state whether tutorials are required for a student. Every student will receive a progress report the first 4 weeks of school.
Report cards and unsatisfactory progress reports must be signed by the parent and should be returned to the school.
Please refer to your campus website for specific report card distribution dates. Report cards are issued at the conclusion of each nine week period.

Progress Reports / Report Cards

First 9 Weeks Progress Reports	Tues, September 15, 2020
Report Cards	Tues, October 20, 2020
Second 9 Weeks Progress Reports	Tues, November 10, 2020
Report Cards	Tues, January 12, 2021
Third 9 Weeks Progress Reports	Tues, Feb 2, 2021
Report Cards.....	Tues, March 30, 2021
Fourth 9 Weeks Progress Reports.....	Tues, April 20, 2021
Report Cards.....	Mailed Tues, June 1, 2021

SAFETY

Student safety on campus or at school-related events is a high priority of the District. Although the District has implemented safety procedures, the cooperation of students is essential to ensure school safety. Students should:

- Avoid conduct that is likely to put the student or other students at risk.
- Follow the Student Code of Conduct and any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- Remain alert to and promptly report safety hazards, such as intruders on campus.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other District employees who are overseeing the welfare of students.

Accident Insurance

At the beginning of the school year, the District will make available to students and parents a low-cost student accident insurance program. If coverage is desired, parents are responsible for paying premiums and for submitting claims to the insurance carrier. The district shall not be responsible for costs of treating injuries or assume liability for any other costs associated with an injury. Claim forms

may be obtained from the office or the athletic trainer. This insurance is provided by a firm selected by the Board of Trustees with the following provisions and limitations:

- Students or their parents shall pay their own premiums.
- The District is not responsible for any cost for the treatment of injuries, which are above and beyond the limits noted in the student insurance policy.

Preparedness Drills: Evacuation, Severe Weather and Other Emergencies

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

Emergency Medical Treatment and Information

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

Emergency/Bad Weather School-Closing Information

The district may close schools, delay opening, release students early because of bad weather or restrict access to the building because of emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the district's facilities. When it becomes necessary to close, delay opening, release students early or restrict access to the building because of an emergency, the following radio and television stations will be notified by school officials;

TV: KPRC Channel 2, KHOU Channel 11, KTRK Channel 13 and Fox 26

Radio: K-STAR 99.7

In addition to the above, announcements will be made through School Messenger, our telephone broadcast system that enables school personnel to notify selected households of emergencies or events. 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. Further, the district website, www.misd.org, and Twitter will also be used to communicate to staff and community any changes in school operation due to the weather.

SCHOOL FACILITIES

Use by Students Before and After School

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place. The following areas are open to students before school, beginning at 7:50 a.m.▪ School Cafeteria. 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 of school in the afternoon unless a student is involved in an activity under the supervision of a teacher or other authorized employee or adult, or unless students are granted permission to remain on campus in accordance with policy FNAB, students must leave campus immediately.

Conduct Before and After School

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

CAFETERIA SERVICES/CHILD NUTRITION

The Award Winning Montgomery ISD Child Nutrition Department serves our students healthy and delicious meals and snacks at a value price. Please read the following information:

Breakfast Program Basics

All cafeterias are open for breakfast service at least 30 minutes prior to the beginning of the school day. To purchase a meal, a student may choose an entrée, a side, a juice/fruit and milk. A student may choose an item in all four categories listed or may choose as few as three items to create a meal. For a meal to be complete a vegetable/ fruit must be chosen. A la carte items are also available for purchase at breakfast service time.

Lunch Program Basics

Montgomery ISD offers a variety of selections. To purchase a basic meal, a student will choose one entrée, two side items (a vegetable and a fruit or two vegetables), a serving of bread and a choice of milk. A student may choose as few as three items or all five. For a meal to be complete a vegetable/ fruit must be chosen. A variety of entrées, vegetables, fruit, breads and milks are served daily to choose. Our menus are published on the website and distributed monthly at PK-5th grade campuses.

Menus and Pricing

Menus and prices are posted in the Child Nutrition section of our web site at www.misd.org. All MISD menus must meet federal nutrition standards for calories, sodium, and saturated and trans fat established by USDA. Guidelines can be located at www.squaremeals.org.

Free and Reduced Price Meal Applications

See MISD Website to apply online for free or reduced price meal services. A paper copy of the applications is available at every campus in the front office and the cafeteria. Applications are also available at the district office located at 20774 Eva Street, Montgomery TX, 77356. An application must be completed each school year unless you have been notified by the Montgomery ISD Child Nutrition Office that your student has been directly certified by the state of Texas. A completed application will be processed within 10 days from receipt. You may apply at any time during the school year.

Method of Payment

Montgomery ISD uses a district networked computerized system in the cafeterias to track payments and meal consumption. You may pay for meals with cash, check, or our online payment system. The online system accepts both credit cards and debit cards. A link can be found on the Montgomery ISD Website under www.myschoolbucks.com. There is a small fee for using the online service.

Accessing Meal Accounts

All students use their district student I.D. as a "pin number" to access their meal account. This number is used in the cafeteria to access their accounts and for payment on meal accounts.

Student Balance Questions

Parents/Guardians may look up account purchases anytime using www.myschoolbucks.com. Step by step instructions are located on the Child Nutrition section of the MISD website.

Meal Balance E-mail Alert Setup

You may set up a low balance e-mail alert if your student's meal account falls below an amount you specify. This service will also enable you to view purchase history within the past thirty days. This is part of the "no fee for service" section offered by www.myschoolbucks.com. Step by Step instructions may be found on the Child Nutrition section of the MISD website.

Student Meal Charging Policy

Pk-5th grades may have three charges per meal program (NSBP/NSLP) on their account. Every effort is made to keep your student informed of their meal account balance. When a student has charged the maximum number of meals, the student will receive an entree, fruit or vegetable, and a milk at lunch and cereal w/toast, fruit and milk for breakfast. No Ala carte items may be charged at any time during the year.

FOODS OF MINIMAL NUTRITIONAL VALUE (FMNV) POLICY

Smart Snacks

USDA Nutrition Standards (Smart Snacks) will be used as the standard for guidelines pertaining to foods and beverages made available on school campus. Time and place regulations is defined as; the midnight before the beginning of the official instruction day to 30 minutes after the end of the official instruction day. Competitive Food Nutritional Standards apply during this time period.

Competitive Food Nutritional Standards

The district follows all applicable State and Federal guidelines as well as board adopted policies, define when, where and by whom competitive foods, which are served or sold on school premises during the school day. Foods and Beverages that are sold during the school day, that are not part of a Food Service Reimbursable Meal, on the school campus, must meet Competitive Food Nutrition Standards.

Serving the Special Dietary Needs of Students

Students with disabilities who require changes to the basic meal are required to provide documentation with accompanying instructions from a licensed physician. Students without disabilities requiring food substitutions or modifications may request that the Child Nutrition Department meet their special nutrition needs. The district will decide these situations on a case by case basis. Please complete the Physician's form – Food/Allergy/Disability Substitution Request located on the MISD web site (www.misd.org) under District Services/Child Nutrition.

The form can be faxed to Montgomery ISD Child Nutrition Department at (936) 276-2601 or mailed to Montgomery ISD, Attn: Child Nutrition Department, 20774 Eva Street, Montgomery, Texas 77356. Please provide a parent/guardian contact number. Child Nutrition provides the completed form to the school nurse.

Discrimination Statement

Non-discrimination Statement: In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. This institution is an equal opportunity provider.

SEARCHES

District Property

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in district property.

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

Searches in General

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

District officials may conduct searches of students and their belongings 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.

If there is reasonable suspicion to believe that searching a student's person or belongings 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

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

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

[See policy FNF(LEGAL) and Electronic Devices and Technology Resources on page **Error! Bookmark not defined.** For more information.]

SPECIAL PROGRAMS

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency or who are English language learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact school district personnel at (936) 276-2460. The following websites provide information to those who are seeking information and resources specific to students with disabilities and their families:

- Texas Project First, at <http://www.teasprojectfirst.org>
- Partners Resource Network, at <http://www.partnerstx.org>

STATE ASSESSMENT: STAAR for ELEMENTARY GRADES

STAAR Grades 3–8

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

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

Successful performance on the reading and math assessments in grades 5 and 8 is required by law in order for the student to be promoted to the next grade level, unless the student is enrolled in a reading or math course intended for students above the student's current grade level. Exceptions may apply for students enrolled in a special education program if the ARD committee concludes the student has made sufficient progress in the student's individual education plan (IEP).

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

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

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

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

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

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

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

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

This information will be communicated to the parents in the following methods:

- Campus Website
- Handbook
- Open House/Meet the Teacher/Parent Information Night
- Home with students
- School Messenger

SUBSTANCE ABUSE PREVENTION AND INTERVENTION

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be

of assistance to you. The TDSHS maintains information regarding children's mental health and substance abuse intervention services on its website: <http://www.dshs.state.tx.us/mhsa.aspx>

SUICIDE AWARENESS AND MENTAL HEALTH SUPPORT

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access <http://www.texasuicideprevention.org> or contact the school counselor for more information related to suicide prevention services available in your area.

SUMMER PROGRAM INFORMATION

For summer program information, please contact your school principal or counselor.

TEXTBOOKS

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

TRANSPORTATION

Bus Policy

The Montgomery Independent School District chooses to provide bus transportation to all eligible students of the District. All policies, rules and regulations pertaining to school bus transportation have been carefully established to enhance the safety of all students who choose to utilize this service. Students are expected to board and depart the bus only at one designated bus stop. 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. Only M.I.S.D. students will be allowed to ride buses. **Due to the rapid growth of MISD, we will no longer allow extra riders to ride the bus routes. Only registered riders will be allowed on the bus route. No sleepovers, birthday parties, etc.**

The time involved in transporting students to and from school is regarded as an extension of the school day. Riding the school bus is a privilege. Improper conduct on the bus will result in that privilege being denied.

Bus Rules:

- Observe same conduct as in the classroom.
- Be courteous, use no profane language.
- Do not eat or drink on the bus.
- Keep the bus clean.
- Cooperate with the driver.
- Do not use tobacco.
- Do not be destructive.
- Stay in your seat.
- Keep head, hands and feet inside the bus.
- Remember that the bus driver is authorized to assign seats.

Minor Offenses

These offenses include but are not limited to the following:

- Turning around backwards in seat, sitting on knees, legs or bags.
- Not sitting in the seat assigned.
- Talking loudly or making noises.
- Chewing gum.
- Standing up, crawling over or under seats, getting out of seat before bus stops.
- Making rude gestures, teasing other students, cursing.
- Pushing, shoving, tripping (based on the situation it could be considered a Major offense).
- No food or drinks, except water.
- Preventing others from being seated.

- Spitting on the floor or out of the window.
- Changing clothes on the bus (based on the situation it could be considered a Major offense).
- Placing body parts out of the window.
- Leaving the bus at the wrong bus stop.

Video cameras may be used in District vehicles to promote compliance with the rules of conduct. If a student chooses to violate these policies, rules and regulations, it could endanger the safety of other passengers as well as himself/herself, in such event the following procedures will be followed:

Consequences for Minor Offenses

- 1st Offense:** Student is verbally warned and a written warning is issued with a copy sent home to parent with student.
2nd Offense: Bus driver has conference with student and issues second Written Warning, copy sent home to parent with student.
3rd Offense: A written Conduct Report will be forwarded to the Principal or Assistant Principal for disciplinary action.

Major Offenses

These offenses include but are not limited to the following:

- Throwing objects: Rubber bands, poppers, pencils, etc.
- Throwing objects out of the window
- Fighting, hitting
- Opening the emergency door
- Acts of public lewdness
- Bringing sharp objects onto the bus
- Cutting seats or causing other damage to the bus
- Threatening the driver with physical harm
- Throwing sharp or dangerous objects
- Spitting on others
- Curing or making obscene gestures to the driver
- Forcing driver to stop bus for any discipline problem
- Sexual Acts/Misconduct
- Weapons
- Threats
- Intimidation
- Drugs
- Fighting
- Bullying/Harassment
- Alcohol

Video cameras may be used in District vehicles to promote compliance with the rules of conduct. If a student chooses to violate these policies, rules and regulations, it could endanger the safety of other passengers as well as himself/herself, in such event the following procedures will be followed:

Consequences for Major Offenses

- 1st Offense:** Student is removed from the bus for 3 days and receives appropriate campus consequences.
2nd Offense: Student is removed from the bus for 5 days and receives appropriate campus consequences.
3rd Offense: Student is removed from the bus for 10 days and receives appropriate campus consequences.
4th Offense: Student is removed from the bus for 30 days and receives appropriate campus consequences.
5th Offense: Student is removed from the bus for the remainder of the school year and receives appropriate campus consequences.

PLEASE NOTE: A student can be removed by MISD Police Department for any major offense if the driver feels such action is warranted. All regular school rules apply when riding the bus. Serious infractions such as drugs, alcohol, and weapons will receive the appropriate disciplinary action as indicated by the Student Code of Conduct and by Law Enforcement Officials.

All infractions of bus rules and regulations are handled at the discretion of the Principal or Assistant Principal. Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student's Individual Education Plan (IEP) or other individually designed program.

FIELD TRIPS

No student will be permitted to ride to or return from a field trip in a private vehicle. No parents or siblings will be allowed to ride the bus to or return from a field trip.

VANDALISM

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

VIDEO CAMERAS

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

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

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

[See EHBAF(LOCAL).]

VISITORS TO THE SCHOOL

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 enter the front doors of the main lobby and report to the front office area. Visitors will be required to present a government issued photo identification card (valid driver's license) that will be scanned through the V-soft Security System and required to sign in and out. If clear, the visitor will then receive a photo visitor's pass that must be worn while on campus, and returned to the front office when leaving. Visitors must also comply with all applicable district policies and procedures.

Classroom Visits

- Visits to individual classrooms during instructional time are permitted only with 24 hour prior approval of the principal and teacher and as long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Parents should be reminded that this is not a conference time. An appropriate amount of time for a classroom visit should not last longer than 45 minutes.
- All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

Lunch Visits

- School lunch is a routine part of the instructional day, therefore it is NOT considered a school activity.
- Lunch visitors are required to check in at the front office and follow campus procedures.

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).

VOLUNTEERS

The purpose of a school volunteer program is to provide an opportunity for parents and other interested adults to assist school personnel in the operation of the schools. Volunteers help the Montgomery Independent School District meet its mission of providing a quality educational foundation to successfully prepare students for their future. In short, school volunteers are a valuable, needed, and appreciated resource to our students and staff alike.

All of our children are full of potential and promise. Each and every young person attending our schools must be provided a safe and secure environment that nurtures and enhances their learning. Screening our volunteers provides assurance to our parents and to our community that the District is taking the necessary steps to proactively and reasonably preserve a safe and secure learning situation. Volunteers who work directly with campuses and with students will be required to complete a MISD Volunteer Services Form and a DPS Computerized CH Verification form. The background check is strictly confidential and will be processed through the MISD office. The continued success of Montgomery's young people depends on the steady increase of community support for the District's schools, and volunteerism is an excellent avenue to get involved and support our schools.

If you are interested in volunteering, please refer to the MISD website, under *Parent Information* and click on *Volunteer Information*. Please complete both forms and return them to your child's campus. Also, refer to policy GKG (LEGAL) *Community Relations: School Volunteer Program* on the MISD website www.misd.org.

WITHDRAWING FROM SCHOOL

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent in advance so that records and documents may be prepared. A withdrawal form may be obtained by the parent from the registrar's office.

MONTGOMERY
INDEPENDENT SCHOOL DISTRICT

STUDENT CODE OF CONDUCT

APPROVED BY THE MONTGOMERY ISD BOARD OF TRUSTEES
JUNE 16, 2020

Table of Contents

STUDENT CODE OF CONDUCT	1
Accessibility	1
Purpose	1
School District Authority and Jurisdiction	2
Campus Behavior Coordinator	2
Threat Assessment and Safe and Supportive School Team	2
Searches	2
Reporting Crimes	2
Security Personnel	2
‘Parent’ Defined	3
Participating in Graduation Activities.....	3
Unauthorized Persons.....	3
Standards for Student Conduct	4
General Conduct Violations	5
Disregard for Authority	5
Mistreatment of Others.....	5
Property Offenses	5
Possession of Prohibited Items.....	5
Possession of Telecommunications or Other Electronic Devices.....	6
Illegal, Prescription, and Over-the-Counter Drugs	6
Misuse of Technology Resources and the Internet.....	6
Safety Transgressions.....	7
Miscellaneous Offenses	7
Discipline Management Techniques	7
Students with Disabilities	7
Techniques.....	8
Prohibited Aversive Techniques.....	8
Notification.....	9
Appeals	9
Removal from the School Bus	9
Removal from the Regular Educational Setting	9
Routine Referral	9
Formal Removal	10
Returning Student to Classroom	10
Out of School Suspension (Suspension).....	10
Misconduct	10
Process	10
Coursework During Suspension.....	11

Speaking at Graduation	11
Disciplinary Alternative Education Program (DAEP) Placement.....	11
Discretionary Placement: Misconduct That May Result in DAEP Placement.....	12
Misconduct Identified in State Law.....	12
Mandatory Placement: Misconduct That Requires DAEP Placement	13
Sexual Assault and Campus Assignments	13
Process	13
Conference	13
Consideration of Mitigating Factors	14
Placement Order.....	14
Coursework Notice.....	14
Length of Placement	14
Exceeds One Year.....	14
Exceeds School Year.....	15
Exceeds 60 days.....	15
Restrictions during Placement	15
Transportation for DAEP	15
Graduating Seniors in DAEP/Participation and Speaking at Graduation	15
Placement Review.....	15
Additional Misconduct	15
Notice of Criminal Proceedings.....	15
Withdrawal during Process	16
Newly Enrolled Students	16
Emergency Placement.....	16
Transition Services.....	16
Appeal of a DAEP Placement	16
Placement and/or Expulsion for Certain Offenses	17
Registered Sex Offenders.....	17
Review Committee.....	17
Newly Enrolled Student.....	17
Appeal.....	17
Certain Felonies	17
Hearing and Required Findings	18
Length of Placement.....	18
Placement Review	18
Newly Enrolled Students.....	18
Expulsion	18
Discretionary Expulsion: Misconduct That May Result in Expulsion	18
At Any Location.....	18

Mandatory Expulsion: Misconduct That Will Result in Expulsion	19
At Any Location	19
At School, Within 300 Feet of School, or at a School Event.....	19
Federal Law	19
Penal Code	20
Under Age Ten	20
Expulsion Process.....	20
Hearing Waiver	20
Hearing.....	20
Representative	21
Evidence	21
Expulsion Order	21
Review of Expulsion.....	21
Length of Expulsion.....	21
Graduating Seniors and Expulsion.....	22
Withdrawal during Process	22
Additional Misconduct	22
Restrictions during Expulsion.....	22
Newly Enrolled Students	22
Emergency Expulsion.....	22
DAEP Placement of Expelled Students	22
Transition Services.....	22
Glossary.....	23

STUDENT CODE OF CONDUCT

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Meredith Burg, Executive Director of Special Education at Meredith.Burg@misd.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 Montgomery ISD’s 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. Additionally, the Code shall be available at the office of the campus behavior coordinator and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

Please note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

Please note: The Montgomery ISD Board Policy is available on the Montgomery ISD website (www.misd.org).

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. While the student is in attendance at any school-related activity, regardless of time or location;
3. For any school-related misconduct, regardless of time or location;
4. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
5. When a student engages in cyberbullying, as provided by Education Code 37.0832;
6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another District in Texas;
9. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081; or
10. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at www.misd.org.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment and safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

The principal or campus behavior coordinator and other school administrators as appropriate will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure sufficient security and protection of students, staff, and property, the board employs school resource officers (SROs). In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

The law enforcement duties of school resource officers are:

1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce District policies on District property, in school zones, at bus stops, or at District functions.
6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in administrative hearings concerning the alleged violations.
7. Carry weapons as directed by the chief of police and approved by the Superintendent.
8. Carry out all other duties as directed by the chief of police or Superintendent.

'Parent' Defined

Throughout the Code of Conduct and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The District has the right to limit a student's participation in graduation activities for violating the District's Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible for speaking roles at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to fill a speaking role, a student shall not have engaged in any misconduct in violation of the District's Code, resulting in an out-of-school suspension or removal to a DAEP/JJAEP the two semesters immediately preceding graduation.

See DAEP/Expulsion – Restrictions concerning placement on pages 12 and 18, for information regarding a student assigned to DAEP/JJAEP and participation in graduation.

Unauthorized Persons

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

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

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 days, unless the complaint is resolved before a board hearing.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy and respect, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet District and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other District staff and volunteers.
- Respect the property of others, including District property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

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

Students shall not:

Disregard for Authority

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on district vehicles.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

Mistreatment of Others

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion)
- Threaten a District student, employee or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See glossary for all four terms)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors 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.
- Take and/or forward inappropriate pictures of their classmates, such as pictures of their classmates engaging in sex acts, using their cell phones or using District computers and equipment. (See glossary)
- Participate in hazing. (See glossary)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a District student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Verbal abuse, derogatory or offensive remarks addressed to others, name-calling, making ethnic, racial, or religious slurs.

Property Offenses

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

Possession of Prohibited Items

- 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;
- archery equipment;
- ammunition;
- *A location-restricted knife ;
- A hand instrument designed to cut or stab another by being thrown;
- *A firearm;
- a stun gun;
- a pocketknife or any other small knife;
- martial arts objects including but not limited to the following: shurikan (throwing stars), nunchakus (“nun-chucks”), tonfa (wooden weapon), staff, baton (short stick), bolo (long cord with weights at end), etc.;
- mace or pepper spray;
- pornographic material;
- tobacco products; cigarettes; e-cigarettes; and any component, part, of 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 weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see DAEP Placement and Expulsion. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.
- Possession and/or distribution of pornographic materials. Possess visual material on a cell phone that depicts a child younger than 18 years of age at the time the image was made engaging in sexual conduct. (See glossary)
- Possess audio headsets, radio, electronic games, or similar electronic devices without permission.

Illegal, Prescription, and Over-the-Counter Drugs

- 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 or marijuana substitute 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.
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by District policy.
- 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”)

Misuse of Technology Resources and the Internet

- 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, 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.
- Send or post visual material that depicts pictures of a child younger than 18, at the time the image was made and who was engaging in sexual conduct. (See glossary)
- 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

- 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 District student, employee, volunteer, 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

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Truancy, i.e. skipping school or cutting class without the parent's knowledge or permission.
- Violate extracurricular standards of behavior.
- Call 911 when no emergency exists.
- 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 will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative discipline 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 out-of-school suspension, DAEP placement, or expulsion, the District will

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 (oral or written) correction.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.

- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator or appropriate campus 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 campus behavior coordinator or appropriate campus 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. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice. Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the Montgomery ISD website, www.misd.org.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance.

Removal from the School Bus

A bus driver may refer a student to the principal's office, the campus behavior coordinator's office, or the appropriate campus administrator's office to maintain effective discipline on the bus. The principal, campus behavior coordinator, or appropriate campus administrator 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, campus administration may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus administrator's office as a discipline management technique. The administration shall employ alternative discipline

management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher **may** also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate campus administrator will schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate campus administrator will inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other campus administrator may place the student in:

- Another appropriate classroom;
- In-school suspension;
- Out-of-school suspension; or
- DAEP.

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning Student to Classroom

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

Out of School Suspension (Suspension)

Misconduct

Students may be suspended for any behavior listed in this 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 will have an informal conference with the campus behavior coordinator or appropriate campus administrator who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus administration 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.

Suspended students are not allowed to participate or attend any school-sponsored or school-related extracurricular and co-curricular activities.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that does not require the use of the internet.

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

Speaking at Graduation

In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any misconduct in violation of the District's Code, resulting in an out-of-school suspension during his or her last two semesters.

Disciplinary Alternative Education Program (DAEP) Placement

The District operates a Disciplinary Alternative Education Program (DAEP) for students who have committed certain serious offenses. The DAEP:

1. Is in a setting other than the student's regular classroom; and
2. Separates students in the DAEP from students in the regular program.

An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be Kindergarten-Grade 5 and secondary classification shall be Grades 6-12.

Summer programs provided by the District shall serve students assigned to a DAEP in conjunction with other students. Days attended in summer programs do not count towards DAEP assigned days.

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

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

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

**Discretionary
Placement: Misconduct
That May Result in DAEP
Placement**

A student may be placed in a DAEP if the student commits any of the following offenses on or while attending a school-sponsored or school-related activity on or off school property:

- Possession of a knife.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.
- Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.
- Fighting, committing physical abuse, or threatening physical abuse.
- Sexual harassment of a District student, employee, or volunteer.
- Falsification of records, passes, or other school-related materials.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Making or assisting in making threats, including threats against individuals or groups.
- Refusal to accept discipline management techniques proposed by the teacher and principal.
- Possessing or selling look-alike drugs and contraband including drug paraphernalia.
- Possessing look-alike weapons.
- Possession or use of smoke bombs or stink bombs.
- Persistent pattern of violations of school rules after other disciplinary consequences have been tried.

**Misconduct Identified in
State Law**

In accordance with state law, a student may be placed in a DAEP for any one of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Criminal mischief not punishable as a felony.
- Assault (no bodily injury) with threat of imminent bodily injury. Texas Penal Code §22.01(a)(2)
- Assault by offensive or provocative physical contact. Texas Penal Code §22.01 (a)(3)
- Misconduct which includes elements of Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)

Gang-related activity, including but not limited to dress code violations, possession of paraphernalia, graffiti or symbols, tattoos and identifying language or hand signals for the purpose of demonstrating membership of affiliation in any gang, participation as a member of pledge, soliciting another person to become a pledge or member of a gang will be subject to at least the following specific consequences.

- **Level One First Offense** – behavior contract and conference between parent/guardian, administrator, and law enforcement official.
- **Level Two Second Offense** – 45 school days in DAEP. Students who engage in misconduct, which includes elements of gang activity in conjunction with another violation of the Montgomery ISD Student Code of Conduct, will be subjected to the second level consequences delineated. The determination will be based on the severity of the misconduct and the law.

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

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 offense in Title 5 (see glossary) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

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

According to state law, or MISD Board Policy placement in a DAEP is required for the following offenses if the student:

- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
 - Possesses, uses, or is under the influence of marijuana or marijuana substitute, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
 - Promoting and/or possessing intimate visual materials of child younger than 18 years of age. (See glossary)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
 - Engages in 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 between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

**Sexual Assault and
Campus Assignments**

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the Board transfer the offending student to another campus, the offending student shall be transferred to another campus in the District. If there is no other campus in the District serving the grade level of the offending student, the offending student will be transferred to a DAEP.

Process

Removals to a DAEP will be made by the appropriate campus administrator after consulting the campus behavior coordinator.

Conference

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate campus administrator will schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.

At the conference, the campus behavior coordinator or an appropriate campus administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the District may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the 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.

Placement Order

After the conference, if the student is placed in the DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

Not later than the second business day after the conference, the campus principal will deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order will give notice of the inconsistency.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP. The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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.

DISCRETIONARY DAEP PLACEMENTS:

The length of discretionary (MAY PLACE) DAEP assignments will be determined by the campus behavior coordinator, however, the duration of any assignment to DAEP will be no less than fifteen (15) school days.

MANDATORY DAEP PLACEMENTS:

- First offense of alcohol possession or under the influence - minimum of 30 days
- Second offense of alcohol possession or under the influence - not to exceed 90 days
- Sells, gives, or delivers alcohol – not to exceed 90 days
- Any other consequence involving mandatory offenses will range from 15 days DAEP to 90 days DAEP.

Consequences will be assigned based on the offense committed, location (in the building/facility or in the vehicle), use or threaten to use, possession on the person, in the locker, purse, or other types of bag including backpacks, athletic bags, etc. or sells, distributes, or attempts to sell.

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.

Exceeds School Year	<p>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 in a DAEP so that the students are not assigned to the same campus.</p> <p>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.</p> <p>For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:</p> <ol style="list-style-type: none"> 1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or 2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the District's Code.
Exceeds 60 days	<p>For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given notice and the opportunity to participate in a proceeding before the board or the board's designee.</p>
Restrictions during Placement	<p>The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.</p>
Transportation for DAEP	<p>Bus ridership privileges will be suspended for students, grades 7 through 12, placed in the DAEP, except for a student's first placement in the DAEP for behavior that does not involve physical abuse of another individual or possession of a deadly weapon. Any disciplinary incident during the first DAEP assignment or any second assignment to the DAEP will result in loss of transportation services during the term of the placement. A student with a disability who has transportation designated as a related service in the student's IEP, under federal law will not be affected.</p>
Graduating Seniors in DAEP/Participation and Speaking at Graduation	<p>When a student commits an offense and receives assignment to the DAEP during the senior year, the District may allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met, and provided that the student has successfully completed all of the days that the student was placed in the DAEP. If the student in question has not completed his or her days in the DAEP for any reason, such as withdrawal or transfer to another school District, the student may not be allowed to participate in graduation ceremonies. Any decision concerning participation in graduation ceremonies will be made by the high school principal.</p> <p>In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any serious misconduct in violation of the District's Code, resulting in removal to a DAEP during his or her last two semesters.</p>
Placement Review	<p>A student placed in a DAEP will be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan will also be reviewed. At the review, the student or the student's parent will be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.</p>
Additional Misconduct	<p>If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or appropriate campus administrator may enter an additional disciplinary order as a result of those proceedings.</p>
Notice of Criminal Proceedings	<p>When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:</p> <ol style="list-style-type: none"> 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. <p>If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the Superintendent or designee will review the student's placement and schedule a review with the</p>

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 will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the Superintendent or designee, and confirm or reverse the decision of the Superintendent or designee. The Board will make a record of the proceedings.

If the Board confirms the decision of the Superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal during Process

When a student violates the District's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the District before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then reenrolls in the District during the same or a subsequent school year, the District may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the Board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

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

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, will reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the District determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Appeal of a DAEP Placement

The student or the student's parent or guardian may appeal the campus administration's DAEP placement decision. The request for appeal must be in writing and must be received by the Superintendent within 5 calendar days of the date of the campus DAEP order. The Superintendent will schedule a conference with the student and parent to be held within 10 calendar days, after which a written decision will be issued.

At the appeal conference, before the Superintendent or designee, the student is entitled to an adult representative or legal counsel who can provide guidance to the student and who is not an employee of the District. At this conference, the Superintendent or designee will listen to both the student and campus administration, as well as review other pertinent information regarding the matter as he sees fit. Within seven (7) calendar days of hearing the appeal, the Superintendent or designee will communicate his written conclusion to the parent and the campus administration.

For DAEP placements assigned for 45 school days or less, the Superintendent's or designee's decision will be final and non-appealable.

For DAEP placements assigned for more than 45 school days, the parent may appeal the Superintendent's decision to the District Board of Trustees. The request for appeal must be in writing and be received by the Superintendent within seven (7) calendar days of the date of the Superintendent's written appeal decision. The appeal will be heard at a board meeting within 30 days of the receipt of the written request to appeal the Superintendent's decision. At the meeting,

the Board will review a record of the DAEP placement appeal conference and will provide the parent and/or student, or representative with an opportunity to make a presentation to the Board. The administration will also be asked to speak. No new evidence, including witnesses or documents will be heard or considered. The Board may set reasonable time limits for oral presentations. Any decision by the Board is final and may not be appealed.

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration in accordance with policy FNG(LOCAL). A copy of this policy is available at the Montgomery ISD website, www.misd.org.

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.

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement will be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest 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 will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Student

If a student enrolls in the District during a mandatory placement as a registered sex offender, the District may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see glossary) of the Penal Code. The student must:

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

- The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

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

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the District, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

***Hearing and
Required Findings***

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the District's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

***Newly Enrolled
Students***

A student who enrolls in the District before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

Expulsion from school and school services is the most severe consequence provided under this Code and available under the law. Expulsion is reserved for the most intolerable student behavior. In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

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

**Discretionary Expulsion:
Misconduct That May
Result in Expulsion**

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See DAEP Placement)

At Any Location

A student may be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Possessing look-alike weapons, including BB guns and pellet guns.

- 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.

**Mandatory Expulsion:
Misconduct That Will
Result in Expulsion**

At Any Location

A student will be expelled for committing any of the following offenses:

- Breach of computer security.
- Engaging in conduct that contains the elements of the offense of **False Alarm** as defined in the Texas Penal Code or report or a terroristic threat involving a public school. (See glossary.)

***At School, Within
300 Feet of School,
or at a School Event***

A student will 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:

- Felony criminal mischief.
- Sells, gives, or delivers or attempts to sell, give, or deliver to another person marijuana or marijuana substitute, dangerous drugs or controlled substances.
- Promoting and/or possessing intimate visual material of classmates younger than 18 years of age engaging in sexual conduct. (See glossary)
- Engages in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or volunteer.
- Engaging in deadly conduct. (See glossary.)
- Engages in documented serious misbehavior that violates the District's Code, despite documented behavioral interventions while placed in the 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.
- 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. "Firearm" under federal law includes:
 - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm weapon.
 - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Federal Law

Note: Mandatory expulsion under 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.

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. 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 Texas Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana or marijuana substitute, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
 - Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student will not be expelled, but will be placed in a DAEP. A student under age six will not be removed from class or placed in a DAEP unless the student commits a federal firearm offense.

Expulsion Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator will request that the Superintendent schedule an expulsion hearing within a reasonable time.

Until a hearing can be held, the campus behavior coordinator or other campus administrator may place the student in:

- Another appropriate classroom;
- In-school suspension;
- Out-of-school suspension; or
- DAEP.

Hearing Waiver

At the campus level, parents and students will have an opportunity to waive their right to the above-mentioned hearing.

Hearing

The Board of Trustees delegates to the District Discipline Committee, which consists of the Superintendent or a designee, one campus administrator and one other certified campus professional, authority to conduct hearings and expel students.

Before a student is expelled, the student will have an opportunity for a due process hearing that will include the following:

1. At least three days prior written notice of the charges and the proposed sanctions including a written request to the student’s parent or guardian to attend the expulsion hearing. The notice will also include the date, time, and location of the hearing and the names of adult witnesses who will present evidence at the hearing;

2. Right to a full and fair hearing before a District Discipline Committee consisting of the Superintendent or a designee, one campus administrator, and one other certified campus professional;
3. Opportunity to testify and to present evidence and witnesses in his or her defense; and
4. Opportunity to examine the evidence presented by the campus administration and to question the witnesses called by the district at the hearing.

A record of this hearing will be made.

Representative

At the hearing, the student is entitled to an adult representative or legal counsel who can provide guidance to the student and who is not an employee of the District. The District may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends, provided 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.

Evidence

In an expulsion hearing, the District may rely on hearsay evidence of campus administrators who investigate disciplinary infractions. This means that the campus administration may present evidence or statements taken from students without revealing the identity of the student. The decision will be based exclusively on the evidence presented at the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

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

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the Superintendent 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 will give notice of the inconsistency.

**Review of
Expulsion**

A decision by a District Discipline Committee to expel a student may be appealed to the MISD Board of Trustees. The request for appeal must be in writing and must be received by the Superintendent within 7 days of the date of the order of expulsion. At the appeal hearing, the Board will review a record of the District Discipline Committee expulsion hearing and will provide the parent and/or student, or representative with an opportunity to make a presentation to the Board. The administration may also be asked to speak. No new evidence, including witnesses or documents, will be admitted. The Board may set reasonable time limitations for presentations.

The student is expelled pending appeal. Appeal of a final District expulsion decision will be to the state judicial system.

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.

An Expulsion Order ranges from 30 days to 180 days JJAEP.

Consequences for expellable offenses will be assigned based on the offense committed, location (in the building/facility or in the vehicle), use or threaten to use, possession on the person, in the locker, purse, or other type of bag including backpacks, athletic bags, etc., or sells, distributes or attempts to sell.

An expulsion may not exceed one year unless, after review, the District determines that:

1. The student is a threat to the safety of other students or to District employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the Superintendent may modify the length of the expulsion on a case-by-case basis.

	Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.
Graduating Seniors and Expulsion	<p>When a student commits an expellable offense and receives assignment to the County JJAEP during the senior year, the District may allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met, and provided that the student has successfully completed all the days that the student was placed in the JJAEP and has returned to the high school. If the student in question has not completed his or her days in the JJAEP for any reason, such as withdrawal or transfer to another school district, the student will not be allowed to participate in graduation ceremonies. Any decision concerning participation in graduation ceremonies will be made by the high school principal.</p> <p>In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any serious misconduct in violation of the District's Code, resulting in removal to the JJAEP during his or her last two semesters.</p>
Withdrawal during Process	<p>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.</p> <p>If the student then reenrolls in the District during the same or subsequent school year, the District may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another District.</p> <p>If the campus behavior coordinator or the Board fails to issue an expulsion order after the student withdraws, the next District in which the student enrolls may complete the proceedings.</p>
Additional Misconduct	If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the Board may issue an additional disciplinary order as a result of those proceedings.
Restrictions during Expulsion	<p>Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.</p> <p>No District academic credit will be earned for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program or another District-approved program.</p>
Newly Enrolled Students	<p>The District will 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.</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>If a student is expelled by a District in another state for a period that exceeds one year and the District continues the expulsion or places the student in a DAEP, the District will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:</p> <ol style="list-style-type: none"> 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	When an emergency expulsion is necessary to protect persons or property from imminent harm, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.
DAEP Placement of Expelled Students	The District may choose to provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.
Transition Services	In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code §29.03(a) when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older, or
 - b. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as is:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - i. Knowing that it is within the limits of an incorporated city or town,
 - ii. Knowing that it is insured against damage or destruction,
 - iii. Knowing that it is subject to a mortgage or other security interest,
 - iv. Knowing that it is located on property belonging to another,
 - v. Knowing that it has located within it property belonging to another, or
 - vi. 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.
1. 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
2. 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 Texas 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, 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 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 from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily

injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False Alarm or Report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm weapon; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Firearm Silencer is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b)(2) of the Education Code; or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; and
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

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

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

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.

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.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

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.

Persistent misbehavior is two or more violations of the Code in general or repeated occurrences of the same violation.

Possession means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any 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;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

Public Lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in 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 exempt from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

Self-defense is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152, or
 - e. Harassment under Penal Code 42.07(a)(1), of a student or district employee.

Serious or persistent misbehavior includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Sexual Conduct includes not only sex acts but the lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola. Texas Penal Code §43.25(2)

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 Felonies are those crimes listed in 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 children under Section 21.02
- Bestiality under Section 21.09
- Improper relationship between educator and student under Section 21.12
- Voyeurism under Section 21.17
- Indecency with a child under Section 21.11
- Invasive visual recording under Section 21.15
- Disclosure or promotion of intimate visual material under Section 21.16
- Sexual coercion under Section 21.18
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04
- Abandoning or endangering a child under Section 22.041
- Deadly conduct under Section 22.05
- Terroristic threat under Section 22.07
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[See FOC(EXHIBIT).]

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

APPENDIX

Procedures for Reporting Allegations of Bullying

Montgomery ISD

The district prohibits bullying on school property, at school-sponsored or school-related activities, or in any vehicle operated by the district. Bullying may be verbal or written expression or expression through electronic means, or physical conduct. Bullying is not tolerated by the district and any student or parent of a student who believes that the student or another student has experienced bullying or that a student has engaged in bullying is encouraged to immediately report the incident. Retaliation against anyone involved in the complaint process is a violation of district policy and is prohibited. Students or parents may report an alleged incident of bullying, orally or in writing, to a teacher, counselor, principal or other district employee. Students or parents may contact the campus or district office or go on the district website under "Parent Information" to obtain an incident report form that may be used to submit the complaint. Please note that after submission of the complaint to the district employee, the district may assign the complaint to a campus administrator to follow up on the submitted complaint and any other important matters pertaining to the complaint. We encourage you to communicate with your designated campus administrator during this time. More information about the district's bullying policy can be found in Board Policy FFI or at the campus administration office.

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

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.

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

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	<p>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.</p> <p>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.</p>
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	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.
<i>Discipline</i>	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.

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

	The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
<i>Corrective Action</i>	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.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	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.
<i>Improper Conduct</i>	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.

ALTERNATIVE METHODS FOR EARNING CREDIT
DISTANCE LEARNING

EHDE
(LOCAL)

TEXAS VIRTUAL
SCHOOL NETWORK

The Superintendent or designee shall establish procedures for students to enroll in courses provided by the Texas Virtual School Network (TxVSN).

Enrollment in courses through the TxVSN shall not be subject to limitations the District may impose for other distance learning courses.

OTHER DISTANCE
LEARNING

The Superintendent or designee shall establish procedures governing the use of other distance learning courses, including correspondence courses, as a means of earning credit in a subject or course. In order to receive credit, a student shall obtain approval from the principal or designee prior to enrollment in the course.

MONTGOMERY INDEPENDENT SCHOOL DISTRICT RELEASE OF DIRECTORY INFORMATION

Certain information about District students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Montgomery ISD to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within ten school days of your child's first day of instruction for this school year. Montgomery Independent School District has designated the following information as directory information: student's name, photograph, honors and awards received, participation in officially recognized activities and sports, and the weight, height and grade level of members of athletic teams and or other school sponsored groups.

The District uses this type of information about students in publications such as, but not limited to, school directories, yearbooks, playbills, graduation programs, sports activity sheets and programs, Montgomery ISD publications, the Montgomery ISD Web site and news releases to the media. The District is proud to feature students and their accomplishments and uses a variety of resources to publicize district events and school news.

A parent or guardian may not want any types of information within the definition of directory information to be subject to release. A parent or guardian has the right to instruct the District not to designate any or all of the information described above as directory information about the student by using this form to notify the District.

Federal law requires districts receiving assistance under the Elementary and Secondary Education Act of 1965 to provide a military recruiter or an institution of higher education, on request, the name, address, and telephone number of a secondary student unless the parent has requested that the information not be disclosed without prior written consent.

**IF YOU DO NOT SIGN AND RETURN THE SIGNATURE PAGE
DENYING OR LIMITING THE RELEASE OF DIRECTORY
INFORMATION WITHIN 10 DAYS OF YOUR CHILD'S FIRST
DAY OF INSTRUCTION, THE DISTRICT WILL RELEASE
YOUR CHILD'S DIRECTORY INFORMATION.**

RELEASE OF DIRECTORY INFORMATION

Pre-Kindergarten – 5th Grade

Montgomery Independent School District limits the availability of your child's directory information.

Directory Information is limited to:

- Student Name
- Participation in officially recognized activities and sports, including grade level and photographs associated with participation
- Honors and awards received
- Artwork

Montgomery ISD directory information is available only to the following groups:

School Related Entities, such as:

- PTA
- PTO
- Yearbook
- Campus Photographers
- Booster club organizations
- District/Campus website
- Campus Club websites

Actions:

If you choose **NOT** to have your child's student directory information released to the groups listed above, you must complete the form below and return it to your child's campus no later than the 10th day of instruction.

PLEASE MARK THE FOLLOWING AND RETURN:

_____ **NO**, I do not want my child's name or picture in the yearbook, on the website, class lists for PTO, PTA, playbills programs, Montgomery ISD publications and news releases to the media.

I direct the Montgomery Independent School District not to release my child's directory information without my written consent. I understand that by choosing to make this information confidential that my child's name and photograph will not appear in yearbooks, campus directories or MISD publications, nor will his/her information be released to room mothers and he or she may not receive information regarding opportunities from colleges and universities.

Student's Name (Please Print)

Campus/Homeroom Teacher

Parent's Signature

Date

Montgomery I.S.D.

Authorization and permission for medication administration

Student's name _____ DOB: _____

Teacher/Grade _____ ID# _____ School: _____

Received By: _____ Date Received: _____

School Medication Policy: (For entire policy, please visit MISD website: www.misd.org)

- Physician's signature is required for any prescribed medication taken >14 days
- Parent signature and date authorized is required prior to administration of the medication
- All medication must be in the original container and cannot be expired
- Prescription medication must contain student name, name of medicine, directions and expiration date
- Medication changes: must be in writing and prescriptions require a new pharmacy bottle
- This form must be completed annually and all medication must be picked up prior to the last day of school

Medication	Dosage	Time
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Medication	Dosage	Time
------------	--------	------

Medication	Dosage	Time
------------	--------	------

Special Instructions/Allergies: _____

Other medications student is on: _____

Condition for which drug is to be given: _____

Physician's Name: _____ Telephone Number: _____

Physician's Signature: _____ START DATE: _____

I request the above named student be given the medication at school by qualified staff, according to the prescription or non-prescription instructions and a record maintained. The student has experienced no previous side effects from the medication. I further agree that school personnel may contact the physician as needed and that medication information may be shared with school personnel who need to know.

I understand the law provides that there shall be no liability for civil damages as a result of the administration of medication where the person administering the medication acts as an ordinarily reasonably prudent person would under the same or similar circumstances. I agree to provide safe delivery of medication and equipment to and from school and that **No student will carry or transport medication to and from school.**

Comments: _____

Parent/Guardian Signature: _____ Date: _____

email address

Daytime Telephone Number

STUDENT NAME: _____

[illegible][illegible][illegible]

Signature: _____ Initials _____

Signature: _____ Initials: _____

Signature: _____ Initials _____

Signature: _____ Initials: _____

Signature: _____ Initials _____

Signature: _____ Initials _____

MONTGOMERY INDEPENDENT SCHOOL DISTRICT

CHANGE OF ADDRESS / PHONE NUMBER

In order to change an address, district policy states that you will need to provide two proofs of residency:

1 ⇨ Real Estate tax certificate or home purchase contract in parent/ guardian's name, or lease agreement.

2 ⇨ Current utility bill, (e.g. satellite, cable TV, water, sewer, gas, electric or telephone) clearly indication parent/ guardian's name and residence address as the service address.

Date _____

Student's Name (Printed) _____ **Date of Birth** _____

Campus _____ **Grade Level** _____

Previous Address _____

Current Address _____

Email Address _____

Current Phone Number (_____) _____

Parent's/Guardian Name _____

Parent's/Guardian Signature _____

Montgomery Independent School District

Responsible Use of Technology Resources Agreement for STUDENTS

Please return this agreement, signed by student and parent, to your teacher.

The Montgomery Independent School District provides an array of technology resources for student use. This agreement outlines appropriate use and prohibited activities when using technology resources. Every student is expected to follow all guidelines stated below, as well as those given orally by the staff, and to demonstrate good digital citizenship and ethical behavior at all times.

In accepting this agreement, students and their guardians acknowledge the following rules and conditions:

GOVERNMENT LAWS:

I will use computers in conformity with laws of the United States and the State of Texas. Violations include, but are not limited to, the following:

Criminal Acts – These include, but are not limited to, “hacking” or attempting to access computer systems without authorization, harassing email, cyber-bullying, cyber-stalking, child pornography, vandalism, and/or unauthorized tampering with computer systems. (A list of Federal statutes from the United States Department of Justice is below as Appendix A).

Libel Laws - Publicly defaming people through the published material on the internet, email, etc

Copyright Violations - Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using other's words or ideas as your own).

NETIQUETTE and APPROPRIATE USE GUIDELINES:

NETWORK RESOURCES - The use of the network and related technology resources is a privilege, not a right, and may be revoked if abused. The student is personally responsible for his/her actions when utilizing the school's or personally owned computer resources. Despite our best efforts and beyond the limits of filtering technology, your child may run across areas of adult content and some material you might find objectionable.

PRIVACY – All data stored on any device connected to the network including but not limited to computers, removable data drives, and network storage areas are the property of the school district. The district administrative staff and or technical staff may review any storage device or area of the school network or email to maintain system integrity and to ensure that faculty, staff and students are using these resources responsibly. No one can claim a right to privacy or unrestricted speech in the use of the technology resources. There is no assumption of privacy for any form of data residing on or passing through the Montgomery ISD network regardless of who owns the tools used to create, view, or modify that data.

COPYING/DOWNLOADING - Students are NOT permitted to download or install any software, shareware, or freeware onto the school's computers regardless of source (Internet, thumb or flash drive or disk). Students are NOT permitted to copy others' work or intrude into others' files.

INAPPROPRIATE MATERIALS OR LANGUAGE – Students are NOT permitted to transmit, retrieve or store materials that are discriminatory, harassing, obscene, pornographic, or inappropriate. Should students encounter such material by accident, they should report it to their teacher immediately. The use of district online systems for personal gain, political lobbying or any other purpose which is illegal or against district policy or contrary to the district's best interest is NOT permitted.

STUDENT UNDERSTANDING:

- I understand that it is my responsibility to behave properly as a good digital citizen. I understand that passwords are private and I will not allow others to use my account name and password, nor will I try to use that of others. I understand that my school network and associated accounts are owned by the District and are not private. Montgomery ISD has the right to access my information at any time including data transmitted over the Montgomery ISD network through personally owned devices.
- If I bring any storage media device to school including but not limited to floppy disks, zip disks, hard drives, CDs, DVDs, flash drives, or any form of mobile smart device, I understand that the supervising teacher, district

administration and or the district technology department personnel may scan the media for viruses and check for appropriate content. There is no assumed right to privacy regarding any data accessible from or connected to the district network regardless of who owns the device.

- I will be polite and use appropriate language in my email messages, multi-user role-playing and/or virtual learning environments (e.g. Second Life), online postings, and other digital communications with others. I will refrain from using profanity, vulgarities or any other inappropriate language as determined by school administrators.
- I will use email and other means of communications (e.g. but not limited to blogs, wikis, podcasting, chat, instant-messaging, discussion boards, virtual learning environments, etc.) responsibly regardless if it is district provided or personally acquired. I will not use computers, handheld computers, digital audio players, cell phones, personal digital devices or the Internet to send or post hate or harassing mail, pornography, make discriminatory or derogatory remarks about others, or engage in bullying, harassment, or other antisocial behaviors either at school or at home.
- I understand that I represent the school district in all my online activities. I understand that what I do on social networking websites such as but not limited to YouTube, MySpace, Bebo, Twitter and Facebook should not reflect negatively on my fellow students, teachers, or on the District. I understand that I will be held responsible for how I represent myself and my school, department or District on the Internet. I understand that all internet activities are logged and may be reviewed at any time by district administration and or the technology department.
- I understand that masquerading, spoofing, or pretending to be someone else is forbidden. This includes, but is not limited to, sending out e-mail, creating accounts, or posting messages or other online content (e.g. text, images, audio or video) in someone else's name as a joke.
- I will use all technology resources responsibly. I will not retrieve, save, or display hate-based, offensive or sexually explicit material using any technology resources regardless of who owns the resource. I am responsible for not pursuing material that could be considered offensive. I understand that I am to notify an adult immediately if by accident I encounter materials which violate appropriate use.
- I will use technology resources productively and responsibly for school-related purposes. I will avoid using any technology resource in such a way that would disrupt the activities of other users.
- I will refrain from attempting to bypass, or circumvent, security settings or Internet filters, or interfere with the operation of the network by installing illegal software, or web-based services and software not approved by the Montgomery ISD Administrators or Technology Department.
- I understand that vandalism is prohibited. This includes but is not limited to modifying or destroying equipment, programs, files, or settings on any computer or other technology resource.
- I will respect the intellectual property of other users and information providers. I will obey copyright guidelines. I will not plagiarize or use other's work without proper citation and permission.
- I will refrain from the use of or access of files, software, or other resources owned by others without the owner's permission. I will use only those school network directories that are designated for my use or for the purpose designated by my teacher.
- I will follow all guidelines set forth by the District and/or my teachers when publishing schoolwork online (e.g. but not limited to a website, blog, wiki, discussion board, podcasting or video server).
- I understand the Internet is a source for information that is both true and false; and that the school is not responsible for inaccurate information obtained from the Internet. I agree to abide by all Internet safety guidelines that are provided by the school and to complete all assignments related to Internet safety.
- I understand that District administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.
- I understand that the user of personally owned technology-related devices may be allowed or restricted by individual teachers depending on the lessons planned for any given day and that the device may be confiscated by any authorized staff member if the technology is being used without prior permission. When in doubt, ask first.
- I understand that the district assumes no responsibility for the loss of or damage to any personally owned device. I further understand that if my device is confiscated by any authorized staff member for inappropriate or unauthorized use that I may lose the privilege to use any personal device in the future, I may not be able to

receive that surrendered device back within the same calendar day even if that device is used for communication, and or me or my parent may be required to pay a fine to receive the device back as outlined by campus policy.

- I understand that any violation of this agreement may result in the loss of technology-related privileges while on district property which could affect the completion of or the final grade assigned for specific courses requiring the use of technology resources.
- I understand as a student or as a parent / guardian of a student that Montgomery ISD may issue technology resources to a student for use in the normal course of instruction such as, but not limited to, an Apple iPad that has geo-tracking capabilities installed on that device. I further understand that this agreement serves to fulfill any legal requirement Montgomery ISD has to notify a parent or guardian and by signing this agreement you give your permission for the student to use a technology device that has geo-tracking capabilities installed.

Parents:

For additional information concerning resources you can access in order to help your student be a responsible technology user and / or to get more information on federal laws related to online conduct, please go to our district website www.misd.org. Click on “Parent Information” and select either “Parent Internet Resources” or “Unlawful Online Conduct and Applicable Federal Laws”. You may also request a printed copy of these documents from your student’s campus or the district office.