



Agenda for Board of Trustees Meeting Tornillo Independent School District

Meeting Date: Wednesday, June 17, 2020

Meeting Type: Regular

Meeting Time: 5:30 PM

Meeting Location: W.E. Neill Service Center, 19210 Cobb, Tornillo, TX 79853

Disclaimer

This meeting will be conducted in accordance with the Texas Open Meetings Act; hence, the **public is welcomed and invited to attend**. When necessary, the Board may enter into **closed session** under the authority of Chapter 551 of the Texas Government Code.

Public comments related to the agenda items listed for this meeting shall be handled as follows: If you would like to sign up for public comment, please submit the following information to aguilarr@tisd.us: (1) your name, (2) contact information, and (3) specify the item(s) you would like to comment upon prior to the board's deliberation. For more information about public comment, see Policy BED.

All voting will be done in open session.

Items on the Agenda: The subjects (order may be changed) to be discussed, considered, or upon which any formal action may be taken are listed below.

1. **(OTHER) First Order of Business**
Ms. Marlene Bullard, Board President
 - A. Establish a quorum and call the meeting to order
 - B. Pledge of Allegiance to the United States
2. **(OTHER) Open Forum**
Ms. Marlene Bullard, Board President
3. **(OTHER) Information / Reports / Presentations**
 - A. Financial Reports-Information Only
Mr. David C. Solis, Director of Finance
 - B. School Health Advisory Council (SHAC) Annual Report 2019-2020 4
Ms. Linda Rivero, District Nurse
 - C. Annual Report of Student Screenings for the 2019-2020 School Year 13
Ms. Linda Rivero, District Nurse
 - D. COVID-19 Preparedness Response Plan: Nursing Protocols & Guidelines 14
Ms. Linda Rivero, District Nurse
 - E. Athletic Return to Campus Plan for Summer Strength, Conditioning, and Sports Specific Training 15
Mr. Cody Burris, Athletic Director
4. **(STRUCTURE) Board Items**
 - A. Purchases > \$10,000 threshold - Authorization
 1. Consider approval of purchase of sneeze guards/ student dividers
Mr. Rene Estrada, Facilities / Transportation Director
 2. Consider approval of purchase of filling stations and supplies needed for installation
Mr. Rene Estrada, Facilities / Transportation Director
 3. Consider approval of purchase of Headsets
Mr. Carlos Garcia, Technology Director

4. Consider approval of Cyber Security comprehensive assessment services
Mr. Carlos Garcia, Director of Technology
5. Consider approval of 2020-2021 TEKS Resource System
Mrs. Rosa Vega-Barrio, Superintendent
6. Consider approval of purchase of Mentoring Minds
Ms. Nadia De La Rosa, TIS Principal
7. Consider approval of purchase of Benchmark Education Books
Ms. Nadia De La Rosa, TIS Principal
- B. Consider approval of the 2020-2021 Education Service Center - R19 Migrant Education Shared Services Arrangement Agreement
Ms. Lizeth Carroll, HR / Compliance Director
- C. Consider the selection of a delegate and an alternate to represent Tornillo ISD at the TASB Delegate 16 Assembly on October 3, 2020 in Dallas, Texas
Mrs. Rosa Vega-Barrio, Superintendent
- D. Consider approval of Instructional Materials Inventory Requirement Waiver 17
Mr. Rodrigo Portillo, Assistant Superintendent
- E. Consider approval of Parent Notice Requirements for Students at Risk of Failure Waiver 18
Ms. Lizeth Carroll, HR / Compliance Director
- F. Consider approval of 2020-2021 Calendar Revision to include COVID-19 Closure Makeup Days 20
Mrs. Rosa Vega-Barrio, Superintendent
5. **(STRUCTURE) Consent Agenda**
(All items on the Consent Agenda shall be acted upon by one vote without separate discussion, unless a Board Member requests that an item be withdrawn for individual consideration)
 - A. Approve minutes from previous meetings:
 1. Virtual Regular Board Meeting Minutes - 5/20/2020 21
 2. Virtual Special Board Meeting Minutes - 5/27/2020 25
 - B. Consider approval of Budget Amendments
Mr. David C. Solis, Director of Finance
 - C. Consider approval of the Tornillo ISD 2020-2021 Employee Handbook 27
Ms. Lizeth Carroll, HR / Compliance Director
 - D. Consider approval of the 2020-2021 Instructional Materials Allotment and TEKS Certification
Mr. Rodrigo Portillo, Assistant Superintendent
 - E. Consider approval of District Facility Safety and Security Audit
Mr. Jorge Heras, Security Manager
 - F. Consider approval of El Paso Leadership Academy Statements of Impact
Mrs. Rosa Vega-Barrio, Superintendent
 - G. Consider approval of the 2020-2021 ESC Region 19 Head Start and Tornillo ISD Interagency Agreement for Dual Enrollment Services
Mrs. Rosa Vega-Barrio, Superintendent
 - H. Consider approval of Memorandum of Understanding with Local Entity Responsible for Managing Publicly Funded Preschool Programs between Tornillo ISD and ESC 19 Head Start for 2020-2021
Mrs. Rosa Vega-Barrio, Superintendent
 - I. Consider approval of the 2020-2021 ESC Region 19 Head Start Public School Transition Collaborative Agreement
Mrs. Rosa Vega-Barrio, Superintendent
 - J. Consider approval of 2020-2021 Student Handbook and Code of Conduct 119
Mrs. Rosa Vega-Barrio, Superintendent
 - K. Consider approval of District and Campus Improvement Plans
Mr. Rodrigo Portillo, Assistant Superintendent
6. **(OTHER) Community Engagement on Student Outcome Goals**
Ms. Marlene Bullard, Board President
7. **Next Meeting Tentative Date:** July 29, 2020

Adjournment of the Meeting

Po
17, 2020

2020 at 5:00 PM

Rosa Vega-Barrio
Superintendent of Schools



Wellness Department
430-D Oil Mill Road
Tornillo, TX 79853
Phone 915.765.3565
Fax 915.765.3599

MEMORANDUM

To: Board of Trustees
From: Linda Rivero, District Nurse
Subject: Annual SHAC Report
Date: 05/29/2020

HISTORY:

Texas Education Code 28.004 mandates completion of the annual report of District School Health Advisory Committee's

RATIONALE:

The Annual SHAC Report is presented to the Board to provide information regarding recommendations, modifications, and explanations of the Committee's activities.

BUDGET IMPACT:

The Annual SHAC Report has no budget impact.

ADMINISTRATIVE RECOMMENDATION:

Administration requests the 2019-2020 Annual SHAC Report be informally reviewed.

School Health Advisory Council (SHAC)

Annual Report, 2019-2020

Linda Rivero RN, Chair

Rosie Erives, Parent Co-Chair

5



"Students must be healthy to be educated and educated to be healthy."

Accomplishments/Recommendations

What we have done

- Reviewed district health curriculum.
- Implemented Campus Compliance Report and assessed and evaluated efficacy of Wellness Policy goals.
- Established SHAC Bylaws that define organizational structure.
- Review campus SHAC binders to document program compliance.

6

"Students must be healthy to be educated and educated to be healthy."

TISD SHAC Annual Report, 2019-20



Accomplishments/Recommendations

What we have done

Continued evaluation of implemented health education programs/curriculum :

- Health Education/Nutrition
 1. “*Common Threads*” a hands-on cooking program
- Social, Emotional, Behavioral
 1. UMC Teen Center ”*Self Esteem and Healthy Relationships*”
 2. Paso Del Norte Parenting Program “*Incredible Years*”
- Safe and healthy school environment
 1. Voices United “*CAP Child Abuse Prevention*”

7

“Students must be healthy to be educated and educated to be healthy.”

TISD SHAC Annual Report, 2019-20



Accomplishments/Recommendations

What we have done

Recommended new health education programs/curriculum options:

- Health Education/Prevention
 1. “Vaping Education”-EP Public Health
 2. “Tobacco Exposed”-EP Public Health
 3. El Paso Healthy Schools Coalition
- Social, Emotional, Behavioral
 1. “Power to Wait”
 2. “Worth the Wait”
- Sex Education and Reproductive Help
 1. Services from UMC Women/Teen Center in Fabens

8

“Students must be healthy to be educated and educated to be healthy.”

TISD SHAC Annual Report, 2019-20



2020-2021 SHAC Goals

What we intend to do

Nutrition:

- Support promotion of TISD Nutrition and Food Services.
- Reduce health disparities and childhood obesity by continued evaluation of the implemented cooking/nutrition education program.
- Review and assess efficacy of nutrition promotion and education goals in the Wellness Policy.

9

"Students must be healthy to be educated and educated to be healthy."

TISD SHAC Annual Report, 2019-20



2020-2021 SHAC Goals

What we intend to do

Sex Education and Reproductive Health:

- Support promotion of District sexual health education program

Physical Activity/Education:

- Support promotion of District PE and health programs.
- Review PE/Wellness indicators and results from HB 5 measures and determine any needed campus adjustments.

10

"Students must be healthy to be educated and educated to be healthy."



2020-2021 SHAC Goals

What we intend to do

Social, Emotional and Behavioral Health:

Promote positive mental health and increase awareness of mental health and other support services among students and families by:

- Providing information on campus website, newsletters, and other outreach activities to increase parent access.
- Implementing the recommended prevention education programs.
- Promoting campaigns and events to increase student access and reduce stigma.

11

"Students must be healthy to be educated and educated to be healthy."



Tornillo ISD SHAC Information

What do you need to know?

- ✓ Minutes and agendas for all meetings can be found at:

https://www.tisd.us/departments/wellness/shac-school_health_advisory_council

12

"Students must be healthy to be educated and educated to be healthy."





Wellness Department
430-D Oil Mill Road
Tornillo, TX 79853
Phone 915.765.3565
Fax 915.765.3599

MEMORANDUM

To: Board of Trustees
From: Linda Rivero, District Nurse
Subject: Annual Screening Report
Date: 5/29/2020

HISTORY:

The Texas Department of State Health Services mandates completion of the annual report of student screening status for the 2019-2020 school year by June 30, 2020. The report provides information on vision, hearing and spinal screening data in

RATIONALE:

The Annual Screening Report is presented to the Board to provide detailed information regarding the district's compliance.

BUDGET IMPACT:

The Annual Screening Report has no budget impact.

ADMINISTRATIVE RECOMMENDATION:

Administration requests the 2019-2020 Annual Screening Report be informally reviewed.



Wellness Department
430-D Oil Mill Road
Tornillo, TX 79853
Phone 915.765.3565
Fax 915.765.3599

MEMORANDUM

To: Board of Trustees
From: Linda Rivero, District Nurse
Subject: COVID Preparedness Response Plan-Nursing Protocol & Guidelines
Date: 06/05/2020

HISTORY:

As communities start to re-open K-12 schools, special considerations are needed to protect students, teachers, administrators, and staff and to slow the spread of disease. The considerations included in the Nursing Protocols & Guidelines are meant to supplement guidance given by the Centers for Disease Control and Prevention, the Texas Department of State Health Services, and Local Health Authorities. Their implementation should be guided by what is feasible, practical, acceptable, and tailored to the needs of our learning community.

RATIONALE:

The COVID Nursing Protocols & Guidelines are presented to the Board to provide detailed information regarding the Wellness Department's plans for re-opening the campuses after the COVID-19 school closure. Our district serves students, staff, and visitors who may have close contact in the school setting therefore, guidelines include strategies to help reduce the risk of community-level outbreaks. The Wellness Department's role in slowing the spread of diseases helps ensure students have a safe and healthy learning environment.

BUDGET IMPACT:

The COVID Preparedness Response Plan-Nursing Protocols & Guidelines have no budget impact.

ADMINISTRATIVE RECOMMENDATION:

Administration requests the 2020-2021 Nursing Protocols & Guidelines be informally reviewed



MEMORANDUM

To: Members of the Board of Trustees
From: Cody Burris
Subject: Tornillo ISD Athletic Summer Reentry Plan
Date: June 17, 2020

HISTORY: Due to the Covid-19 outbreak, UIL suspended all athletic activities and Summer workouts. UIL schools may, but are not required to, begin UIL Summer strength and conditioning and sports specific instruction beginning June 8, 2020.

RATIONALE: Tornillo ISD has collaborated with local school districts, UIL, State, and local officials to prepare a plan that will allow our coaches, staff, and athletes to return to workouts in a safe manner while following all UIL, State, and local guidelines.

ATTACHMENTS: The Tornillo ISD reentry plan is attached along with the UIL guidelines.

ADMINISTRATIVE RECOMMENDATION: This item is for informational purposes only.

Official Delegate Designation Form

Please note:

- Only board members of TASB Active Members (public school districts and ESCs) may serve as delegates or alternates.
- TASB Directors and the four Legislative Advisory Council (LAC) members serving on the TASB Legislative Committee are delegates by virtue of their positions. If one of your board members is also a TASB Director or one of the four LAC representatives, do not designate this member; he or she will already be participating as a voting delegate in the Assembly.
- If you are designating an individual newly elected to your board, please update your district's membership information in myTASB. The update form is available under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>). If you have any questions about updating your membership information, contact Michael Pennant (contact information located at bottom of page).
- You also may submit your designation online. The online form is available in myTASB under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>).
- The *Delegate Assembly Handbook* will be distributed electronically at least 20 days prior to Delegate Assembly. Hard copies of the *Handbook* will be available on site. (Mailed copies will be available by request.)
- Credentials (ribbon and button) will be mailed to delegates and alternates who are registered by August 21. After that date, credentials must be picked up on site at Delegate Assembly.

Delegate: _____

Board position: _____ E-mail: _____

Mailing address (if NOT the district address) for Delegate Assembly materials:

Alternate: _____

Board position: _____ E-mail: _____

Mailing address (if NOT the district address) for Delegate Assembly materials:

Name of school district: _____

County-district number: _____ **TASB (ESC) region number:** _____

I hereby certify that the above persons were chosen by our board as our official voting delegate and alternate to the 2020 TASB Delegate Assembly scheduled for October 3 in Dallas (as provided by the TASB Bylaws).

Board president's signature: _____ Date: _____

Please return your board's designations online or to the address below by August 21, 2020, to receive Delegate Assembly credentials by mail. Delegates submitted after August 21 will need to pick up credentials (button and ribbon) on site.

Texas Association of School Boards
Attn: Michael Pennant
Fax: 512.467.3554
Email: michael.pennant@tasb.org



Questions? Contact Michael Pennant at 800.680.8272 or michael.pennant@tasb.org.

Instructional Materials Guidance

1. What do we do if we were not able to complete the annual physical inventory of currently adopted instructional materials before school buildings were closed for the year?

School districts and open-enrollment charter schools are required to conduct an annual physical inventory of all currently adopted instructional materials that have been requisitioned by, and delivered to, the district and maintain results of the inventory in the district's files. If a district or charter school did not complete the inventory before school buildings were closed, the school district or charter should request a waiver of the requirement from the Commissioner.

Steps for submitting a waiver request to the Commissioner can be found on **the Instructions for Submitting Instructional Materials Inventory Requirement Waiver** document under Additional Guidance and Resources on the [COVID-19 Support: District Waivers, Finance & Grants](#) page.

2. EMAT has been closed since April 1 for SY 2019-2020. It will reopen in May for SY 2020-2021 purchases. When EMAT reopens, can we purchase workbooks and student printed materials for use during the remainder of the 2019-2020 school year?

A district may continue to use its available IMA funds for purchase of instructional materials to be used during the remainder of the 2019-2020 school year. When EMAT reopens, districts will have the ability to begin purchasing materials for the 2020-2021 school year, but this does not limit or prohibit a district's ability to use IMA funds to meet needs for the current school year.

3. Do we use EMAT to order Texas Home Learning resources?

No. Review the [Texas Home Learning Deep Dive Webinar Presentation](#) for instructions on how to order Texas Home Learning materials.

4. Do we follow the same timeline for ordering instructional materials in EMAT as we do every year? Has there been a change?

Yes. Districts should plan to follow the same timeline as usual. There is no change to the ordering process. EMAT will reopen in May as it does every year. The reopening may be slightly delayed due to the current COVID-19 situation, but it shouldn't be a significant delay.



Parent Notice Requirements for Students at Risk of Failure

(512) 463-9000

disasterinfo@tea.texas.gov

tea.texas.gov/coronavirus

As announced in March, all State of Texas Assessments of Academic Readiness (STAAR®) administrations scheduled for April, May, and June 2020 are cancelled. Student Success Initiative (SSI) promotion/retention requirements found in the Texas Education Code (TEC), §28.0211 are waived for the 2019–2020 school year. However, Texas school districts and open-enrollment charter schools are still required to provide early notice to parents or guardians of students in grades 4 and 7 identified to be at risk of failure on the first administration of an assessment required for grade advancement in the next school year.

Under Texas Administrative Code (TAC) [§101.2009](#), the superintendent must establish the instruments and procedures to be used to determine which students are at-risk. Given that the STAAR administrations for April, May, and June 2020 are cancelled, the at-risk determination will need to be made through means that do not involve state testing results from the current year. The current rule requires this notice to be issued before the end of a school year. If a district or charter school is not able to or does not have sufficient information to make a determination about a student's risk of failure at this time, the school district or charter should request a waiver to delay the notice requirement from the Commissioner until the start of the 20-21 school year.

Follow the instructions below to complete a waiver request:

1. Please visit TEA's webpage on State Waivers to access general information about the waiver process: <https://tea.texas.gov/texas-schools/waivers/state-waivers>.
2. Please also review Waiver Process FAQ for information on how to access TEAL for the purposes of submitting a waiver request: <https://tea.texas.gov/sites/default/files/Waiver%20Process%20FAQ.pdf>.
3. Once in the TEAL waiver application, under the "Create New Waiver" tab, select the waiver type "**Other Waiver**" to create and submit a waiver request for the required early notice of students at risk of failure (COVID-19 disruptions).
4. Please complete the LEA contact information, including filling in the date the board approved the waiver request.
5. For the section titled "Waiver Description," please use this language: "Waiver of required early notice of students at risk of failure (COVID-19)."
6. For "General Questions #1," please use this language: "Waiver of required early notice of students at risk of failure (COVID-19 disruptions)."
7. For "General Questions #2," please enter N/A.
8. For "General Question #3," please use this language: "TEC 28.0211(d)(3) and TAC 101.2009(b)."
9. For "General Question #4," please enter N/A.
10. For "General Question #5," please enter N/A.
11. For "General Question #6," please enter N/A.
12. For "Requested Years," please select only "2019~~20~~20."

13. For “LEA Attachments,” please include the board agenda from the meeting in which the waiver application request was approved.
14. Please submit your completed waiver. For a *District Editor*, at the end of the waiver application you will find a **Complete & Route** button. This will route the application to your Superintendent for review and approval. For a *District Superintendent*, at the end of the waiver application you will find a **Review and Submit** button. This will take you to a review and submit details page. If the application is complete and ready for submission, select the **Submit to TEA** button.

TISD 2020-2021 Academic Calendar

TEA Option 2 HB3

July 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	
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	24	25	26	27	28	29
30	31					
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		

JULY

07/01 - 07/03District Closed
 07/20 - 07/24Student Registration
 07/27 - 07/30District Staff Development / First Day for Teachers

AUGUST

08/031st Semester Begins / Classes Begin

SEPTEMBER

09/07Holiday - Labor Day

OCTOBER

10/05 - 10/09Extended Year
 10/12 - 10/16District Closed
 10/21P/T Conference for JH / HS
 10/22P/T Conference for ES / IS

NOVEMBER

11/23 - 11/27Holiday - Thanksgiving

DECEMBER

12/08 - 12/11Testing - STAAR
 12/181st Semester Ends, Early Release for Students/Staff
 12/21 - 12/31Holiday - Christmas

JANUARY

01/01 - 01/01Holiday - Christmas
 01/04Teacher Planning / No School for Students
 01/052nd Semester Begins / Classes Begin
 01/18Holiday - Martin Luther King

FEBRUARY

02/17P/T Conference for JH / HS
 02/18P/T Conference for ES / IS

MARCH

03/08 - 03/12Extended Year
 03/15 - 03/19Holiday - Spring Break

APRIL

04/02Holiday - Good Friday
 04/06 - 04/09Testing - STAAR

MAY

05/04 - 05/07Testing - STAAR
 05/11 - 05/14Testing - STAAR
 05/31Holiday - Memorial Day

JUNE

06/042nd Semester Ends, Early Release for Students/Staff
 06/05Teacher Work Day / Last Day for Teachers
 06/22 - 06/25Testing

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	25	26	27	28	29	30
31						
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	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	
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			

KEY

	State Testing
	Report Cards Issued
	Progress Reports Issued
	Staff Development / Teacher Planning
	Parent/Teacher Conference
	Holiday
	Extended Year / COVID 19 Closure Makeup Days
	Student Registration

Instructional Minutes : 75,600 (K-12th), 37,800 (Pre-K)

Weeks Days Minutes

1st	1	44	HS/JH:19793 EL/IS:19793 Pre-K AM:10560 PM:10320
2nd	1	40	HS/JH:17973 EL/IS:17973 Pre-K AM:9600 PM:9360
3rd	1	43	HS/JH:19338 EL/IS:19338 Pre-K AM:10320 PM:10080
4th	1	53	HS/JH:23888 EL/IS:23888 Pre-K AM:12720 PM:12480
	4	180	HS/JH:80990 EL/IS:80990 Pre-K AM:43200 PM:42240

★	Open House
[]	9 Weeks Begins/Ends
○	Teacher Work Day
◇	New Teacher Orientation
\$	Pay Day
	Early Release Students & Teachers



MINUTES OF REGULAR BOARD MEETING

Videoconference

Wednesday, May 20, 2020

- 4:35 PM-
4:38 PM
1. **(OTHER) First Order of Business**
 - A. Establish a quorum and call the meeting to order
The meeting was called to order at 4:35 PM by Board President, Marlene Bullard, and it was established that a quorum was present.

MEMBERS PRESENT:

Marlene Bullard, President
Maria Saldana, Vice President
Ofelia Bosquez, Secretary
Daniel Dozal
Hector Lopez
Sally Upchurch

MEMBERS ABSENT:

Enrique Vega

SUPERINTENDENT

Rosa Isela Vega-Barrio, Superintendent

- B. Pledge of Allegiance to the United States
Marlene Bullard led the Board of Trustees in the Pledge of Allegiance to the United States of America.

- 4:39 PM –
4:44 PM
2. **(OTHER) Open Forum**
Ms. Marlene Bullard, Board President, participated in Open Forum. President Bullard thanked and recognized all Tornillo ISD Staff and Students for all the hard-work and dedication to the district during the pandemic.

- 4:45 PM-
4:48 PM
3. **(OTHER) Information / Reports / Presentations**
 - A. Financial Reports-Information Only
Mr. David C. Solis, Director of Finance, presented the Board of Trustees with the financial reports.
No Action Necessary.

- 4:48 PM-
4:52 PM
4. **(STRUCTURE) Board Items**
 - A. Purchases > \$10,000 threshold – Authorization
 1. Consider the approval of purchase of iPads for PLTW at Tornillo Intermediate
Mr. Rodrigo Portillo, Assistant Superintendent, presented the Board of Trustees with the quote to purchase iPads for PLTW at Tornillo Intermediate School.
Ofelia Bosquez made the motion and Hector Lopez seconded the motion to approve the purchase of iPads for PLTW at Tornillo Intermediate in the amount of \$28,000.00, as presented.
Motion Passed Unanimously.

4:52 PM-
4:58 PM

2. Consider approval of purchase of Edmentum Program

Mr. Rodrigo Portillo, Assistant Superintendent, presented the Board of Trustees with the quote for the Edmentum Program.

Ofelia Bosquez made the motion and Hector Lopez seconded the motion to approve the purchase of the Edmentum Program in the amount of \$44,350.00, as presented.

Motion Passed Unanimously.

4:59 PM-
5:00 PM

B. Consider approval of COVID-19 related missed school days waiver and attestation statement

Ms. Lizeth Carroll, HR / Compliance Director, presented the Board of Trustees with the COVID-19 related missed school days waiver and attestation statement.

Sally Upchurch made the motion and Daniel Dozal seconded the motion to approve the COVID-19 related missed school days waiver and attestation statement, as presented.

Motion Passed Unanimously.

5:00 PM-
5:02 PM

C. Consider approval of CPR requirement waiver

Ms. Lizeth Carroll, HR / Compliance Director, presented the Board of Trustees with the CPR Requirement Waiver.

Ofelia Bosquez made the motion and Sally Upchurch seconded the motion to approve the CPR Requirement Waiver, as presented.

Motion Passed Unanimously.

5:03 PM-
5:04 PM

D. Discussion and possible action regarding Year-Round System District Designation (TEC SEC.25.084)

Mrs. Rosa Vega-Barrio, Superintendent, presented the Board of Trustees with the Year-Round System District Designation.

Sally Upchurch made the motion and Hector Lopez seconded the motion to approve the Year-Round System District Designation (TEC SEC.25.084), as presented.

Motion Passed Unanimously.

5:05 PM-
5:07 PM

E. Consider approval of the Education Service Center Region 20 Special Education Supports Cooperative Interlocal Agreement

Ms. Georgina Miramontes, Diagnostician /SPED/504 Coordinator, presented the Board of Trustees with the Education Service Center Region 20 Special Education Supports Cooperative Interlocal Agreement.

Ofelia Bosquez made the motion and Maria Saldana seconded the motion to approve the Education Service Center Region 20 Special Education Supports Cooperative Interlocal Agreement, as presented.

Motion Passed Unanimously.

5:08 PM-
5:18 PM

F. Consider the submission of a resolution to be included in the 2020-2022 TASB Advocacy Agenda

Ofelia Bosquez made the motion and Daniel Dozal seconded the motion to approve the submission of a resolution to be included in the 2020-2022 TASB Advocacy Agenda, as presented.

5:18 PM-
5:21PM

- G. Discussion and Possible action regarding the submission of legislative agenda and priorities for the Texas Legislature Regular Session
Sally Upchurch made the motion and Hector Lopez seconded the motion to approve the submission of legislative agenda and priorities for the Texas Legislature Regular Session, as presented.
Motion Passed Unanimously.

5. (STRUCTURE) Consent Agenda

5:21 PM-
5:22 PM

- A. Approve minutes from previous meetings:
 - 1.Virtual Regular Board Meeting Minutes - 4/22/2020
- B. Consider approval of disposal of equipment and other obsolete and non-functional items.
- C. Consider approval of 2020-2021 T-TESS Manual
- D. Purchases > \$10,000 threshold – Authorization
 - 1.Consider approval of 2020-2021 Student Accident Insurance

Ofelia Bosquez requested consent agenda item D.1: be removed from consent agenda for separate consideration. With consent agenda item D.1 removed, Marlene Bullard made the motion and Maria Saldana seconded the motion to approve consent agenda items, as presented.

Motion Passed Unanimously.

5:22 PM –
5:24 PM

- Purchases > \$10,000 threshold – Authorization
Consider approval of 2020-2021 Student Accident Insurance
Mr. Cody Burris, Athletic Director, provided clarification on the cost of Student Accident Insurance.
Ofelia Bosquez made the motion and Maria Saldana seconded the motion to approve the 2020-2021 Student Accident Insurance in the amount of \$12,478.58, as presented.
Motion Passed Unanimously.

5:25 PM-
5:25 Pm

6. (OTHER) Community Engagement on Student Outcome Goals – None

7. Lone Star Governance

5:25 PM-
5:27 PM

- A. Discussion and possible action regarding BBF (LOCAL) Board Member Ethics (1st Reading)
Mrs. Rosa Vega-Barrío, Superintendent, presented the Board of Trustees with BBF (LOCAL) Board Member Ethics (1st Reading). After discussion, the Board of Trustees agreed to keep current policy.
Ofelia Bosquez made the motion and Daniel Dozal seconded the motion to approve BBF(LOCAL) Board Members Ethics, as presented.
Motion Passed Unanimously.

5:27 PM-
5:35 PM

- B. Discussion, review, and possible board action on Monitoring of board emergency priorities:
 - 1.Don’t allow the TISD Learning Community to encounter unsafe circumstances



TORNILLO INDEPENDENT SCHOOL DISTRICT

INNOVATING – EMPOWERING – THRIVING

MINUTES OF SPECIAL BOARD MEETING

Videoconference

Wednesday, May 27, 2020

- 4:31 PM-
4:34 PM** 1. (OTHER) First Order of Business
- A. Establish a quorum and call the meeting to order
The meeting was called to order at 4:31 PM by Board President, Marlene Bullard, and it was established that a quorum was present.

MEMBERS PRESENT:

Marlene Bullard, President
Maria Saldana, Vice President
Ofelia Bosquez, Secretary
Sally Upchurch
Enrique Vega

MEMBERS ABSENT:

Daniel Dozal
Hector Lopez

SUPERINTENDENT

Rosa Isela Vega-Barrio, Superintendent

- B. Pledge of Allegiance to the United States
Marlene Bullard led the Board of Trustees in the Pledge of Allegiance to the United States of America.

2. (OTHER) Open Forum – None

**4:34 PM-
4:34 PM**

3. (STRUCTURE) Board Items

**4:35 PM –
5: 12 PM**

- A. 2020-2021 Budget Workshop
Mr. David C. Solis, Director of Finance, presented the Board of Trustees with the 2020-2021 Budget Workshop.
Ofelia Bosquez made the motion and Enrique Vega seconded the motion to approve the 2020-2021 Budget Workshop, as presented.
Motion Passed Unanimously.

- B. 2020-2021 Compensation
Ms. Lizeth Carroll, HR/Compliance Director, presented the Board of Trustees with the 2020-2021 Compensation.

**5:13 PM-
5:31 PM**

1. Discussion and possible action regarding 2020-2021 Stipends
Sally Upchurch made the motion and Ofelia Bosquez seconded the motion to approve 2020-2021 Stipends, as presented.
Motion Passed Unanimously.

**5:31 PM-
5:37 PM**

2. Discussion and possible action regarding 2020-2021 Proposed Pay Structure
Sally Upchurch made the motion and Enrique Vega seconded the motion to

*approve the 2020-2021 Proposed Pay Structure, as presented.
Motion Passed Unanimously.*

5:37 PM-
5:40 PM

3. Discussion and possible action regarding 2020-2021 Proposed Teacher Salary
*Ofelia Bosquez made the motion and Enrique Vega seconded the motion to approve the 2020-2021 Proposed Teacher Salary, as presented.
Motion Passed Unanimously.*

5:41 PM-
6:10 PM

4. Discussion and Possible action regarding 2020-2021 Local Teacher Allotment Incentive
*Marlene Bullard made the motion and Sally Upchurch seconded the motion to approve the 2020-2021 Local Teacher Allotment incentive, as presented.
Motion Passed Unanimously.*

4. (STRUCTURE) Consent Agenda

A. Consider approval of Engagement letter with Gibson, Ruddock Patterson LLC

6:10 PM-
6:12 PM

*Sally Upchurch made the motion and Ofelia Bosquez seconded the motion to approve ALL consent agenda items, as presented.
Motion Passed Unanimously.*

5. Next Meeting Tentative Date: June 17, 2020

6:13 PM-
6:15 PM

There being no further business, Sally Upchurch made the motion and Maria Saldana seconded the motion to adjourn meeting. Motion passed unanimously. Meeting adjourned at 6:15 PM.

Marlene Bullard
President, Board of Trustees

Date

Ofelia Bosquez
Secretary, Board of Trustees

Date



Human Resources Department

19200 Cobb Street
Tornillo, TX 79853
Phone 915.765.3026
Fax 915.765.3099

MEMORANDUM

To:
From:
Subject:
Date:

HISTORY:

RATIONALE:

BUDGET IMPACT:

ADMINISTRATIVE RECOMMENDATION:

HR Services Model Employee Handbook—2020 Update

Guide to Changes

Update Highlights

2020 Update. This version of the *Model Employee Handbook* includes editorial changes to ensure text accurately reflected policy or legal provisions. Detailed descriptions of all changes included in this update are listed in the chart below.

Accessibility. The editable version of the *Model Employee Handbook* is formatted to support accessibility for individuals with disabilities. This version of the handbook is a simple, linear, clearly structured document that will be easy to read in its original state and is most likely to remain accessible across a wide range of assistive devices. It is recommended that districts take the time to transfer local information into the most recent editable version and refresh the format of their employee handbook. It will be easier to add material to the current editable format than to retrofit an existing handbook for accessibility. Refer to [“Help for Editors”](#) for additional information.

28

Editing Features

Text changes made in this update of the *Model Employee Handbook* (PDF version) have been marked to ease the district update process. Additions appear as blue, underlined text (e.g., [additions](#)) and deletions appear as red, strike through text (e.g., ~~deletions~~). **All changes identified in the text column of the *Model Employee Handbook* have been incorporated into the Editable Model Employee Handbook in Microsoft Word® (meh_editable_2020.docx).**

The formatting included in the editable Microsoft Word® version of the employee handbook includes a table of contents and index that are built automatically in Word. Instructions for using these features are provided in the online document, [“Help for Editors”](#).

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Cover/Title Page			<ul style="list-style-type: none"> Updated date In the editable version, changed “e-mail” to “email” on the title page
Table of Contents	1–2	1–3	<ul style="list-style-type: none"> Added entries for new topics (Scope and Sequence, Public Information on Private Devices, and Discharge of Convicted Employees)
Board of Trustees	9–10	6–7	<ul style="list-style-type: none"> In the fourth paragraph, changed the two-hour notice to a one-hour notice as required by Texas Government Code §551.045 In the first paragraph in the “Local considerations” column, replaced cumulative voting with “or single member districts”
Equal Employment Opportunity	12	8	<ul style="list-style-type: none"> In the “Local considerations” column, made an editorial change In the editable version, added “including pregnancy” to the first sentence of the first paragraph
Contract and Noncontract Employment	13–14	n/a	<ul style="list-style-type: none"> In the “Local considerations” column, edited the explanatory note for the subheading, Probationary Contracts
Certification and Licenses	15	10	<ul style="list-style-type: none"> Added last sentence to the first paragraph addressing notification by employees licensed by the Texas Department of Licensing and Regulations In editable version, made editorial change to the first sentence and added last sentence to match MEH text
Health Safety Training	17	n/a	<ul style="list-style-type: none"> In the “Local considerations” column, replaced the notation to HB 684 with a reference to Policy DMA (LEGAL)

29

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Staff Development	21	14	<ul style="list-style-type: none"> Deleted policy code reference (DMD) In the “Local considerations” column, updated policy reference
Jury Duty	41	28	<ul style="list-style-type: none"> Added policy code references Added a sentence to the first paragraph prohibiting employers from negatively responding to employees who appear for jury duty In the “Local considerations” column, replaced legislative references with applicable policy codes
Standard of Conduct	46–50	33–36	<ul style="list-style-type: none"> In the “Local considerations” column on page 47 of the MEH, deleted the note regarding amendments to the Texas Educators’ Code of Ethics In the editable version, added “who” to Standard 2.7 of the Educators Code of Ethics
Reporting Suspected Child Abuse	52–53	38	<ul style="list-style-type: none"> Deleted policy reference “FFG” In the “Local considerations” deleted the reference to FFG (Exhibit) In the “Local considerations” column, replaced the legislative reference with applicable policy code In editable version, changed “a facility” to “the facility” in the first paragraph and edited the fifth paragraph so text aligns with MEH
Scope and Sequence	54	39	<ul style="list-style-type: none"> Added a new topic describing when a teacher can and cannot be penalized for not following the district’s scope and sequence

30

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Technology Resources	n/a	39–40	<ul style="list-style-type: none"> • In the editable version, changed “e-mail” to email in the first sentence of the first paragraph • In the second bullet, changed “computer or network resources” to “technology resources”
Personal Use of Electronic Communications	55–56	40–41	<ul style="list-style-type: none"> • In the fifth bullet, deleted “Policy” in references to exhibits • In the second and third paragraphs of the editable version, replaced “media” with “communications” • In the editable version, replaced “e-mail” with “email in the third, second-level bullet; the third, second-level bullet choice for establishing protocol employees must follow; and the fourth bullet from the bottom
Electronic Communications between Employees, Students, and Parents	57–60	41–44	<ul style="list-style-type: none"> • In the “Local considerations” column on page 60, added reference to Texas Government Code §552.004 which requires the preservation of email and text on personal devices as public information • In the editable version, made the following corrections to align text with MEH: <ul style="list-style-type: none"> ○ In the last sentence of the first paragraph, changed “e-mail” to “email” ○ In the first sentence of the second paragraph, added “the” before “provisions” ○ Changed “e-mail” to “email” in the first bullet in the second set of bullets ○ Updated policy reference in the last of the second-level bullets on page 44

31

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Public Information on Private Devices	61	44	<ul style="list-style-type: none"> Added a new topic regarding preserving public information on employee private devices
Copyrighted Materials	n/a	48	<ul style="list-style-type: none"> Deleted the third sentence to align text with MEH
Possession of Firearms and Weapons	68	n/a	<ul style="list-style-type: none"> In the “Local considerations” column, deleted the legislative reference
Bad Weather Closing	70	52	<ul style="list-style-type: none"> Changed the topic heading to Emergency School Closing Edited the first sentence to include epidemics as reason for school closing
Personnel Records	n/a	53	<ul style="list-style-type: none"> In the second sentence, changed “e-mail” to “email” Updated the bulleted list to align with text in MEH
Resignations	73	54	<ul style="list-style-type: none"> In the subsection, Contract Employees, added the timeline for principal notification to the superintendent to the second paragraph In the subsection, Noncontract Employees, added a second paragraph on requirement to report misconduct and corresponding note to the “Local considerations” column
Dismissal of Noncontract Employees	73–75	55	<ul style="list-style-type: none"> Added reference to Policy DP Added a second paragraph regarding reporting duties In the “Local considerations” column, added a note referencing TEC §22.093
Discharge of Convicted Employees	75	55	<ul style="list-style-type: none"> Added new topic regarding discharging employees who have been convicted of or placed on deferred adjudication community supervision for certain offenses

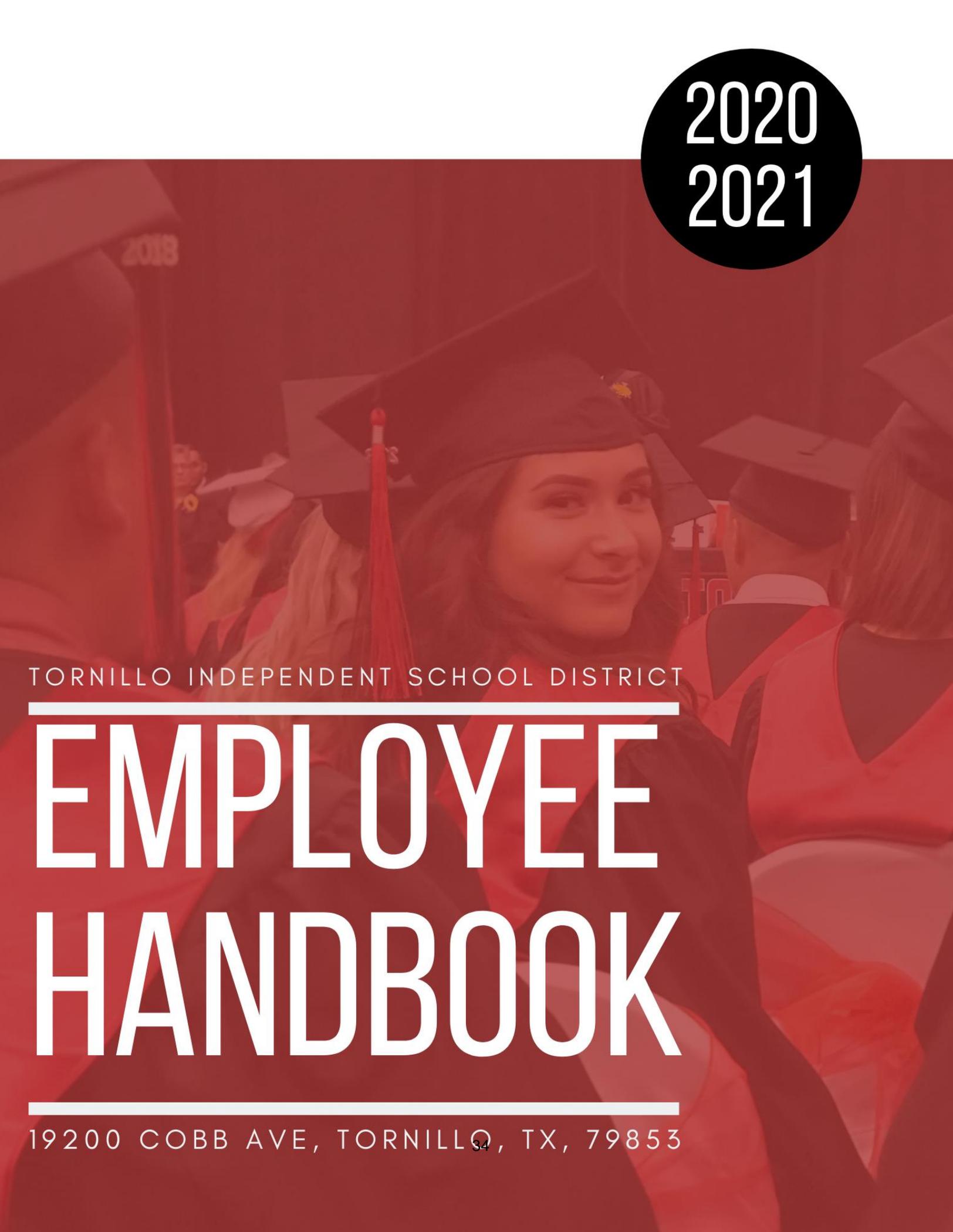
32

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Reports to Texas Education Agency	75–76	56	<ul style="list-style-type: none"> • Added reference to Policy DHC • Added subheadings to distinguish requirements for certified and noncertified employees • In the “Local considerations” column, added reference to TEC §21.006, §22.087, and §22.093 • Reworded the second paragraph to include violation of assessment security procedures • Added paragraph on reporting of noncertified employees upon termination or resignation if there is evidence of misconduct
Index	84–86	62-64	<ul style="list-style-type: none"> • Added or modified entries for new and revised topics (public information, scope and sequence, and terminations: discharge of convicted employees).

33



2020
2021



TORNILLO INDEPENDENT SCHOOL DISTRICT

EMPLOYEE HANDBOOK

19200 COBB AVE, TORNILLO, TX, 79853

TORNILLO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES



Marlene Bullard
President



Maria Kika Saldana
Vice-President



Ofelia Bosquez
Secretary



Daniel Dozal
Trustee



Hector Lopez
Trustee



Sally Upchurch
Trustee



Enrique Vega
Trustee



Rosy Vega-Barrio
Superintendent

The Tornillo Independent School District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended and Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator and to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended: Superintendent, 19200 Cobb Avenue, Tornillo, TX 79853, (915) 765-3000.

If you are having difficulty accessing the information in this document because of a disability, please e-mail hr@tisd.us .

Table of Contents

BOARD OF TRUSTEES	1
EMPLOYEE HANDBOOK RECEIPT.....	6
Introduction	7
District Information	7
Description of the District	7
Mission Statement, Goals, and Objectives.....	7
Board of Trustees.....	8
Board Meeting Schedule	8
Administration.....	9
Helpful Contacts and Directory	9
Academic Calendar	10
Employment	11
Equal Employment Opportunity	11
Job Vacancy Announcements.....	11
Employment after Retirement	11
Contract and Noncontract Employment	11
Certification and Licenses.....	12
Recertification of Employment Authorization.....	12
Searches and Alcohol and Drug Testing	12
Health Safety Training.....	13
Reassignments and Transfers.....	13
Workload and Work Schedules	14
Breaks for Expression of Breast Milk	14
Notification to Parents Regarding Qualifications	14
Outside Employment and Tutoring.....	15
Performance Evaluation.....	15
Employee Involvement	15
Staff Development.....	15
Compensation and Benefits	16
Salaries, Wages, and Stipends	16
Paychecks.....	16
Automatic Payroll Deposit	17
Payroll Deductions.....	17
Overtime Compensation	18

Travel Expense Reimbursement	18
Health, Dental, and Life Insurance.....	18
Supplemental Insurance Benefits	19
Cafeteria Plan Benefits (Section 125).....	19
Workers' Compensation Insurance.....	19
Unemployment Compensation Insurance.....	19
Teacher Retirement	20
Other Benefit Programs	20
Leaves and Absences	20
Personal Leave.....	21
State Sick Leave	22
Local Leave	22
Sick Leave Bank	22
Family and Medical Leave Act (FMLA)—General Provisions	23
Local Family and Medical Leave Provisions.....	24
Temporary Disability Leave	25
Workers' Compensation Benefits	26
Assault Leave.....	26
Jury Duty	26
Compliance with a Subpoena	26
Truancy Court Appearances	27
Religious Observance.....	27
Military Leave.....	27
Employee Relations and Communications	27
Employee Recognition and Appreciation	27
District Communications	28
Complaints and Grievances	28
Employee Conduct and Welfare	34
Standards of Conduct.....	34
Faculty and Staff Dress Code	37
Discrimination, Harassment, and Retaliation.....	37
Harassment of Students.....	43
Reporting Suspected Child Abuse	54
Sexual Abuse and Maltreatment of Children	54
Reporting Crime.....	55
Scope and Sequence	55
<i>Policy CQ</i>	37
	55

Personal Use of Electronic Communications	55
Electronic Communications between Employees, Students, and Parents	56
Public Information on Private Devices	59
Criminal History Background Checks	59
Employee Arrests and Convictions	59
Alcohol and Drug-Abuse Prevention	60
Tobacco Products and E-Cigarette Use	66
Fraud and Financial Impropriety.....	66
Conflict of Interest	67
Gifts and Favors	67
Copyrighted Materials	67
Associations and Political Activities.....	67
Charitable Contributions	68
Safety	68
Possession of Firearms and Weapons.....	68
Visitors in the Workplace	68
Asbestos Management Plan.....	69
Pest Control Treatment.....	69
General Procedures	69
Emergency School Closing.....	69
Emergencies	69
Purchasing Procedures.....	69
Name and Address Changes	70
Personnel Records	70
Facility Use	70
Termination of Employment	70
Resignations	70
Dismissal or Nonrenewal of Contract Employees.....	71
Dismissal of Noncontract Employees.....	71
Discharge of Convicted Employees	71
Exit Interviews and Procedures	72
Reports to Texas Education Agency.....	72
Reports Concerning Court-Ordered Withholding	72
Student Issues	73
Equal Educational Opportunities	73
Student Records	73
Parent and Student Complaints.....	73

Administering Medication to Students	74
Dietary Supplements	74
Psychotropic Drugs	74
Student Conduct and Discipline.....	74
Student Attendance.....	74
Bullying	75
Hazing	78
Internet Acceptable Use Policy.....	78



TORNILLO INDEPENDENT SCHOOL DISTRICT

Educating Children Today to be the Leaders of Tomorrow.

EMPLOYEE HANDBOOK RECEIPT

Employee Name:

Campus / Department:

Position:

I hereby acknowledge the receipt of the electronic and/or hard copy of the 2020-2021 Tornillo ISD Employee Handbook. I agree to abide by the standards, policies, and procedures defined or referenced in this document.

The information in this handbook is subject to change. I understand that changes in District policies may supersede, modify, or eliminate the information summarized in this document. As the District provides updated policy information, I accept responsibility for reading and abiding by these changes as they occur.

I understand that no modifications to contractual relationships or alterations of at-will relationships are intended, or implied, by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources Office, if I have questions, concerns or need further explanation of District policies or procedures.

Signature

Date

Note: Sign and date a copy and forward it to the Human Resources Office.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to hr@tisd.us.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at www.tisd.us.

District Information

Description of the District

Tornillo Independent School District is located approximately 35 miles southeast of El Paso. Our District is one of 12 school districts in the Region 19 Education Service Center area. Our students are taught in four campuses: Tornillo Elementary (Pre-K through 2nd grade), Tornillo Intermediate (3rd through 5th grade), Tornillo Junior High (6th through 8th grade) and Tornillo High (9th through 12th grade), as well as the Alternative Education Program HOPE.

Mission Statement, Goals, and Objectives

Policy AE

- Tornillo ISD’s mission is to educate and empower students to thrive in their postsecondary journey by providing and innovative, nurturing culture of high expectations through collaboration of its stakeholders while maximizing resources.
- Tornillo’s ISD vision is “Believe We Can Succeed; With Pride We Will Achieve”.
- Goals
 - Students performing at the Meets Grade Level Standard on STAAR Reading grades 3rd to 8th, EOC English I and English II will increase from 28% to 60% by 2024.
 - Students performing at the Meets Grade Level Standard on STAAR Math grades 3rd to 8th, EOC Algebra I will increase from 35% to 60% by 2024.
 - Maintains a safe, positive, transparent climate with high expectations for all students, staff, families, as well as the community to promote high academic performance.

Board of Trustees

Policies BA, BB series, BD series, and BE series

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

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

Current board members include:

- Marlene Bullard, President
- Maria Saldaña, Vice President
- Ofelia Bosquez, Secretary
- Daniel Dozal, Trustee
- Hector Lopez, Trustee
- Sally Upchurch, Trustee
- Enrique Vega, Trustee

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

Board Meeting Schedule

Trustees meet at 5:30 PM in the W.E. Neill Building, 19210 Cobb Avenue, Tornillo, TX 79853 on the last Wednesday of each month. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Central Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice. Board meeting notices can also be found at www.tisd.us.

Administration

Rosy Vega-Barrios	Superintendent
Rodrigo Portillo	Assistant Superintendent
David Solis	Director of Finance
Lizeth Carroll	Human Resources/Compliance Director
Carlos Garcia	Director of Technology
Rene Estrada	Transportation/Facilities Director
Cody Burris	Athletics Director
Linda Rivero	Registered Nurse
Georgina Miramontes	Diagnostician/ SPED/504 Coordinator
Alice Reyes	Finance Coordinator
Imelda Garcia	District PEIMS Data Coordinator
TBD	District Food Services Manager
Marco Tristan	High School Principal
Marco Tristan	Junior High Principal
Nadia De La Rosa	Intermediate Principal
Myrna Lopez-Patti	Elementary Principal
Elizabeth Otero	High School Assistant Principal
Loretta Aguilar	Junior High Assistant Principal
Christopher Escarsega	Technology Specialist
Irene Melchor	High School Counselor
Arlene Portillo	Junior High School Counselor
Alicia Alvarado	Intermediate School Counselor
Bertha Pedregon	Elementary School Counselor
Velma Rincon	Payroll Specialist
Joanna Hernandez	Superintendent's Executive Secretary
Sandra Garcia	Human Resources/Compliance Specialist
Claudia Castro	Parent Liaison

Helpful Contacts and Directory

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

Superintendent	765-3005
Assistant Superintendent	765-3006
Director of Finance	765-3010
Finance Coordinator	765-3015
Payroll Specialist	765-3020
Human Resources/Compliance Director	765-3050
Human Resources Specialist	765-3051
Transportation/Facilities Director	765-3060
Athletics	765-3550
Nurse	248-8472
Security	765-4885
Custodial	765-3060
Transportation	892-3482
Special Education Coordinator	765-3040
Director of Technology	765-3035
High School Cafeteria	765-3575
Junior High School Cafeteria	765-3475
Elementary School Cafeteria	765-3175
Elementary School	765-3150
Intermediate School	765-3350
Junior High School	765-3450
High School	765-3550

Academic Calendar

TISD 2020-2021 Academic Calendar TEA Option 2 HB3

July 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	
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	24	25	26	27	28	29
30	31					
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	31					
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		

JULY	
07/01 - 07/03	.....District Closed
07/20 - 07/24	.....Student Registration
07/27 - 07/30	.....District Staff Development / First Day for Teachers
AUGUST	
08/03	.....1st Semester Begins / Classes Begin
SEPTEMBER	
09/07	.....Holiday - Labor Day
OCTOBER	
10/05 - 10/09	.....Extended Year
10/12 - 10/16	.....District Closed
10/21	.....P/T Conference for JH / HS
10/22	.....P/T Conference for ES / IS
NOVEMBER	
11/23 - 11/27	.....Holiday - Thanksgiving
DECEMBER	
12/08 - 12/11	.....Testing - STAAR
12/18	.....1st Semester Ends, Early Release for Students/Staff
12/21 - 12/31	.....Holiday - Christmas
JANUARY	
01/01 - 01/01	.....Holiday - Christmas
01/04	.....Teacher Planning / No School for Students
01/05	.....2nd Semester Begins / Classes Begin
01/18	.....Holiday - Martin Luther King
FEBRUARY	
02/17	.....P/T Conference for JH / HS
02/18	.....P/T Conference for ES / IS
MARCH	
03/08 - 03/12	.....Extended Year
03/15 - 03/19	.....Holiday - Spring Break
APRIL	
04/02	.....Holiday - Good Friday
04/06 - 04/09	.....Testing - STAAR
MAY	
05/04 - 05/07	.....Testing - STAAR
05/11 - 05/14	.....Testing - STAAR
05/31	.....Holiday - Memorial Day
JUNE	
06/04	.....2nd Semester Ends, Early Release for Students/Staff
06/05	.....Teacher Work Day / Last Day for Teachers
06/22 - 06/25	.....Testing

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	25	26	27	28	29	30
31						
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	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					
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			

KEY

- State Testing
- Report Cards Issued
- Progress Reports Issued
- Staff Development / Teacher Planning
- Parent/Teacher Conference
- Holiday
- Extended Year
- Student Registration

Instructional Minutes : 75,600 (K-12th), 37,800 (Pre-K)

Weeks	Days	Minutes
1st	* 44	HS/JH:19793 EL/IS:19793 Pre-K AM:10560 PM:10320
2nd	* 40	HS/JH:17973 EL/IS:17973 Pre-K AM:9600 PM:9360
3rd	* 43	HS/JH:19338 EL/IS:19338 Pre-K AM:10320 PM:10080
4th	* 53	HS/JH:23888 EL/IS:23888 Pre-K AM:12720 PM:12480
	* 180	HS/JH:80990 EL/IS:80990 Pre-K AM:43200 PM:42240

- ★ Open House
- [] 9 Weeks Begins/Ends
- Teacher Work Day
- ◇ New Teacher Orientation
- ♦ Pay Day
- ↘ Early Release Students & Teachers

Board Approved: 02/26/2020

Employment

Equal Employment Opportunity

Policies DAA, DIA

Tornillo ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact the superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the district's website.

Employment after Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment after Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Website (www.trs.texas.gov).

Contract and Noncontract Employment

Policy DC series

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

Probationary Contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is **doubtful** whether a term or continuing contract should be given.⁴⁵

Term Contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online or copies will be provided upon request.

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

Paraprofessional and Auxiliary Employees. All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Human Resources Department in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Human Resources when there is action against, or revocation of their license.

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources Department if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

Policy DC

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Department if you have any questions regarding reverification of employment authorization.

Searches and Alcohol and Drug Testing

Policy CQ, DHE

Noninvestigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if

the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business.

Employees Required to Have a Commercial Driver's License. Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Transportation/Facilities Director or the Human Resources Department.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Human Resources Department by the academic year or the first day of instruction.

Reassignments and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has

been found. All transfer requests will be coordinated by the Human Resources Department and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEAB, DK, DL

Professional Employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. *See Overtime Compensation.*

Breaks for Expression of Breast Milk

Policies DEAB, DG

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Human Resources.

Outside Employment and Tutoring

Policy DBD

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Tornillo ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the superintendent.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. *See Overtime Compensation.*

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Human Resources Department for more information about the district's pay schedules or their own pay. Pay schedules and stipend scales can also be found at www.tisd.us.

Paychecks

All professional, salaried, and hourly employees are paid semi-monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

The schedule of pay dates for the 2020-2021 school year follows:

Tornillo Independent School District 2020 - 2021 Payroll Schedule

Pay Period Start	Pay Period End	Payroll Due-Date	Pay Date
6/16/2020	6/30/2020	Mon, 7/6/2020	7/15/2020
7/1/2020	7/15/2020	Fri, 7/17/2020	7/31/2020
7/16/2020	7/31/2020	Tue, 8/4/2020	8/14/2020
8/1/2020	8/15/2020	Tue, 8/18/2020	8/31/2020
8/16/2020	8/31/2020	Wed, 9/2/2020	9/15/2020
9/1/2020	9/15/2020	Thu, 9/17/2020	9/30/2020
9/16/2020	9/30/2020	Fri, 10/2/2020	10/15/2020
10/1/2020	10/15/2020	Mon, 10/19/2020	10/30/2020
10/16/2020	10/31/2020	Tue, 11/3/2020	11/13/2020
11/1/2020	11/15/2020	Tue, 11/17/2020	11/30/2020
11/16/2020	11/30/2020	Wed, 12/2/2020	12/15/2020
12/1/2020	12/15/2020	Wed, 12/16/2020	12/31/2020
12/16/2020	12/31/2020	Mon, 1/4/2021	1/15/2021
1/1/2021	1/15/2021	Tue, 1/19/2021	1/29/2021
1/16/2021	1/31/2021	Tue, 2/2/2021	2/15/2021
2/1/2021	2/15/2021	Wed, 2/17/2021	2/26/2021
2/16/2021	2/28/2021	Tue, 3/2/2021	3/15/2021
3/1/2021	3/15/2021	Mon, 3/22/2021	3/31/2021
3/16/2021	3/31/2021	Mon, 4/5/2021	4/15/2021
4/1/2021	4/15/2021	Mon, 4/19/2021	4/30/2021
4/16/2021	4/30/2021	Mon, 5/3/2021	5/14/2021
5/1/2021	5/15/2021	Tue, 5/18/2021	5/31/2021
5/16/2021	5/31/2021	Wed, 6/2/2021	6/15/2021
6/1/2021	6/15/2021	Thu, 6/17/2021	6/30/2021
6/16/2021	6/30/2021	Mon, 7/5/2021	7/15/2021

Revised 6/10/2020

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of 30 days is necessary to activate this service. Contact the payroll office at (915) 765-3020 for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and certain charitable contributions approved by the Board. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policies DEAB, DEC

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 A.M. Sunday and ends at 11:59 P.M. Saturday.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and superintendent must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is provided through TRS-ACTIVE Care, the statewide public-school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing⁵² TRS members

- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ACTIVE Care.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Payroll or the Human Resources Department for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for life, dental, vision, disability, and cancer. Premiums for these programs can be paid by payroll deduction. Employees should contact Payroll or the Human Resources Department for more information.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Claims Administrative Services.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to their supervisor and the Human Resources Department. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. *See Workers' Compensation Benefits* for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Human Resources Department.

Teacher Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify Payroll and the Human Resources Department as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov).

Other Benefit Programs

The Tornillo Independent School District also provides additional benefits including:

- Free Admission Passes to Home Athletic Events with employee ID badge
- Tuition-free attendance for children of nonresident employees
- Tax Sheltered Annuities under Section 403(b)

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call Payroll and Human Resources for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in half day increments if a substitute is required or hourly increments if a substitute is not required for the position. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local Leave
- State sick Leave accumulated before the 1995-96 School Year
- State personal leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

All absences in excess of ten days during a semester shall be investigated by the employee's immediate supervisor. Appropriate action shall be taken.

Immediate Family. For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
- Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild

- Any person residing in the employee’s household at the time of illness or death
For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL).

Medical Certification. Any employee, who is absent more than three days because of a personal or family illness, must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee’s fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FMLA. If an employee’s unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee’s usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as state sick leave.

Discretionary. Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor five days in advance of the anticipated absence. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Leave shall not be approved on the first five and last five days of instruction for each semester, day before or after a school holiday, days scheduled for end-of-semester or end-of-year exams and days scheduled for state testing or professional/staff development.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee’s final paycheck will be reduced by the

amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in half day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

Local Leave

All employees shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995-96 school year, except that an employee may contribute local leave to a sick leave bank. [See DEC(Legal)]

Sick Leave Bank

Tornillo ISD has established a sick leave bank, (as defined in DEC (Local)), that employees may join through contribution of local leave. Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury (as defined in DEC (Local)), and the employee has exhausted all paid leave.

MEMBERSHIP AND CONTRIBUTION:

Each employee that elects to be a member of the Sick Leave Bank must sign a Contribution to the Catastrophic Sick Leave Bank form annually. Membership must be reestablished annually. At the time of reestablishment of membership, one day of local leave will be contributed.

REQUEST PROCESS:

If a member employee has experienced a catastrophic illness or injury *and has exhausted all leave*, the employee may request up to 10 days of leave. No more than 10 days will be awarded to an employee per year. The request must be made by using the Catastrophic Sick Leave Bank Request Form. The Catastrophic Sick Leave Bank form must be submitted with the medical certification, signed by a licensed physician, documenting the need for the leave. The Request Form and all required supporting documents must be submitted to the Human Resources Department.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

NOTE: Request for leave will only be awarded if there is leave in the bank. If there are no leave days in the Sick Bank, request will automatically be denied.

APPEAL: All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

Family and Medical Leave Act (FMLA)—General Provisions

The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the district has adopted to implement the FMLA follows this general notice.

Leave Entitlements

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child’s birth or placement);
- To care for the employee’s spouse, child, or parent who has a qualifying serious health condition;
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee’s spouse, child, or parent.

An eligible employee who is a covered servicemember’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer’s normal paid leave policies.

Benefits and Protections

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Eligibility Requirements

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee’s worksite.

Requesting Leave

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Employer Responsibilities

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Enforcement

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

www.wagehour.dol.gov

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured backward from the date an employee uses FML.

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses. Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Fitness for Duty. An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

Reinstatement. An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according the procedures outlined in policy (see DECA (LEGAL)).

Failure to Return. If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

District Contact. Employees that require FML or have questions should contact Human Resources Department for details on eligibility, requirements, and limitations.

Temporary Disability Leave

Certified Employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, Human Resources should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' Compensation Benefits

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or -injury wage.

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to Human Resources and law enforcement.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Jury Duty

Policies DEC, DG

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

Truancy Court Appearances

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

Religious Observance

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty orders by proper authority. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after Military Leave. Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Human Resources. **In most cases, the length of federal military service cannot exceed five years.**

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Human Resources for details on eligibility, requirements, and limitations.

Employee Relations and Communications

Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities.

District Communications

Throughout the school year, Central Office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

- TISD Matters Newsletter emailed to employees
- Recent News found at www.tisd.us
- Tweets found at <https://twitter.com/TornilloISD>
- Phone-Callouts

Complaints and Grievances

Policy DGBA

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

Tornillo ISD
071908

PERSONNEL-MANAGEMENT RELATIONS EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Complaints

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

Other Complaint Processes

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with EF.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.

7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Direct Communication with Board Members

Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

Formal Process

An employee may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

Whistleblower Complaints

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

Complaints Against Supervisors

Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

General Provisions

Filing	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.
Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three

presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

DATE ISSUED: 11/24/2014
UPDATE 101
DGBA(LOCAL)-A

Employee Conduct and Welfare

Standards of Conduct

Policy DH

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency* for additional information.

The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted below:

Texas Educators' Code of Ethics

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1(b))

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1 The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2 The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3 The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12 The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13 The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

Standard 3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2 The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5 The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8 The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9 The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors

that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly, or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Faculty and Staff Dress Code

The following dress code applies to all faculty and staff employed by the Tornillo Independent School District. The intent of the dress code is to provide general guidelines to promote a positive role model for students and a professional appearance in the staff. The faculty and staff dress code does not, nor cannot anticipate every style of attire or exceptions. Thus, final determination of the appropriateness of faculty and staff attire resides with the campus principal or department supervisor. Staff members are requested to dress in a manner that reflects the value and professionalism they hold in their position.

- Collared shirts will be worn by male faculty and staff and must be tucked into pants.
- Ties are encouraged by males, particularly at formal school events and activities.
- Campus administration will determine the use of wearing jeans on Fridays.
- Pants that have belt loops must be worn with a belt or suspenders.
- Women's skirts must be of appropriate length.
- P.E. Instructors may wear athletic shorts and/or sweats provided that the attire is necessary for instruction. Staff attire in specific work areas (Maintenance department, Child Nutrition Department, etc.) should be appropriate for the activities required.
- Male faculty and staff are prohibited from wearing earrings.
- Faculty and staff are prohibited from wearing clothing with printed materials promoting or indicating drug, alcohol, and tobacco products. Faculty and staff are also prohibited from wearing clothing with printed materials which may be sexually or ethnically offensive.
- All visible tattoos need to be covered. All visible body piercing/adornments (other than in the ears) are not permitted to be worn.
- No unnatural hair color is allowed (e.g., blue, pink, green, etc.).

Discrimination, Harassment, and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted on the following page:

	<p>Note: This policy addresses discrimination, harassment, and retaliation involving District employees. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.</p>
Definitions	<p>Solely for purposes of this policy, the term "employee" includes former employees, applicants for employment, and unpaid interns.</p>
Statement of Nondiscrimination	<p>The District prohibits discrimination, including harassment, against any employee <u>on the basis of</u> race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.</p>
Discrimination	<p>Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.</p>
Harassment	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none">1. Has the purpose or effect of unreasonably interfering with the employee's work <u>performance</u>;2. Creates an intimidating, threatening, hostile, or offensive work environment; or3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.
Examples	<p>Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.</p>
Sexual Harassment	<p>Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p>

	<ol style="list-style-type: none"> 1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or 2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.
Examples	Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.
Retaliation	The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
Prohibited Conduct	In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
Reporting Procedures	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
Title IX Coordinator	Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]
ADA / Section 504 Coordinator	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
Superintendent	The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

Alternative Reporting Procedures	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to <u>conduct an investigation</u>.</p>
Timely Reporting	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.</p>
Notice of Report	<p>Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.</p>
Investigation of the Report	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p> <p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p> <p>If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct <u>during the course of an investigation</u>.</p> <p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if <u>necessary</u> to complete a thorough investigation.</p>

	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
District Action	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The District may <u>take action</u> based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
Confidentiality	<p>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 <u>in order to</u> conduct a thorough investigation and comply with applicable law.</p>
Appeal	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</p> <p>The complainant may have a right to file a complaint with appropriate state or federal agencies.</p>
Records Retention	<p>Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]</p>
Access to Policy	<p>This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.</p>

Harassment of Students

Policies DH, DHB, FFG, FFH, FFI

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse* and *Bullying* for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

Tornillo ISD
071908

EMPLOYEE STANDARDS OF CONDUCT
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

DHB
(LEGAL)

Note: This policy applies to a district of innovation under Education Code, Chapter 12A. [See AF]

Permissive Reports

The superintendent may notify the State Board for Educator Certification (SBEC) of any educator misconduct that he or she believes in good faith may be subject to sanctions under 19 Administrative Code, Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, and/or Chapter 247, Educators' Code of Ethics. 19 TAC 249.14(d)

Required Reports

A superintendent shall notify SBEC if:

1. An educator employed by or seeking employment with the district, or an applicant or holder of an SBEC certificate, has a criminal record and the district obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established by the Texas Department of Public Safety under Government Code 411.0845;
2. An educator's employment at the district was terminated and there is evidence that the educator engaged in misconduct listed below [see Reportable Misconduct, below];
3. The educator submitted a notice of resignation and there is evidence that the educator engaged in misconduct listed below [see Reportable Misconduct, below]; or
4. The educator engaged in conduct that violated the assessment instrument security procedures established under Education Code 39.0301.

Education Code 21.006, 22.087; 19 TAC 249.14(d)

**Reportable
Misconduct**

A superintendent shall make a report to SBEC under items 2 and 3, above, if an educator was terminated or resigned and there is evidence that the educator:

1. Sexually or physically abused a student or minor or engaged in any other illegal conduct with a student or minor;
2. Possessed, transferred, sold, or distributed a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 U.S.C. 801 et seq.;
3. Illegally transferred, appropriated, or expended school property or funds;
4. Attempted by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such certificate or permit or to receive additional compensation associated with a position;
5. Committed a crime, any part of such crime having occurred on school property or at a school-sponsored event; or
6. Solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

Education Code 21.006(b); 19 TAC 249.14(d)

Investigation

A superintendent shall complete an investigation of an educator that involves evidence that the educator may have engaged in misconduct described above at Reportable Misconduct, items 1 and 2, despite the educator's resignation from employment before completion of the investigation. *Education Code 21.006(b-1); 19 TAC 249.14(d)(3)(C)*

Deadline to Report

The superintendent shall promptly notify SBEC in writing by filing a report within seven business days after the date the superintendent receives a report from a principal [see DP(LEGAL)] or knew of the circumstances described above. *Education Code 21.006(c); 19 TAC 249.14(d)* [See Required Reports, above]

Contents of Report

The report must be in writing and in a form prescribed by SBEC. The report shall include the name or names of any student or minor who is the victim of abuse or unlawful conduct by an educator and the factual circumstances requiring the report and the subject of the report by providing the following available information:

1. Name and any aliases;
2. Certificate number, if any, or social security number;
3. Last known mailing address and home and daytime phone numbers;
4. All available contact information for any alleged victim or victims;
5. Name or names and any available contact information of any relevant witnesses to the circumstances requiring the report;
6. Current employment status of the subject, including any information about proposed termination, notice of resignation, or pending employment actions; and
7. Involvement by a law enforcement or other agency, including the name of the agency.

Education Code 21.006(c-1); 19 TAC 249.14(f)

Notice	The name of the student or minor is not public information under the Public Information Act. [See GBAA] <i>Education Code 21.006(h)</i>
To the Board and Educator	A superintendent shall notify the board and the educator of the filing of a written report with SBEC. The superintendent shall notify the board before filing the report. <i>Education Code 21.006(d); 19 TAC 249.14(d)(3)(B)</i>
Before Accepting Resignation	Before accepting an employee's resignation that requires filing a report, the superintendent shall inform the educator in writing that a report will be filed and that sanctions against his or her certificate may result as a <u>consequence</u> . <i>19 TAC 249.14(d)(3)(A)</i>
Policy to Notify Parents	The board shall adopt a policy under which notice is provided to the parent or guardian of a student with whom an educator is alleged to have abused or otherwise committed an unlawful act with a student or minor. [See FFF] <i>Education Code 21.0061</i>
Sanctions for Failure to Report	SBEC shall determine whether to impose sanctions, including an administrative penalty against a superintendent who fails to file a report. <i>Education Code 21.006(f); 19 TAC 249.14(d), (h), .15(b)(4)</i>
Administrative Penalty	If a superintendent is required to file a report and fails to file the report by the required date, SBEC may impose an administrative penalty of not less than \$500 and not more than \$10,000. SBEC may not renew the certification of an educator against whom an administrative penalty is imposed until the penalty is paid. <i>Education Code 21.006(i)</i>
Criminal Offense	A superintendent required to file a report commits a state jail felony if the superintendent fails to file the report by the required date with intent to conceal an educator's criminal record or alleged incident of misconduct. <i>Education Code 21.006(j)</i>
Immunity	A superintendent or principal who, in good faith and while acting in an official capacity, files a report with SBEC or communicates with another superintendent or principal concerning an educator's criminal record or alleged incident of misconduct is immune from civil or criminal liability that might otherwise be incurred or imposed. <i>Education Code 21.006(e)</i>

Definitions

"Abuse"

"Abuse" includes the following acts or omissions:

1. Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
2. Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
 - f. If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
 - g. Any other evidence tending to show the context of the communications between educator and student.
2. Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
3. Making sexually demeaning comments to a student.
4. Making comments about a student's potential sexual performance.
5. Requesting details of a student's sexual history.
6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.
7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.
9. Providing the student with drugs or alcohol.
10. Violating written directives from school administrators regarding the educator's behavior toward a student.
11. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
12. Any other acts tending to show that the educator solicited a romantic relationship with the student.

19 TAC 249.3(51)

DATE ISSUED: 12/16/2018
UPDATE 112
DHB(LEGAL)-P

Note: This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

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

Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Sexual Harassment

By an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include 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.

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.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the

student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, 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 discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Reporting Procedures

Student Report

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Title IX Coordinator

Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

ADA / Section 504 Coordinator

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	<p>Reports of prohibited conduct 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.</p>
Notice to Parents	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p>
Investigation of the Report	<p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>
Interim Action	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.</p>
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p>

	<p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action	
Prohibited Conduct	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.</p>
Bullying	<p>If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.</p>

Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
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 and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
Records Retention	The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]
Access to Policy and Procedures	Information regarding 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 readily available at each campus and the District's administrative offices.

DATE ISSUED: 3/2/2016
UPDATE 104
FFH(LOCAL)-A

Reporting Suspected Child Abuse

Policies DG, GRA

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or person with a disability.

Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx>, to El Paso County Sheriff's Department, or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at Guidance and Counseling Department website. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. 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. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

Reporting Crime

Policy DG

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

Scope and Sequence

Policy DG

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

Policy CQ

The district's technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district's computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the Technology Department.

Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also include all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.

- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records [See Policy FL]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law [See DH (EXHIBIT)]
 - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
 - Copyright law [See Policy CY]
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

See *Use of Electronic Communications between Employees, Students, and Parents* below, for regulations on employee communication with students.

Electronic Communications between Employees, Students, and Parents

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

The following definitions apply for the use of electronic media with students:

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:

- The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
- The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of **9:00 p.m.** and **7:00 a.m.** An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DHB]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district’s record retention policy.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

Public Information on Private Devices

Policy DH

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

Criminal History Background Checks

Policy DBAA

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee Arrests and Convictions

Policy DH

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance

- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the SBEC rules

If an educator is arrested or criminally charged, the superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

Alcohol and Drug-Abuse Prevention

Policy DH

Tornillo ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Violations of Standards of Conduct

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. A District employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not loaded and not in plain view; or
2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Electronic Communication

Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

Personal Use	All employees shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
Safety Requirements	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Harassment or Abuse	<p>An employee shall not engage in prohibited harassment, including sexual harassment, of:</p> <ol style="list-style-type: none"> 1. Other employees. [See DIA] 2. Students. [See FFH; see FFG regarding child abuse and neglect.] <p>While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.</p> <p>An employee shall report child abuse or neglect as required by law. [See FFG]</p>
Relationships with Students	<p>An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]</p> <p>As required by law, the District shall notify the parent of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]</p>
Tobacco and E-Cigarettes	<p>An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]</p>
Alcohol and Drugs / Notice of Drug-Free Workplace	<p>As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.</p> <p>An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:</p> <ol style="list-style-type: none"> 1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate. 2. Alcohol or any alcoholic beverage. 3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.

4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice

Employees shall receive a copy of this policy.

Arrests, Indictments, Convictions, and Other Adjudications

An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
 - Dishonesty; fraud; deceit; theft; misrepresentation;

- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Felony driving while intoxicated (DWI); or
- Acts constituting abuse or neglect under the Texas Family Code.

Dress and Grooming An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with any additional standards established by his or her supervisor and approved by the Superintendent.

DATE ISSUED: 12/16/2018
 UPDATE 112
 DH(LOCAL)-A

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

State law prohibits smoking, using tobacco products, or e-cigarettes on all district-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards.

Conflict of Interest

Policy CB, DBD

Employees are required to disclose in writing to the district any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Non-school employment

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

Copyrighted Materials

Policy CY

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Associations and Political Activities

Policy DGA

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of district resources including work time for political activities is prohibited.

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

Charitable Contributions

Policy DG

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

Safety

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See *Emergencies* for additional information.

To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact Human Resources Department.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the Security Department immediately.

Visitors in the Workplace

Policy GKC

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to

their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

Asbestos Management Plan

Policy CKA

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's management plan is kept in the front offices of each respective campus and the administration office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the front offices of each respective campus and the administration office. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

General Procedures

Emergency School Closing

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website and notify the local radio and television stations.

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockout, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Business Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or

commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Business Department for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the campus and Human Resource Department if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the Human Resources Department.

Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to Human Resources. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public until a request to withhold the information is submitted.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. District Office Receptionist is responsible for scheduling the use of facilities after school hours. Contact the District Office Receptionist to request to use school facilities and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency*. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same acts.

Noncontract Employees. Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available online.

Dismissal of Noncontract Employees

Policies DCD, DP

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*)

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Discharge of Convicted Employees

Policy DF

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or

convicted of a felony under Title 5 Penal Code if the victim was a minor. TEC §22.085 lists the reasons an employee must be discharged.

If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply

Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Reports to Texas Education Agency

Policies DF, DHB, DHC

Certified Employees. The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Noncertified Employees. The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

Reports Concerning Court-Ordered Withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to

the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

Student Issues

Equal Educational Opportunities

Policies FB, FFH

Tornillo ISD does not discriminate on the basis of race, color, religion, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to the Superintendent.

Student Records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

Parent and Student Complaints

Policy FNG

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides

parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

Administering Medication to Students

Policy FFAC

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen®), and medication for diabetes management, if the medication is self-administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Policies DH, FFAC

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic Drugs

Policy FFAC

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

District employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

Student Conduct and Discipline

Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

Student Attendance

Policy FEB

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are

allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the campus administration. The district’s policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

Tornillo ISD
071908

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	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.
Student Report	
Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.
Notice to Parents	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. If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action	
Bullying	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<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. 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.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices

DATE ISSUED: 10/23/2017
UPDATE 109
FFI(LOCAL)-A

Hazing

Policy FNCC

Students must have prior approval from the principal or designee for any type of “initiation rites” of a school club or organization. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

Internet Acceptable Use Policy

User Responsibilities

These guidelines are intended for employees and students to make the best use of the Internet resources at their disposal. When using the District’s Internet access facilities, you should understand and comply with the following guidelines:

Tornillo ISD’s Internet Acceptable Use Policy (“IAUP”) is to prevent unauthorized access and other unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children’s Internet Protection Act (“CIPA”). As used in this policy, “user” includes anyone using the computers, Internet, email, chat rooms, instant messaging (IM), peer-to-peer P2P, and other forms of direct electronic communications or equipment provided by Tornillo ISD. It also covers any outside equipment that uses the district’s network to access the Internet.

Tornillo ISD will use technology protection measures to block or filter, to the extent possible, access of visual depictions that are obscene, pornographic, and harmful to **minors** over the network. Tornillo ISD reserves the right to monitor users’ online activities and to access, review, copy, and store or delete any electronic communication or files and disclose them to others as it deems necessary. Users should have no expectation of privacy regarding their use of district property, network and/or Internet access or files, including email.

Schools must qualify students using the computer network and Internet access at the beginning of each school year with a signed IAUP. Students who are under 18 must have their parents or guardians sign the IAUP and schools must keep the signed page on file. Once signed, the permission/acknowledgement page remains in effect until revoked by the parent, or the student loses the privilege of using the district’s network due to violation of the policy or is no longer a student of this district.

Employees and other users are required to follow this policy. Even without signature, all users must follow this policy and report any misuse of the network or Internet to a teacher, supervisor or other appropriate district personnel. Access is provided primarily for education and district business. Staff may use the Internet, for incidental personal use during duty-free time. By using the network, users have agreed to this policy. If a user is uncertain about whether a particular use is acceptable or appropriate, he or she should consult a teacher, supervisor or other appropriate district personnel.

It shall be the responsibility of all members of the Tornillo ISD staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.

Tornillo ISD will conduct annual trainings at the start of each school year that will educate all students including minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyber bullying awareness, and response.

The following are examples of inappropriate activities on the Internet, but the district reserves the right to take immediate action regarding activities (1) that create security and/or safety issues for the district, students, employees, schools, network or computer resources, or (2) that expend district resources on content the district in its sole discretion determines lacks legitimate educational content/purpose, or (3) other activities as determined by district as inappropriate.

- Violating any state or federal law or municipal ordinance, such as: accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials;
- Criminal activities that can be punished under law;
- Selling or purchasing illegal items or substances;
- Obtaining and/or using anonymous email sites; spamming; spreading viruses;
- Causing harm to others or damage to their property, such as:
 1. Using profane, abusive, or impolite language; threatening, harassing, or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
 2. Deleting, copying, modifying, or forging other users' names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous email;
 3. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance;
 4. Using any district computer to pursue "hacking," internal or external to the district, or attempting to access information protected by privacy laws; or
 5. Accessing, transmitting or downloading large files, including "chain letters" or any type of "pyramid schemes".
- Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:
 1. Using another's account password(s) or identifier(s);
 2. Interfering with other users' ability to access their account(s); or
 3. Disclosing anyone's password to others or allowing them to use another's account(s).
- Using the network or Internet for Commercial purposes:
 1. Using the Internet for personal financial gain;
 2. Using the Internet for personal advertising, promotion, or financial gain; or
 3. Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes.

Student Internet Safety

1. Students under the age of eighteen should only access district accounts outside of school if a parent or legal guardian supervises their usage at all times. The student's parent or guardian is responsible for monitoring the minor's use;
2. Students shall not reveal on the Internet personal information about themselves or other persons. For example, students should not reveal their name, home address, telephone number, or display photographs of themselves or others;
3. Students shall not meet in person anyone they have met only on the Internet; and
4. Students must abide by all laws, this Internet Acceptable Use Policy and all district security policies.

Penalties for Improper Use

The use of a Tornillo ISD account is a privilege, not a right, and misuse will result in the restriction or cancellation of the account. Misuse may also lead to disciplinary and/or legal action for both students and employees, including suspension, expulsion, dismissal from District employment, or criminal prosecution by government authorities. Tornillo ISD will attempt to tailor any disciplinary action to the specific issues related to each violation.

Disclaimer

Tornillo ISD makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from use of the network or accounts. Any additional charges a user accrues due to the use of the district's network are to be borne by the user. Tornillo ISD also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of the district, its affiliates, or employees.

Adoption

This Internet Safety Policy was adopted by the Board of Tornillo ISD at a public meeting, following normal public notice, on 5/14/2012.

Contact Us

If you have questions about this privacy statement or the comments about the website, please email GarciaC@tisd.us or write to:

Technology Department
Tornillo Independent School District
PO Box 170
19200 Cobb Ave.
Tornillo, TX 79853

Index

- Administering medication, 74
- Administration, 9
- Alcohol and drug
 - abuse prevention, 60
 - testing, 12
- Arrests and convictions, 59
- Asbestos management plan, 69
- Assault leave, 26
- Associations and political activities, 67
- At-will employment, 12
- Automatic payroll deposits, 17
- Background checks, 59
- Bad weather closing, 69
- Benefits
 - cafeteria plan, 19
 - health insurance, 18
 - leave, 20
 - retirement, 20
 - supplemental insurance, 19
 - workers' compensation, 19, 26
- Board of Trustees
 - information, 8
 - members, 8
- Breaks, 14
- Breast milk, 14
- Building use, 70
- Bullying, 75
- Cafeteria plan benefits, 19
- Certification
 - health and safety training, 13
 - maintaining, 12
 - parent notification, 14
- Change of address, 70
- Charitable contributions, 68
- Child abuse
 - reporting, 54
 - sexual, 54
- Code of ethics***, 35
- Committees, 15
- Compensation, 16
- Complaints
 - employee, 28
 - parent and student, 73
- Compliance coordinators, 11, 73
- Compliance with a subpoena, 26
- Conduct and welfare, 34
- Conflict of interest, 67
- Contract
 - employment, 11
 - noncertified employees, 12
 - nonrenewal, 71
- Copyright materials, 67
- Court appearances, 26
- Court-ordered withholding, 72
- Crime reporting, 55
- Criminal history, 59
- Dietary supplements, 74
- Directories
 - helpful contacts, 9, 10
- Discrimination
 - employee, 37
 - student, 73
- Dismissal
 - contract employees, 71
 - noncontract employees, 71
- District
 - communications, 28
 - description, 7
 - information, 7
 - mission statement, 7
- Drug
 - abuse prevention, 60
 - psychotropic, 74
 - testing, 12
- E-cigarettes, 66
- Electronic communications, 55, 56
- Emergencies, 69
- Employee
 - conduct and welfare, 34
 - involvement, 15
 - recognition, 27
- Employment
 - after retirement, 11
 - at-will, 12
 - authorization documents, 12
 - contract, 11
 - noncontract, 11
 - outside, 15
- Equal opportunity
 - educational, 73
 - employment, 11
- Every Student Succeeds Act, 14

Exit interviews, 71, 72
 Family and medical leave, 23
 Firearms, 68
 Form I-9, 12
 Fraud, 66
 General procedures, 69
 Gifts and favors, 67
 Grievances, 28
 Harassment, 37, 43
 Hazing, 78
 Health insurance, 18
 Health safety training, 13
 Helpful contacts, 9, 10
 Insurance
 health, 18
 supplemental, 19
 unemployment, 19
 Internet use, 55, 56
 Job vacancy announcements, 11
 Jury duty, 26
 Leave
 assault, 26
 court appearance, 26
 discretionary, 21
 family and medical, 23
 jury duty, 26
 local, 22
 medical certification, 21
 military, 27
 nondiscretionary, 21
 personal, 21
 proration, 21
 religious observance, 27
 sick, 22
 temporary disability, 25
 truancy court appearance, 27
 workers' compensation, 26
 Maltreatment of children, 54
 Medications, 74
 Military leave, 27
 Mission statement, 7
 Name and address changes, 70
 Nonrenewals, 71
 Nursing mothers, 14
 Outside employment, 15
 Overtime, 18
 Parent and student complaints, 73
 Parent notification, 14
 Paychecks, 16
 Payroll
 automatic deposits, 17
 deductions, 17
 schedule, 16
 Performance evaluation, 15
 Personal leave, 21
 Personnel records, 70
 Pest control treatment, 69
 Political activities, 67
 Possession of firearms and weapons, 68
 Psychotropic drugs, 74
 Purchasing procedures, 69
 Qualifying exigency, 24
 Reassignments, 13
 Religious observance, 27
 Resignations, 70
 contract employees, 70
 noncontract employees, 71
 Retaliation, 37
 Retirement
 benefits, 20
 employment after, 11
 Safety, 68
 Salaries, 16
 School
 closing, 69
 Searches, 12
 Sexual harassment, 43
 Sick leave, 22
 Staff development, 15
 Standards of conduct, 34
 Student
 attendance, 74
 bullying, 75
 complaints, 73
 dietary supplements, 74
 discipline, 74
 equal educational opportunities, 73
 harassment, 43
 hazing, 78
 medication, 74
 records, 73
 Supplemental insurance, 19
 TEA reports, 72
 Teacher retirement, 20
 Temporary disability leave, 25
 Termination
 dismissal during the contract term, 71
 exit interviews, 71, 72
 noncontract employees, 71
 nonrenewal, 71

- reports to TEA, 70, 72
- resignation, 70
- Text messaging, 56
- Tobacco
 - products, 66
 - use, 66
- Training
 - health and safety, 13
 - staff development, 15
- Transfers, 13
- Travel expenses, 18
- Truancy court appearances, 27
- Tutoring, 15
- Unemployment insurance, 19
- Vacancy announcements, 11
- Visitors, 68
- Wages, 16
- Weapons, 68
- Whistleblower Act, 55
- Work schedule, 14
- Workers' compensation benefits, 19, 26
- Workload, 14



TORNILLO INDEPENDENT SCHOOL DISTRICT
WWW.TISD.US | #TISDPROUD

Tornillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs. For additional information regarding Tornillo Independent School District's policy of nondiscrimination contact: the Human Resources / Compliance Director at (915) 765-3050, 19200 Cobb Ave. Tornillo, TX 79853

2020
2021

TORNILLO INDEPENDENT SCHOOL DISTRICT

STUDENT HANDBOOK & CODE OF CONDUCT

119

19200 COBB AVE, TORNILLO, TX, 79853

TORNILLO INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES



Marlene Bullard
President



Maria Kika Saldana
Vice-President



Ofelia Bosquez
Secretary



Daniel Dozal
Trustee



Hector Lopez
Trustee



Sally Upchurch
Trustee



Enrique Vega
Trustee



Rosy Vega-Barrio
Superintendent

The Tornillo Independent School District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended and Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator and to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended: Superintendent, 19200 Cobb Avenue, Tornillo, TX 79853, (915) 765-3000.

If you have difficulty accessing the information in this document because of disability,
please contact the district at (915)765-3000.

STUDENT HANDBOOK & CODE OF CONDUCT TABLE OF CONTENTS

BOARD OF TRUSTEES	1
2020-2021 STUDENT HANDBOOK	8
Preface.....	8
Section I: Parental Rights	10
Right of Access to Student Records, Curriculum Materials, and District Records / Policies 17	
A Student with Exceptionalities or Special Circumstances	22
Section II: Other Important Information for Parents and Students	29
Absences / Attendance	29
Accountability under State and Federal Law (All Grade Levels)	35
Awards and Honors (All Grade Levels).....	35
Bullying (All Grade Levels).....	35
Career and Technical Education (CTE) Programs (Secondary Grade Levels Only)	37
Celebrations (All Grade Levels)	38
Child Sexual Abuse and Other Maltreatment of Children (All Grade Levels).....	38
Class Rank / Highest-Ranking Student (Secondary Grade Levels Only)	41
Class Schedules (Secondary Grade Levels Only)	42
College and University Admissions and Financial Aid (Secondary Grade Levels Only)	42
College Credit Courses (Secondary Grade Levels Only)	43
Communications—Automated.....	43
Complaints and Concerns (All Grade Levels)	44
Conduct (All Grade Levels)	45
Counseling.....	46
Course Credit (Secondary Grade Levels Only)	48
Credit by Examination <i>If a Student Has Taken the Course / Subject</i> (All Grade Levels)	48
Credit by Examination for Advancement / Acceleration <i>If a Student Has Not Taken the Course / Subject</i>	49
Kindergarten Acceleration	49
Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)	50
Discrimination	53
Distance Learning.....	53
Distribution of Literature, Published Materials, or Other Documents (All Grade Levels)	54
Dress and Grooming (All Grade Levels)	56
Electronic Devices and Technology Resources (All Grade Levels)	57
End-of-Course (EOC) Assessments.....	59

English Learners (All Grade Levels)	59
Extracurricular Activities, Clubs, and Organizations (All Grade Levels)	60
Fees (All Grade Levels).....	61
Fundraising (All Grade Levels)	62
Gang-Free Zones (All Grade Levels)	63
Gender-Based Harassment	63
Grade-Level Classification (Grades 9–12 Only)	63
Grading Guidelines (All Grade Levels)	63
Graduation (Secondary Grade Levels Only).....	64
Harassment.....	69
Hazing (All Grade Levels).....	69
Health-Physical and Mental	70
Health-Related Resources, Policies, and Procedures	78
Homework (All Grade Levels).....	79
Law Enforcement Agencies (All Grade Levels)	79
Leaving Campus (All Grade Levels)	81
Lost and Found (All Grade Levels)	82
Makeup Work.....	82
Parent and Family Engagement (All Grade Levels)	84
Parking and Parking Permits (Secondary Grade Levels Only)	86
Pledges of Allegiance and a Minute of Silence (All Grade Levels)	86
Prayer (All Grade Levels)	86
Promotion and Retention.....	87
Release of Students from School	89
Report Cards / Progress Reports and Conferences (All Grade Levels).....	89
Retaliation	90
Safety (All Grade Levels).....	90
SAT, ACT, and Other Standardized Tests	92
School Facilities.....	92
School-sponsored Field Trips (All Grade Levels).....	94
Searches	94
Sexual Harassment	96
Special Programs (All Grade Levels).....	96
Standardized Testing	96
Students in Foster Care (All Grade Levels)	98
Students Who are Homeless (All Grade Levels)	98

Student Speakers (All Grade Levels).....	99
Tardies (All Grade Levels)	99
Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)	99
Transfers (All Grade Levels)	99
Transportation (All Grade Levels)	100
Vandalism (All Grade Levels)	101
Video Cameras (All Grade Levels)	101
Visitors to the School (All Grade Levels)	102
Volunteers (All Grade Levels)	103
Voter Registration (Secondary Grade Levels Only)	103
Withdrawing from School (All Grade Levels)	103
Student Handbook Glossary.....	104
Appendix: Freedom from Bullying Policy	107
Student Welfare: Freedom from Bullying.....	107
2020-2021 Student Code of Conduct	101
Accessibility	102
Purpose	102
School District Authority and Jurisdiction	103
Campus Behavior Coordinator	103
Threat Assessment and Safe and Supportive School Team	103
Searches	104
Reporting Crimes	104
Security Personnel.....	104
“Parent” Defined	104
Participating in Graduation Activities.....	104
Unauthorized Persons	105
Standards for Student Conduct.....	105
General Conduct Violations	106
Disregard for Authority	106
Mistreatment of Others	106
Property Offenses	107
Possession of Prohibited Items	107
Possession of Telecommunications or Other Electronic Devices	108
Illegal, Prescription, and Over-the-Counter Drugs	108
Misuse of Technology Resources and the Internet	108

Safety Transgressions	109
Miscellaneous Offenses.....	109
Discipline Management Techniques	110
Students with Disabilities.....	110
Techniques	110
Prohibited Aversive Techniques	111
Notification	112
Appeals	113
Removal from the School Bus	113
Removal from the Regular Educational Setting	113
Routine Referral.....	113
Formal Removal.....	113
Returning a Student to the Classroom.....	114
Out-of-School Suspension	114
Misconduct	114
Process	115
Coursework During Suspension	116
Disciplinary Alternative Education Program (DAEP) Placement	116
Discretionary Placement: Misconduct That May Result in DAEP Placement	116
Mandatory Placement: Misconduct That Requires DAEP Placement	117
Sexual Assault and Campus Assignments.....	118
Process	119
Length of Placement	120
Appeals	121
Restrictions During Placement.....	121
Placement Review	122
Additional Misconduct.....	122
Notice of Criminal Proceedings	122
Withdrawal During Process	123
Newly Enrolled Students	123
Emergency Placement Procedure	123
Transition Services	123
Placement and/or Expulsion for Certain Offenses.....	124
Registered Sex Offenders.....	124
Certain Felonies	125
Expulsion	124..... 126

Discretionary Expulsion: Misconduct That May Result in Expulsion	126
Mandatory Expulsion: Misconduct That Requires Expulsion	129
Under Age Ten	130
Process	130
Length of Expulsion.....	131
Withdrawal During Process	132
Additional Misconduct.....	132
Restrictions During Expulsion	132
Newly Enrolled Students	133
Emergency Expulsion Procedures	133
DAEP Placement of Expelled Students.....	133
Transition Services	133
Specific Categories and Consequences of Offenses	134
HOPE ACADEMY	156
MISSION	156
BELIEFS	156
PURPOSE.....	156
ENROLLMENT / PLACEMENT PROCESS	156
GENERAL INFORMATION.....	157
INSTRUCTIONAL DAY	157
TRANSPORTATION	157
ATTENDANCE / TARDIES	157
SCHEDULE & CURRICULUM.....	158
COUNSELING	158
CONTACT INFORMATION	158
LEAVING CAMPUS.....	158
VISITORS	158
TISD PROPERTY / EXTRA-CURRICULAR EVENTS	158
MEDICATION.....	159
COMPUTER USAGE.....	159
MEALS.....	159
BREAKS	159
SUPPLIES	159
TESTING.....	159
SAFETY / SECURITY	160
PROHIBITED ITEMS	160

CELL PHONES	160
DRESS CODE	160
PARENTS, STUDENTS, AND STAFF RESPONSIBILITIES	161
HOPE ACADEMY FORMS	163
HOPE ACADEMY Recommendation for DAEP Placement	163
Hope Academy Placement Checklist	164
HOPE ACADEMY Exit Checklist	165
Student Code of Conduct Glossary	166
Internet Acceptable Use Policy	176
2020-2021 Student & Parent Acknowledgement	179
.....	180
Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information	180
2020-2021 Parents’ Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Learning Family Education Rights and Privacy Act (FERPA) Notice	181
2020-21 Permission to Video/Audio Record or Photograph	182
2020-21 Student Consent/Opt Out Form	183

2020-2021 STUDENT HANDBOOK

Preface

Parents and Students:

Welcome to the new school year!

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

The *Tornillo Independent School District* Student Handbook is a general reference guide that is divided into two sections:

Section I: Parental Rights describes certain parental rights as specified in state or federal law.

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

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

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

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

Therefore, parents and students should become familiar with the *Tornillo Independent School District* Student Code of Conduct. To review the Code of Conduct, visit the district's website at <https://www.tisd.us/parents>. State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

A hard copy of the Student Code of Conduct and Student Handbook can be requested at the front office of each campus.

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

to modify the Student Handbook at any time. Notice of revisions will be provided as is reasonably practical.

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

For questions about the material in this handbook, please contact the principal at each respective campus.

Complete and submit during student's online registration the following forms (provided online upon enrollment):

- Acknowledgment of Electronic Distribution of Student Handbook,
- Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information,
- Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education (if you choose to restrict the release of information to these entities),
- Consent/Opt-Out Form, and
- Permission to Video / Audio Record or Photograph.

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

Note: References to board policy codes are included for ease of reference. The hard copy of the district's official policy manual is available for review in the district administration office and an unofficial electronic copy is available at www.tisd.us.

If you have difficulty accessing this handbook because of a disability, please contact the Diagnostician/SPED/504 Coordinator at (915) 765-3040.

Section I: Parental Rights

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

Consent, Opt-Out, and Refusal Rights

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

Unless required under state or federal law, a district employee will not conduct a psychological examination, test, 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 district's mental health liaison will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and a possible need for intervention and provide information about available counseling options.

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

The mental health liaison, Diagnostician/SPED/504 Coordinator can be reached at (915)765-3040 and can provide further information regarding these procedures as well as educational materials on identifying risk factors, accessing resources for treatment or support on- and off-campus, and accessing available student accommodations provided on campus.

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

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

- Artwork,
- Special projects,

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

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

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

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

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

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

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

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

Prohibiting the Use of Corporal Punishment

Corporal punishment—spanking or paddling a student—may be used as a discipline management technique in accordance with the Student Code of Conduct and district policy [FO\(LOCAL\)](#); however, the district utilizes other methods in the code of conduct for the discipline of students.

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

Limiting Electronic Communications between Students and District Employees

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

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

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

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

Objecting to the Release of Directory Information

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

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

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

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

However, a parent or eligible student may object to the release of this information. Any objection must be made in writing to the principal within ten school days of the student's first day of instruction for this school. [See **Notice**

Regarding Directory Information and Parent’s Response Regarding Release of Student Information, included in the forms packet.]

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

For specific school-sponsored purposes, the district has identified the following as directory information: student name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams [[FL\(Local\)](#)]. If you do not object to the use of your child’s information for these limited school-sponsored purposes, the school will not need to ask your permission each time the district wishes to use the information for the school-sponsored purposes listed above. If a parent objects to the release of the student’s information included on the directory information response form, this objection also applies to the use of that information for school-sponsored purposes, such as:

- Honor roll,
- School newspaper,
- Yearbook,
- Recognition activities,
- News releases, and
- Athletic programs.

Note: Review [Authorized Inspection and Use of Student Records](#).

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

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

- Name,
- Address, and
- Telephone listing.

See a document in the forms packet for this purpose.

Participation in Third-Party Surveys

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

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

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

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

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

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

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

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

Exceptions are hearing, vision, or spinal screenings, or any physical examination or screening permitted or required under state law. [See policies [EE](#) and [FFAA](#).]

A parent may inspect:

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

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

Human Sexuality Instruction

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

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

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

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

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

Please contact the school for further information. If any instruction is given to the students regarding human sexuality, the school will send home a consent form PRIOR to allowing your child to participate.

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

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

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

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

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

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

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

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

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

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

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

Religious or Moral Beliefs

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

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

Tutoring or Test Preparation

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

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

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

In accordance with state law and policy [EC](#), without parental permission, districts are prohibited from removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

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

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

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

Instructional Materials

A parent has the right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered.

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

Notices of Certain Student Misconduct to Noncustodial Parent

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

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

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

Student Records

Accessing Student Records

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

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

Authorized Inspection and Use of Student Records

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

For purposes of student records, an "eligible" student is anyone age 18 or older or who attends a postsecondary educational institution. These rights, as discussed here and at [Objecting to the Release of Directory Information](#), are the right to:

- Inspect and review student records within 45 days after the day the school receives a request for access;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled.
- In connection with financial aid for which a student has applied or has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.

- When the district discloses directory information-designated details. [To prohibit this disclosure, see [Objecting to the Release of Directory Information.](#)]

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

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

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

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

A parent or eligible student who submits a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review the records.

- The address of the **Superintendent's Office** is 19200 Cobb Avenue, Tornillo, Texas, 79853.
- The address of the **Elementary School Principal's Office** is 19200 Gaby Road, Tornillo, Texas, 79853.
- The address of the **Intermediate School Principal's Office** is 420-A Oil Mill Road, Tornillo, Texas, 79853.
- The address of the **Junior High School Principal's Office** is 300 Oil Mill Road, Tornillo, Texas, 79853.
- The address of the **High School Principal's Office** is 430-D Oil Mill Road, Tornillo, Texas, 79853.

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

A request to correct a student's record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If after the hearing the

records are not amended, the parent or eligible student has 30 school days to place a statement in the student's record.

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

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

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

Teacher and Staff Professional Qualifications

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

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

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

A Student with Exceptionalities or Special Circumstances

Children of Military Families

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

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

- The district will excuse absences related to a student visiting a parent, including a stepparent or legal guardian, who is:
- Called to active duty,
- On leave, or
- Returning from a deployment of at least four months.

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

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

Parental Role in Certain Classroom and School Assignments

Multiple-Birth Siblings

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

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

Safety Transfers / Assignments

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

The board may transfer a student who has engaged in bullying to another classroom.

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

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

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

[See policy [FDE](#).]

The board will honor a parent's request for the transfer of his or her child to a neighboring district if the child has been the victim of sexual assault by another

student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for the assault. In accordance with policy [FDE](#), if the victim does not wish to transfer, the board will transfer the assailant.

Student Use of a Service / Assistance Animal

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

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

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

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

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

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

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

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

- Coordinate contact between the student and a liaison officer for students formerly in the conservatorship of the state.

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

A Student Who Is Homeless

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

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

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

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

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

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

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

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

have a positive impact on the ability of districts to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individuals listed below to learn about the school's overall general education referral or screening system for support services.

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

Special Education Referrals

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

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

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

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

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

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

Contact Person for Special Education Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is the Diagnostician/SPED/504 Coordinator at (915)765-3040.

Section 504 Referrals

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

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

Contact Person for Section 504 Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is the Diagnostician/SPED/504 Coordinator at (915)765-3040.

[See [A Student with Physical or Mental Impairments Protected under Section 504](#)]

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

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

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

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

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

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

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

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

A Student Who Speaks a Primary Language Other than English

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

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

A Student with Physical or Mental Impairments Protected under Section 504

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

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

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

[See policy [FB](#).]

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

Section II:

Other Important Information for Parents and Students

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

- Tornillo Elementary School 915-765-3100
- Tornillo Intermediate School 915-765-3300
- Tornillo Junior High School 915-765-3400
- Tornillo High School 915-765-3500

Absences / Attendance

Regular school attendance is essential. Absences from class may result in serious disruption of a student's education. The student and parent should avoid unnecessary absences.

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

Compulsory Attendance

Prekindergarten and Kindergarten

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

Ages 6 - 18

State law requires that a student 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.

Age 19 and Older

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

Exemptions to Compulsory Attendance

All Grade Levels

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

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

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

Secondary Grade Levels

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

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

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

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

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

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

Failure to Comply with Compulsory Attendance

All Grade Levels

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.

Students with Disabilities

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

Ages 6 - 18

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

The notice will:

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

Each administrator will serve as the truancy prevention facilitator for their respective campus. 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 impose penalties against the parent if a school-aged student is deliberately not attending school. The district may file a complaint against the parent if the student incurs ten or more unexcused absences within a six-month period in the same school year.

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

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

Age 19 and Older

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

Attendance for Credit or Final Grade (Kindergarten–Grade 12)

To receive credit or a final grade in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered will be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade lost because of absences. [See policy [FEC](#).]

All absences, whether excused or unexcused, must be considered in determining whether a student has attended the required percentage of days.

In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences for the reasons listed above at [Exemptions to Compulsory Attendance](#) will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will review absences incurred based on the student's participation in board-approved extracurricular activities. These absences will be considered by the attendance committee as extenuating circumstances in accordance with the absences allowed under [FM\(LOCAL\)](#) if the student made up the work missed in each class.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.

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

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

Official Attendance-Taking Time (All Grade Levels)

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

Official attendance is taken as follows:

Elementary:	10:00 am; for the PM Pre-K at 1:00 pm
Intermediate:	10:00 am

Junior High School: 9:15 am

High School: 9:15 am

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

Documentation after an Absence (All Grade Levels)

When a student is absent from school, 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 age 18 or older or is an emancipated minor under state law. A phone call from the parent may be accepted, but the district reserves the right to require a written note.

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

Note: Unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence.

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

Within **two days (48 hours)** of returning to school, a student absent for more than **three consecutive days** because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. Otherwise, the student's absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

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

[See policy [FEC\(LOCAL\)](#).]

Driver License Attendance Verification (Secondary Grade Levels Only)

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

credit or attendance requirements. The VOE form is available at:
<https://www.tdlr.texas.gov/driver/forms/VOE.pdf>

Further information may be found on the Texas Department of Public Safety website: <https://www.dps.texas.gov/driverlicense/teedriver.htm>.

Accountability under State and Federal Law (All Grade Levels)

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

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

Accountability information can be found on the district's website at www.tisd.us. Hard copies of any reports are available upon request to the district's administration office.

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

Awards and Honors (All Grade Levels)

The campus administration will take every opportunity to award and honor students for their academic and extra-curricular successes. Recognition of our students may be done at the respective campus or at the district level at a Board of Trustees meeting.

Bullying (All Grade Levels)

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

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

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

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 witnesses the bullying of another student, the student or parent should notify a teacher, school counselor, principal, or another district employee as soon as possible. Procedures for reporting allegations of bullying may be found on the district's website.

A student may anonymously report an alleged incident of bullying by <https://www.anonymousalerts.com/tornilloisd/>.

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

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

Available counseling options will be provided to the affected individuals, including any student who witnessed the bullying.

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

Upon recommendation of the administration, the board may transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to another campus in the district. The parent of a student who has been

determined to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See **Safety Transfers/Assignments**]

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

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

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

Career and Technical Education (CTE) Programs

(Secondary Grade Levels Only)

The district offers career and technical education programs in the following pathways: Advanced Welding Certification, Audio/Video Production, Business Administration and Management/Finance, Computer Programming and Networking, Diesel Mechanics, Graphic Design and Illustration, Heating Ventilation Air Conditioning and Refrigeration (HVACR), Medical/Clinical Assistant Certifications, and Teaching and Education. Programs are designed to prepare and empower students for their transition from high school to college, career, military and beyond. Admission to these programs is open to all students and based on their desire to pursue a certain career pathway, GPA considerations, college readiness, and Texas Success Initiative (TSI) scores. More information can be found at

https://www.tisd.us/departments/special_programs/cte

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

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

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

[See [Nondiscrimination Statement](#) for the name and contact information for the Title IX coordinator and ADA/Section 504 coordinator, who will address certain allegations of discrimination.]

Celebrations

(All Grade Levels)

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

[See **Food Allergies**]

Child Sexual Abuse and Other Maltreatment of Children

(All Grade Levels)

The district has established a plan for addressing child sexual abuse and other maltreatment of children. Trafficking includes both sex and labor trafficking.

Warning Signs of Sexual Abuse

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

state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

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

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

- Difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches;
- Verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior; or

- Withdrawal, depression, sleeping and eating disorders, and problems in school.

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

Warning Signs of Trafficking

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

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

Possible warning signs of sexual trafficking in children include:

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

Additional warning signs of labor trafficking in children include:

- Being unpaid, paid very little, or paid only through tips;
- Being employed but not having a school-authorized work permit;
- Being employed and having a work permit but clearly working outside the permitted hours for students;
- Owing a large debt and being unable to pay it off;
- Not being allowed breaks at work or being subjected to excessively long work hours;

- Being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss;
- Not being in control of his or her own money;
- Living with an employer or having an employer listed as a student's caregiver; and
- A desire to quit a job but not being allowed to do so.

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

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

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

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

To find out what services may be available in your county, see [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 at 1 800-252-5400 or on the web at [Texas Abuse Hotline Website](#)).

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

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

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

- [National Center of Safe Supportive Learning Environments: Child Labor Trafficking](#)

Class Rank / Highest-Ranking Student

(Secondary Grade Levels Only)

All graduating students shall be ranked by grade point average. Class ranking shall be assessed at the end of the second progress report of the fourth-nine-week grading period and to include the final grades for dual credit courses taken by potential graduates. If the averages of two or more students are identical, a tie shall be declared. Grades earned in correspondence courses or credit by examination shall be considered in class ranking. Grades earned in non-remedial summer school courses shall be considered for ranking if the course is equivalent to a regular full-time course and all local requirements for that course have been met. Grades transferred from other schools shall be averaged as if taken from District schools, as long as the courses are comparable. Students graduating at mid-year shall be ranked at the end of the year. Students graduating after the end of the school year shall be ranked when all requirements are met; such students shall not be allowed to displace in rank a student who graduated at the end of the school year. Grades for weighted courses shall be derived by multiplying the grade earned by 1.10. A list of courses eligible for the weights shall be identified annually. The top ten ranking students shall be considered honor graduates and shall be recognized at commencement exercises.

To be eligible for valedictorian or salutatorian honors, a student shall be required to:

1. Have attended the District high school for both full semesters of his or her junior and senior years.
2. Earned credit in at least four subjects per semester during these years in order to calculate class rank.

The candidate with the highest-class rank shall be named valedictorian. The candidate having the second highest class rank shall be named salutatorian.

To be eligible to graduate in three years, a student shall complete all coursework and exit-level testing required of other students in his or her freshman class. A student wishing to graduate in fewer than four years shall make a written application to the counselor at the beginning of his or her sophomore year. Written parental approval shall be submitted with the application. The student shall receive academic counseling.

Three-year graduates shall be eligible for all honors positions.

[For further information, see policy [EIC](#).]

Class Schedules

(Secondary Grade Levels Only)

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

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

College and University Admissions and Financial Aid

(Secondary Grade Levels Only)

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

- Completes the distinguished level of achievement under the foundation graduation program (a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses); or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

The student is ultimately responsible for meeting the admission requirements of the university or college, including timely submission of a completed application.

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

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

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

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

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

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

College Credit Courses

(Secondary Grade Levels Only)

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

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

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

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

Communications—Automated

Emergency

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

[See [Safety](#) for information regarding contact with parents during an emergency situation.]

Nonemergency

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

Complaints and Concerns

(All Grade Levels)

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

For those complaints and concerns that cannot be resolved informally, the board has adopted a Student and Parent Complaints/Grievances policy FNG(LOCAL). This policy can be viewed in the district's policy manual, available online at [https://pol.tasb.org/Policy/Download/443?filename=FNG\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/443?filename=FNG(LOCAL).pdf). The complaint forms can be accessed online at www.tisd.us or at the principal's or superintendent's office.

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

Conduct

(All Grade Levels)

Applicability of School Rules

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

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

Campus Behavior Coordinator

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The campus behavior coordinator at each district campus is the respective Campus Principal.

Deliveries

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

Disruptions of School Operations

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

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.

- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.

Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property includes: Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.

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

Social Events

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

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

Please contact the campus principal if you are interested in serving as a chaperone for any school social events. **All individuals interested in serving as a chaperone must be registered volunteers.**

Counseling

The district has a comprehensive school counseling program that includes:

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

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

Academic Counseling

Elementary, Intermediate, and Junior High School Grade Levels

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

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

High School Grade Levels

High school students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures.

Each year, high school students will be provided information on anticipated course offerings for the next school year, how to make the most of academic and career and technical education (CTE) opportunities, and the importance of postsecondary education.

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

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

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

Personal Counseling (All Grade Levels)

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

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

[See [Substance Abuse Prevention and Intervention](#), [Suicide Awareness and Mental Health Support](#), and [Child Sexual Abuse and Other Maltreatment of Children and Dating Violence](#)]

Course Credit

(Secondary Grade Levels Only)

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

Credit by Examination

If a Student Has Taken the Course / Subject

(All Grade Levels)

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

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

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

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

Credit by Examination for Advancement / Acceleration

If a Student Has Not Taken the Course / Subject

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

The examinations offered by the district are approved by the district's board of trustees. Testing windows for these examinations will be published in district publications and on the district's website. A student may take a specific examination only once per testing window.

The only exceptions to the published testing windows will be for examinations administered by another entity or to accommodate a student experiencing homelessness or a student involved in the foster care system.

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

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

Kindergarten Acceleration

In accordance with State Board rules, the Board shall approve procedures developed by the Superintendent or designee to allow a child who is five years old at the beginning of the school year to be assigned initially to grade 1 rather than kindergarten. Criteria for acceleration may include:

1. Scores on readiness tests or achievement tests that may be administered by appropriate District personnel.
2. Recommendation of the kindergarten or preschool the student has attended.
3. Chronological age and observed social and emotional development of the student.
4. Other criteria

Students in Grades 1–5

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

Students in Grades 6–12

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the examination, a scaled score of 50 or higher on an examination administered through the CLEP, or a score of 3 or higher on an AP examination, as applicable.

A student may take an examination to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

Dating Violence, Discrimination, Harassment, and Retaliation

(All Grade Levels)

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

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

Dating Violence

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

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults; name-calling; put-downs; threats to hurt the student, the student's family members, or members of the student's household;

destroying property belonging to the student; threats to commit suicide or homicide if the student ends the relationship; threats to harm a student's current dating partner; attempts to isolate the student from friends and family; stalking; or encouraging others to engage in these behaviors.

Discrimination

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

Harassment

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

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

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

Sexual Harassment and Gender-Based Harassment

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

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

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

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the

student's gender, or the student's failure to conform to stereotypical behavior related to gender.

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

Retaliation

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

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

Reporting Procedures

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

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

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

Investigation of Report

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

To the extent possible, the district will respect the privacy of the student. However, limited disclosures may be necessary to conduct a thorough investigation and comply with law.

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 its 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 was not unlawful.

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

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

Discrimination

[See [Dating Violence, Discrimination, Harassment, and Retaliation](#)]

Distance Learning

All Grade Levels

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

The distance learning opportunities that the district makes available to district students are: APlus Learning.

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

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

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

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

If you have questions or wish to make a request that your child be enrolled in a TXVSN course, please contact the school counselor. Unless an exception is made by the 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 respective campus principal.

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

School Materials

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

The school newspaper and the yearbook are available to students.

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

Nonschool Materials

From Students

Students must obtain prior approval from the principal before selling, posting, circulating, or distributing more than 25 copies [[FNAA\(LOCAL\)](#)] of written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any nonschool material must include the name of the sponsoring person or organization. The decision regarding approval will be made within two school days.

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

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

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

From Others

No person or group will sell, circulate, distribute, or post on any district premises written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that is not sponsored by the district or by a district-affiliated school-support organization, except as permitted by policy GKDA.

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

The campus principal has designated the bulletin nearest to the front office location as the location for approved nonschool materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

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

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

Dress and Grooming

(All Grade Levels)

The district's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

For students in grades PK-8, the Tornillo Independent School District has adopted the use of school uniforms. The school uniform top is a polo shirt which can be used in the following colors: red, gray, white, or black. The school uniform bottom is blue jeans. Jeans should not be excessively faded or torn. The use of khaki pants will be left to the discretion of campus principals for use on special occasions. The district school uniform does not apply to students in grades 9th – 12th.

All students enrolled in Tornillo ISD will follow a dress code that will ensure success, respect and promote safety, hygiene, neatness and modesty. In an effort to guarantee an environment that is safe and orderly for all students, and in response to ensuring all students are free from threats or influence of any groups or gangs which advocate violence, or disruptive behavior, Tornillo ISD students will abide by the following dress code:

Students are not allowed to wear the following:

1. Undershirts as outer wear
2. Garments such as halter tops, bare midriffs, net tops, tank tops, spaghetti straps, plunging necklines, short skirts, and short shorts
3. Hair nets, caps, hats, and bandanas
4. Garments which depict religious symbols, promote alcohol, drugs, gangs, substance use and abuse, obscene or suggestive pictures or slogans
5. Earrings on any part of the body not designed for earrings. Female students may wear earrings on their earlobes. Male students are not allowed to wear earrings.
6. Shoes with wheels, such as Heeleys; Flip-flops

Additional dress code regulations:

1. All (male and female) students are to keep their shirts tucked into their pants at all times if the shirt is designed to be tucked in. No student is allowed to wear overly baggy attire or excessively torn clothing.
2. Belts should be worn with appropriate attire. Military type webbed belts with metal buckles are not permitted due to their affiliation with gang involvement.
3. Pants are to be worn at the waist. Pants that are excessively saggy or too far below the waistline are not permitted.

4. Hair worn in the form of “rattails”, “ducktails”, Mohawks, faux hawks, unnatural hair colors such as but not limited to: red, green, blue, purple, etc. to include highlights that distracts from the learning environment are not allowed. Haircuts for boys: behind the ears, above the collar.
5. Fingernails or artificial fingernails that are overly long or any other style that distracts from the learning environment are not allowed.

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

Electronic Devices and Technology Resources

(All Grade Levels)

Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones

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

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

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

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

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

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

Possession and Use of Other Personal Electronic Devices

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

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

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

Instructional Use of Personal Telecommunications and Other Electronic Devices

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

Acceptable Use of District Technology Resources

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

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene,

sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

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

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

End-of-Course (EOC) Assessments

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

English Learners

(All Grade Levels)

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

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

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

to grade 5. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

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

Extracurricular Activities, Clubs, and Organizations

(All Grade Levels)

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

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

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

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

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

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

However, if a student receives a grade below 70 at the end of a grading period in an Advanced Placement (AP) or International Baccalaureate (IB) course, or an honors or dual credit course in English language arts, mathematics, science,

social studies, economics, or languages other than English, the student remains eligible for participation in all extracurricular activities

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

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may 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.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

Standards of Behavior

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

Offices and Elections

Certain clubs, organizations, and performing groups will hold elections for student officers. These groups include: Student Council, National Honor Society, Class Officers, Principal's Advisory and Crime Stoppers.

Fees

(All Grade Levels)

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.

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

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

Fundraising

(All Grade Levels)

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

Gang-Free Zones

(All Grade Levels)

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

Gender-Based Harassment

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

Grade-Level Classification

(Grades 9–12 Only)

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

Credits Earned	Classification
0 – 5.5	Grade 9 (Freshmen)
6 – 11.5	Grade 10 (Sophomore)
12 – 17.5	Grade 11 (Junior)
18+	Grade 12 (Senior)

Grading Guidelines

(All Grade Levels)

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

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

Graduation

(Secondary Grade Levels Only)

Requirements for a Diploma

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

- Complete the required number of credits established by the state and any additional credits required by the district;
- Complete any locally required courses in addition to the courses mandated by the state;
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law; and
- Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education (SBOE).

Testing Requirements for Graduation

Students are required, with limited exceptions and regardless of graduation program, to perform satisfactorily on the following EOC assessments: English I, English II, Algebra I, Biology, and U.S. History. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment, should a student choose this option. [See the school counselor for more information on the state testing requirements for graduation.]

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

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

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

Foundation Graduation Program

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

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

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

A student can complete the foundation graduation program with a "distinguished level of achievement," which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits.

A **Personal Graduation Plan** will be completed for each high school student.

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

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

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

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

Credits Required

The foundation graduation program requires completion of the following credits:

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

Additional considerations apply in some course areas, including:

- **Mathematics.** To obtain the distinguished level of achievement under the foundation graduation program, which will be included on a student's transcript and is a requirement to be considered for automatic admission to a Texas four-year college or university, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits.
- **Physical education.** A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.
- **Languages other than English.** Students are required to earn 2 credits in the same language other than English to graduate. Any student may substitute

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

Available Endorsements

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

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

Personal Graduation Plans

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

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

A student may, with parental permission, amend his or her personal graduation plan after the initial confirmation.

Available Course Options for All Graduation Programs

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

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

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

Certificates of Coursework Completion

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

Students with Disabilities

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

A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies and receive a certificate of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will only be allowed to participate in one graduation ceremony.

[See policy FMH(LEGAL).]

ARD committees for students with disabilities who receive special education services will make instructional and assessment decisions for these students in accordance with state law and rules. To earn an endorsement under the foundation program, a student must perform satisfactorily on the end of course (EOC) assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily on no more than two EOC assessments but meets the other requirements for graduation under state law.

Graduation Activities

Graduation activities will include:

- Senior Dinner
- Graduation Ceremony

- **Project Celebration**

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

Graduation Speakers

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

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

[See FNA(LOCAL) and the Student Code of Conduct. For student speakers at other school events, see **Student Speakers**]

Graduation Expenses

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

Scholarships and Grants

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

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

Harassment

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

Hazing

(All Grade Levels)

Hazing is defined as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the

purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

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

The district will not tolerate hazing. Disciplinary consequences for hazing will be in accordance with the Student Code of Conduct. It is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report this to the principal or superintendent.

[See **Bullying** and policies FFI and FNCC.]

Health-Physical and Mental

Illness

(All Grade Levels)

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

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

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

If a student becomes ill during the school day, and the school 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.

Immunization (All Grade Levels)

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized.

For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the district. This form may be obtained by writing the DSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347; or online at [Affidavit Request for Exemption from Immunization](#). The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are:

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

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

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

As noted at **Bacterial Meningitis** on page 76, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

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

Lice (All Grade Levels)

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.]

Medicine at School (All Grade Levels)

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

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

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

- Nonprescription medication in the original, properly labeled container, provided by the parent along with a written request. Note: Insect repellent is considered a nonprescription medication.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

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

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

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

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

Asthma and Severe Allergic Reactions

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

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

See also **Food Allergies**.

Steroids (Secondary Grade Levels Only)

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

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

Mental Health Support (All Grade Levels)

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

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

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

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

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

For related information, see:

- **Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service** for the district's procedures for recommending a mental health intervention and the mental health liaison's contact information;
- **Counseling** for the district's comprehensive school counseling program;

- **Physical and Mental Health Resources** for campus and community mental and physical health resources; and
- **Policies and Procedures that Promote Student Physical and Mental Health** for board-adopted policies and administrative procedures that promote student health.

Physical Activity Requirements

Elementary School

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

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

Junior High / Middle School

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

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

Temporary Restriction from Participation in Physical Education

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

Physical Fitness Assessment (Grades 3–12)

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

Physical Health Screenings / Examinations

Athletics Participation (Secondary Grade Levels Only)

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

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

This examination is required to be submitted annually to the district.

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

See the UIL's explanation of [sudden cardiac arrest](#) for more information.

Spinal Screening Program

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

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

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

Other Examinations and Screenings (All Grade Levels)

[See policy FFAA for more information.]

Special Health Concerns (All Grade Levels)

Bacterial Meningitis (All Grade Levels)

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

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

[See **Immunization**]

Diabetes

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

Food Allergies (All Grade Levels)

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

The district has developed and annually reviews a food allergy management plan, based on the Texas Department of State Health Services' (DSHS) "Guidelines for the Care of Students with Food Allergies At-Risk for Anaphylaxis" found on the DSHS website at [Allergies and Anaphylaxis](#).

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 the district website at www.tisd.us.

[See **Celebrations** and policy FFAF for more information.]

Seizures (All Grade Levels)

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

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

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

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

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies FNCD and GKA for more information.]

Health-Related Resources, Policies, and Procedures

Physical and Mental Health Resources (All Grade Levels)

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

- The district nurse at (915)765-3550.
- The campus school counselor

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

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at <https://pol.tasb.org/Home/Index/443>

- 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 campus principal for further information regarding these procedures and access to the District Improvement Plan.

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

During the preceding school year, the district's School Health Advisory Council (SHAC) held five meetings. Additional information regarding the district's SHAC is available from the District Nurse.

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

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

Tornillo Independent School District 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 District Nurse with questions about the content or implementation of the district's wellness policy and plan.

Homework (All Grade Levels)

Contact campus principal for homework guidelines.

Law Enforcement Agencies (All Grade Levels)

Questioning of Students

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if it 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 the student at school.
- Ordinarily make reasonable efforts to notify the parents, unless the interviewer raises what the principal considers to be a valid objection.
- Ordinarily be present for the questioning or interview, unless the interviewer raises what the principal considers to be a valid objection.

Students Taken into Custody

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

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

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

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

Notification of Law Violations

The district is required by state law to notify:

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

convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

- All appropriate district personnel regarding a student who is required to register as a sex offender.

[See policy **FL(LEGAL)** for more information.]

Leaving Campus (All Grade Levels)

Remember that student attendance is crucial. Appointments should be scheduled outside of school hours if possible. Absent extenuating circumstances, students will not regularly be released before the end of the school day.

State rules require parental consent before any student leaves campus for any part of the school day.

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

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

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

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

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

During Lunch

Tornillo High School is a closed campus and no students are allowed to leave during lunch without a parent.

At Any Other Time during the School Day

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

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

Lost and Found

(All Grade Levels)

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

Makeup Work

Makeup Work Because of Absence

(All Grade Levels)

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

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

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

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

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

DAEP Makeup Work

Grades 9–12

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

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

Alternative Means to Receive Coursework

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

Opportunity to Complete Courses

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

Nondiscrimination Statement

(All Grade Levels)

In its efforts to promote nondiscrimination and as required by law, the district does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law in providing education services, activities, and programs, including Career and Technical

Education (CTE) programs. The district provides equal access to the Boy Scouts and other designated youth groups.

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

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

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment. 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 coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of sex, including sexual harassment or gender-based harassment: Superintendent, (915)765-3000.
- ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Superintendent, (915)765-3000.
- All other concerns regarding discrimination: See the Superintendent, (915)765-3000

[See policies FB, FFH, and GKD.]

Parent and Family Engagement (All Grade Levels)

Working Together

Experience and research tell us that a child succeeds in education with good communication and a strong partnership between home and school. A parent's involvement and engagement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.

- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child's academic progress and contacting teachers as needed. [See **Academic Counseling**]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office at for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences**]
- Becoming a school volunteer. [See **Volunteers** and policy GKG for more information.]
- Participating in campus parent organizations.
- Serving as a parent representative on the district-level or campus-level planning committees that develop educational goals and plans to improve student achievement. [See policies BQA and BQB, for more information.]
- Serving on the School Health Advisory Council (SHAC) and assisting the district in aligning local community values with health education instruction and other wellness issues. [See **School Health Advisory Council (SHAC)** and policies BDF, EHAA, FFA for more information.]
- Being aware of the school's ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about district operations. Regular board meetings are held on the *last Wednesday* of each month at 5:30 p. m. at the W.E. Neill Service Center Board Room located at 19210 Cobb, Tornillo, TX 79853. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at Central Office Administration Building located at 19200 Cobb Ave, Tornillo, TX 79853 and online at

<https://v3.boardbook.org/Public/PublicHome.aspx?ak=71908> . [See policies BE and BED for more information.]

Parking and Parking Permits (Secondary Grade Levels Only)

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

Students will not be permitted to:

- Speed.
- Double-park.
- Park across a white or yellow line.
- Park in a fire lane.
- Sit in parked cars during school hours.

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

Pledges of Allegiance and a Minute of Silence

(All Grade Levels)

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

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

[See policy **EC** for more information.]

Prayer

(All Grade Levels)

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

Promotion and Retention

A student will be promoted only on the basis of academic achievement or proficiency. In making promotion decisions, the district will consider:

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

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

Elementary and Middle / Junior High Grade Levels

In grades 1 – 8 promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies.

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

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

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

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

[See **Standardized Testing**]

A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a

third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. For the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous, and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE.]

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

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

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

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

For a junior high-school student who does not perform satisfactorily on his or her state-mandated examinations, a school official will prepare a personal graduation plan (PGP). School officials will also develop a PGP for a junior high-school student who is determined by the district to be unlikely to earn a high school diploma within five years of high school enrollment. The plan will, among other items, identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [See the school counselor or principal and policy EIF(LEGAL) for more information.] For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

[For information related to the development of personal graduation plans for high school students, see **Personal Graduation Plans**]

High School Grade Levels

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

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

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

Release of Students from School

[See **Leaving Campus**]

Report Cards / Progress Reports and Conferences

(All Grade Levels)

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

At the end of the fourth week of a nine-week grading period, parents will receive a progress report if their child's performance in any course/subject area is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** for how to schedule a conference.]

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

was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL) and **Grading Guidelines**]

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

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

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

Retaliation

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

Safety

(All Grade Levels)

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

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

Accident Insurance

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

Insurance for Career and Technical Education (CTE) Programs

If the board purchases accident, liability, or automobile insurance coverage for students or businesses involved in the district's CTE programs, the district will notify the affected students and parents.

Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies

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

Preparedness Training: CPR and Stop the Bleed

The district will annually offer instruction in CPR at least once to students enrolled in in grades 7–12. The instruction can be provided as part of any course and is not required to result in CPR certification.

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

Emergency Medical Treatment and Information

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

Emergency School-Closing Information

Each year, parents are asked to complete an emergency release form to provide contact information in the event that the district needs to notify parents of early dismissal, delayed opening, or restricted access to a campus because of severe weather, a security threat, or another emergency cause.

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number changes.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways: local radio and television stations as well as through the districtwide call out system.

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

SAT, ACT, and Other Standardized Tests

[See **Standardized Testing**]

School Facilities

Asbestos Management Plan (All Grade Levels)

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact the Facilities Director, the district's designated asbestos coordinator, at (915) 765-3000.

Food and Nutrition Services (All Grade Levels)

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

All students are eligible for free meals. Information about a student's participation is confidential. The district may share information such as a student's name and eligibility status to help enroll eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent requests the student's information not be disclosed.

The Tornillo ISD currently participates in the Community Eligibility Provision (CEP), which means our students are certified for free meals through the means other than individual household application in the school year prior to implementing the provision. This includes both students who are directly certified and categorically eligible.

Although, if the student is requesting a second meal, then the student would have to pay for his / her meal at the regular price the plate is sold. The prices change every year according to the Texas Department of Agriculture.

[See policy CO for more information.]

Vending Machines (All Grade Levels)

The district has adopted and implemented the state and federal policies and guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see the campus principal. [See policies at CO and FFA.] **All snacks sold in schools must be smart snack approved. Any school with a vending**

machine must have items sold that are appropriate and approved according to students' age group.

Pest Management Plan (All Grade Levels)

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

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child's school assignment area may contact the Facilities Director, the district's IPM coordinator, at (915) 765-3000.

Conduct Before and After School (All Grade Levels)

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

Library (All Grade Levels)

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use Monday – Friday with a teacher permit.

Use of Hallways during Class Time (All Grade Levels)

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

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

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

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

After dismissal 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.

Meetings of Noncurriculum-Related Groups (Secondary Grade Levels Only)

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

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

School-sponsored Field Trips (All Grade Levels)

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

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

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

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

Searches

Searches in General (All Grade Levels)

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

District officials may conduct searches of students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion,

voluntary consent, or pursuant to district policy providing for suspicionless security procedures, including the use of metal detectors.

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

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

District Property **(All Grade Levels)**

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

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

Metal Detectors **(All Grade Levels)**

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

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

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

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

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

Trained Dogs **(All Grade Levels)**

The district will use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students

may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

Drug Testing (Secondary Grade Levels Only)

[See **Steroids**]

Vehicles on Campus (Secondary Grade Levels Only)

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

Sexual Harassment

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

Special Programs (All Grade Levels)

The district provides special programs for gifted and talented students, homeless students, students in foster care, bilingual students, migrant students, English learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact Diagnostician/SPED/504 Coordinator at (915)765-3040.

Standardized Testing

Secondary Grade Levels

SAT / ACT

(Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. These assessments are usually taken at the end of the junior year. Students are encouraged to talk with the school counselor early during their junior year to learn about these assessments and determine the appropriate examination to take. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT.

Note: These assessments may qualify a student to receive a performance acknowledgment on the student's transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain

level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

TSI (Texas Success Initiative) Assessment

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

STAAR

(State of Texas Assessments of Academic Readiness)

Grades 3–8

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

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

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

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

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

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

High School Courses—End-of-Course (EOC) Assessments

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

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

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

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

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

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

[See **Graduation** for additional information.]

Students in Foster Care

(All Grade Levels)

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

Please contact the school counselor at the corresponding campus with any questions.

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

Students Who are Homeless (All Grade Levels)

A parent is encouraged to inform the district if his or her child is experiencing homelessness. District staff can share resources that may be able to assist families.

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

Student Speakers

(All Grade Levels)

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

[See policy FNA(LOCAL) regarding other speaking opportunities and **Graduation** for information related to student speakers at graduation ceremonies.]

Tardies

(All Grade Levels)

A student who is tardy to class by more than ten minutes may be assigned to detention hall or given another appropriate consequence.

Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials

(All Grade Levels)

The district provides textbooks and other approved instructional materials to students free of charge for each subject or class. Students must treat any books with care and place covers on them, as directed by the teacher. The district may also provide electronic textbooks and technological equipment to students, depending on course objectives.

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

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

Any student who does not return an item or returns an item in an unacceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage is paid for by the parent. However, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

Transfers

(All Grade Levels)

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

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

Transportation

(All Grade Levels)

School-sponsored Trips

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

Buses and Other School Vehicles

The district makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students.

Bus routes and stops will be designated annually, and any subsequent changes will be posted at the school and on the district's website. For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops.

A parent may also designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact the Transportation Department at (915)765-3482.

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

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

- Follow the driver's directions at all times.
- Enter and leave the vehicle in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the vehicle or its equipment.

- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the vehicle.
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Fasten their seat belts, if available.
- Wait for the driver's signal upon leaving the vehicle and before crossing in front of the vehicle.
- Follow any other rules established by the operator of the vehicle.

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

Vandalism

(All Grade Levels)

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

(All Grade Levels)

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

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

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice 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 or Diagnostician/SPED/504 Coordinator, who the district has designated to coordinate the implementation of and compliance with this law.

[See EHBAF(LOCAL).]

Visitors to the School

(All Grade Levels)

General Visitors

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

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

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

Unauthorized Persons

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

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

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

[See the Student Code of Conduct.]

Visitors Participating in Special Programs for Students

Business, Civic, and Youth Groups

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

Career Day

Tornillo Independent School District invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

Volunteers

(All Grade Levels)

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are a parent / grandparent and are interested in volunteering, please contact the Parent Liaison at 915-765-3000 for more information and to complete an application. If you do not have a child or grandchild in the school district, please contact the Human Resources department at 915-765-3000. The district does not require state criminal history background checks for volunteers who are parents, guardians, or grandparents of a child enrolled in the district. Subject to exceptions in accordance with state law and district procedures, other volunteers will be subject to a state criminal history background check, and the volunteer must pay all costs for the background check.

Voter Registration

(Secondary Grade Levels Only)

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

Withdrawing from School

(All Grade Levels)

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

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

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

Student Handbook Glossary

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

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

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

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

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

CPS stands for Child Protective Services.

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

DFPS stands for the Texas Department of Family and Protective Services.

DPS stands for the Texas Department of Public Safety.

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

ESSA is the federal Every Student Succeeds Act.

FERPA refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 years of age or older directs the school not to release directory information.

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

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

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

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

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

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

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

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

STAAR is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

STAAR Alternate 2 is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

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

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

Student Code of Conduct is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle; sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP; and outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

TAC stands for the Texas Administrative Code.

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

TELPAS stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English learners make in learning the English language and is administered for those who meet the participation requirements in kindergarten–grade 12.

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

TXVSN stands for the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors and are equivalent in rigor and scope to a course taught in a traditional classroom setting.

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

Appendix: Freedom from Bullying Policy

Note: School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit <http://pol.tasb.org/Home/Index/443> . Below is the text of Tornillo Independent School District's policy FFI(LOCAL) as of the date this handbook was finalized for this school year.

Student Welfare: Freedom from Bullying

Policy FFI(LOCAL) adopted on 11/29/2017.

Note: *This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.*

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited *The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.*

Examples *Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.*

Retaliation *The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.*

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

False Claim *A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.*

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

Reporting Procedures**Student Report**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action. The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

Transfers

The principal or designee shall refer to FDB for transfer provisions.

<i>Counseling</i>	<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>
<i>Improper Conduct</i>	<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.</i>
Confidentiality	<i>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.</i>
Appeal	<i>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</i>
Records Retention	<i>Retention of records shall be in accordance with CPC(LOCAL).</i>
Access to Policy and Procedures	<i>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.</i>

2020-2021 Student Code of Conduct



2020-2021 STUDENT CODE OF CONDUCT

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the district at (915)765-3000.

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 Tornillo Independent School District 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: www.tisd.us. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

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

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

School District Authority and Jurisdiction

School rules and the authority of the district to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

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

Campus Behavior Coordinator

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

Threat Assessment and Safe and Supportive School Team

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

Searches

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

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

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

Reporting Crimes

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

Security Personnel

To ensure sufficient security and protection of students, staff, and property, the board employs security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL). The law enforcement duties of district security personnel include providing security and protection for student's staff and visitors and prevents property loss due to theft or vandalism.

"Parent" Defined

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

Participating in Graduation Activities

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

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

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any

misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

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

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

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

See **DAEP—Restrictions During Placement**, for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

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

Adhere to the requirements of the Student Code of Conduct. Chapter 37 requires the Code to include standards that schools expect from students. Modify the list to emphasize conduct the district would like to encourage.

General Conduct Violations

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

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses**)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Cause an individual to act through the use of or threat of force (coercion).

- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

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

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- Knuckles;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;

- Matches or a lighter;
- A laser pointer for other than an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

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

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement and Expulsion** for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student's own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person's prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.

- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.

- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

Discipline Management Techniques

Discipline shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the district shall comply with federal law . For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.

- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** .
- Placement in a DAEP, as specified in **DAEP**.
- Placement and/or expulsion in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses**.
- Expulsion, as specified in **Expulsion**.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

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

Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.

- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's

parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.tisd.us

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

Removal from the School Bus

A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

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

Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

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

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

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

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

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

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

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

Returning a Student to the Classroom

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

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

Out-of-School Suspension

Misconduct

Students may be suspended for any behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

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

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

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

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

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

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

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus 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 Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).

- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion**) (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 **Expulsion**)
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
- Engages in conduct that contains the 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 **Expulsion**)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - The student receives deferred prosecution (see **glossary**),
 - A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 - The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the

district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

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

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

Consideration of Mitigating Factors

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

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

Placement Order

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

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

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

Coursework Notice

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

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

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

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

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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

Exceeds School Year

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

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or

2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.tisd.us

Appeals shall begin at Level One with the appropriate campus principal /administrator.

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

Restrictions During Placement

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

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

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

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and

confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

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

Withdrawal During Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus 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 decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district. The district may place the student in the district's DAEP or a regular classroom setting.

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

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

Emergency Placement Procedure

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

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an

alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

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

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

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

Newly Enrolled Students

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

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

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

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle, or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.)
Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.

- Continuous sexual abuse of a young child or children.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

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

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

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

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

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.
4. After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the superintendent authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

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

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

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

Not later than the second business day after the hearing, the superintendent's designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

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

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

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

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student has violated the district's Code in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the campus behavior coordinator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

Transition Services

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

Tornillo ISD

Specific Categories and Consequences of Offenses

The Tornillo Independent School District has implemented a guideline of levels which encompass the offense, the option / response to be taken by administration and the procedure for assessing disciplinary penalties. These guidelines are necessary to protect students, school employees, or property and maintain order and good discipline.

Level 1: Offenses Generally Occurring in the classroom and Requiring Correction by the Teacher or Limited Administrative Action

1. Being insubordinate
2. Failing to conform to classroom rules
3. Disorderly conduct. Using of offensive, profane, vulgar, obscene language/gestures or verbal abuse (name calling, ethnic/racial slurs, or derogatory statements)
4. Classroom disruption
5. Engaging in physical contact inappropriate to school environment
6. Loitering, being in wrong or restricted area of campus
7. Running, pushing, shoving, littering, throwing objects (which is not part of the supervised activity) or cutting in line
8. Producing loud/unnecessary noises eating, drinking, gum chewing in unauthorized areas
9. Failing to complete assignments, have needed materials, return school forms
10. Violating safety rules
11. Engaging in any other comparable offense that disrupts the school environment or educational process and that does not require administrative intervention
12. Dress code violations
13. Tardiness or unexcused absences
14. School uniform violation
15. Academic dishonesty
16. Violation of cell phone/telecommunications/electronic devices policy
17. Violating the Acceptable Use Policy (i.e. using the internet to view inappropriate sites)

Level 1: Classroom Discipline Options / Responses

Options at this level include, but are not limited to:

1. Verbal reprimand/warning
2. Student/teacher conference
3. Withdrawal of privileges
4. Changing seat assignment
5. Telephone call or note to parent, legal guardian
6. Parent/Teacher conference
7. Detention (before school, lunch, afterschool, Saturday)
8. Counseling by teachers, counselors, or administrative personnel
9. Behavioral Management Plan/Contract
10. Confiscation of disruptive items
11. Other similar, appropriate discipline management techniques

Level 1: Disciplinary Procedures

Intervention should be immediate and consistent and should be handled by the teacher, paraprofessional, clerk, campus security, or administrator who observes the misbehavior. For classroom misbehaviors, the teacher shall maintain a record of offenses and disciplinary actions. The teacher may send written notification to the parent. Repeated violations shall result in a more severe response and/or referral to Level II. The principal or designee may determine that Level II disciplinary options are required for the misconduct.

Level 2: Offenses Requiring Administrative Intervention

1. Repeated minor violation of classroom/school rules
2. Possession or use of tobacco products
3. Violating bus rules
4. Persistent tardies / excessive unexcused absences
5. Defacing/Damage to school property up to a value of \$100.00
6. Gambling
7. Truancy / leaving school grounds or education setting without permission
8. Loitering, littering, trespassing, or vandalizing school property
9. Academic dishonesty

10. Engaging in any other comparable offense that disrupts the school environment or education process that requires administrative action

Level 2: Discipline Options

1. Options at this level include but are not limited to:
 1. Administrative conference with student
 2. Restitution for damage
 3. Counselor referral
 4. Parent conference
 5. Telephone call or note to parent/legal guardian
 6. Loss of privileges
 7. Detention (before school, lunch, afterschool, Saturday)
 8. Reassignment of classes
 9. In School Suspension (ISS)
 10. Loss of bus privileges
 11. Special assignments, community service
 12. Notification of outside agency and or police, with filing of charges when appropriate
 13. Loss of academic credit for truancy or persistent tardiness
 14. Community service on Saturday with the Tornillo ISD Public Safety Services Department
 15. Other similar, appropriate discipline management techniques

Level 2: Disciplinary Procedures

1. The student will be addressed for each infraction and may be initiated by any school employee. For each offense, notification must be sent to the parents within twenty-four hours. (Sec. 37.001 (b))
2. The principal or designee will investigate the infraction(s) and, if necessary, confer with the person initiating the report.
3. The principal or designee will give the student an opportunity to explain his/her version of the incident.
4. The principal or designee will determine the disciplinary action to be taken, record the action taken on PowerSchool, and distribute copies as appropriate.

5. Failure to attend / complete the disciplinary action will result in further discipline action.

Level 3: Offenses Requiring Serious Administrative Action

A student may be removed from class and placed in the appropriate Tornillo ISD Disciplinary Alternative Education Program (TEC Sec. 37008) for the following offenses which occur on or within 300 feet of school property or while attending a school sponsored or school related activity on or off of school property:

1. Persistent misbehavior
2. Repeated interference with teacher's ability to teach {TEC Sec. 37.002 (b)(1)}
3. Behavior so unruly, disruptive, or abusive that it interferes with the teacher's ability to teach {TEC Sec. 37.002 (b)(2)}
4. Displaying or distributing materials not approved by school officials
5. Forgery or any tampering with notes or school related documents
6. Insubordination (failing to comply with the lawful directives of school personnel)
7. Inciting a fight, or fighting
8. Involved in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang. Involved in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of such a group.
9. Robbery or theft
10. Intentionally engaging in disruptive activities on a campus, school property, or at school sponsored activity
11. Disruption of lawful transportation of students to or from school or school sponsored activities
12. Sexual harassment
13. Verbal abuse including name calling/slander/taunting/bullying
14. Racial Discrimination i.e., taunting, gesturing, racial or ethnic slurs
15. Profane, vulgar, obscene/ written/oral language and/or gestures toward a district employee
16. Extortion, coercion, blackmail

17. Tagging and/or possession of graffiti paraphernalia at school or school activity
18. Deadly conduct or terrorist threats
19. Hazing as defined by TEC Sec. 37.151 through TEC Sec. 37.15 29.
20. Engaging in any comparable offense that disrupts the school environment or educational process that requires administrative action
21. Misuse of e-mail and/or internet
22. Making or being a party to 911 calls
23. Gambling i.e., dice, cards, etc. (when anything of monetary value is exchanged based on the activity)
24. Misuse of portable telecommunication devices on school property or at a school function which disrupts the school sponsored activity or invades personal privacy or engages in any illegal activity. i.e. cell phones/smart phones, pagers, iPods, radios, camcorders, cameras, etc...
25. Possession of a knife that does not require a mandatory expulsion. Possession of an object that has been modified for the intended purpose of being used as a weapon.
26. Activating a fire alarm. Tampering with any fire suppression equipment: fire hose, or fire extinguisher.
27. Making or disseminating a hit list.
28. Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties.
29. 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.
30. Attempt to alter, destroy, or disable district computer equipment, district 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.
31. Use the internet or other electronic communication(s) to threaten district students, employees or volunteers including off school property if the conduct causes a substantial disruption to the educational environment. Send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment.

32. Use e-mail or web sites at school to encourage illegal behavior or threaten school safety.
33. Possess published or electronic material that is designed to promote or encourage illegal behavior that could threaten school safety.
34. Engage in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has not had a dating relationship.
35. 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.
36. Possession of drug paraphernalia. Possess, use, give, or sell paraphernalia related to any prohibited substance.
37. School fire not considered a felony.
38. Bullying to include cyberbullying
39. Possession or use of:
 - a) Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
 - b) A "look alike" weapon;
 - c) An air gun or BB gun;
 - d) Ammunition;
 - e) A stun gun;
 - f) Mace or pepper spray;
 - g) Pornographic material;
 - h) A laser pointer for other than an approved use; or
 - i) Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion.)

A student may also be removed from class and placed in the appropriate Tornillo ISD Disciplinary Alternative Education Program based on conduct not occurring on school property or at a school sponsored or related activity off school property. {TEC SEC. 37.006(d)(e)}

A student shall be removed from class and placed in the appropriate Tornillo ISD Disciplinary Alternative Education Program (TEC Sec. 37.008) for the following

offenses which occur on or within 300 feet of school property or while attending a school sponsored or school related activity on or off of school property:

There is no provision for appeals of DAEP placement resulting from offenses for which the state requires placement of the student in a Disciplinary Alternative Education Program. {TEC Sec. 37.006(a)(b)(c)}

1. Engaging in conduct punishable as a felony {TEC Sec. 37.006(a)(1)}
2. Engaging in conduct that contains the offense of assault under Penal Code S22.01 (a)(1). {TRC Sec. 37.006(a)(2)}.
3. Selling, giving or delivering to another person, possessing or using, or being under the influence of the following {TEC Sec. 37.006(a)(3)}
 - a. Marijuana, Spice-K2-synthetic marijuana, or a controlled/illegal substance as defined by Chapter 481, Health and Safety Code or by 21 USCS. 801, et. seq. Or
 - b. A dangerous drug as defined by Chapter 483, Health and Safety Code
4. Selling, giving, in possession of, using, or delivering to another person an alcoholic beverage as defined by Section 1.04, Alcoholic Beverage Code or committing a serious act or offense while under the influence of alcohol, or possesses, uses or is under the influence of an alcoholic beverage {TEC Sec. 37.006(a)(4)}
5. Engaging in conduct that contains the element of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code. {TEC Sec. 37.006 (a)(2)(E)}
6. Engaging in conduct that contains the elements of the offense of retaliation against any school employee regardless of time or place under Section 36.06, Penal Code except as defined under level IV(3) of the Student Code of Conduct {TEC Sec. 37.006(b)}
7. Engaging in conduct that contains the elements of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code {TEC Sec. 37.006(a)(2)(F)}
8. Engaging in conduct that contains the elements of the offense of terroristic threat under Penal Code Sec. 22.07, or engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code {TEC Sec. 37.006 (a)(1)}
9. A student must be placed in DAEP for off-campus behavior (even outside the 300-foot boundary) if: {TEC Sec 37.006(c)}

- a. The student receives deferred prosecution for a felony offense;
 - b. A court or jury finds that the student has engaged in delinquent conduct that constitutes a felony offense
 - c. The superintendent or the designee has a “reasonable belief” that the student has engaged in a conduct defined as a felony offense in Title 5 of the Penal Code.
10. A student under the age of ten engages in expellable conduct.
{TEC Sec. 37.007(2) (f)}

Level 3: Discipline Options

In addition, a student may be removed from class and placed in an Disciplinary Alternative Educational Program under TEC Section 37.006(d) based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if: (1) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in Title 5, Texas Penal Code, and (2) the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. In determining that there is a reasonable belief that a student has engaged in conduct defined as a felony offense by the penal code, the superintendent or the superintendent's designee may consider all available information, including the information furnished under Article 15.27, code of Criminal Procedure.

A student who on school property or at a school-related event on or off school property sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs, alcohol, or an inhalant if the conduct is not punishable as a felony will be placed in a Disciplinary Alternative Education Program on the first offense; however, if the student sells, gives, delivers, possesses, uses or is under the influence of prohibited drugs, alcohol, or an inhalant of any amount a second time in the same school year, the student may be expelled.

The Board delegates to the principal the authority to remove a student to a Disciplinary Alternative Education Program in which the student will be separated from the other students for the entire school program day and will be provided instruction in the core subjects with the goal of reaching/maintaining grade level. Counseling services will be provided to the student.

Students placed in a Disciplinary Alternative Education Program are prohibited from attending or participating in school-sponsored or school-related extracurricular and non-curricular activities during the period of placement.

1. The maximum length of time for state required DAEP placement at Level 3... * (60 days with parent involvement-6 sessions) (30 days with parent involvement-6 sessions)
2. The maximum length of time for discretionary DAEP placement at Level 3... *(45 days with the parent involvement-6 sessions) * (30 days with parent involvement-6 sessions)

*Assuming student successfully completed the academic, disciplinary, and attendance requirements and it is the end of a grading period, when appropriate, as explained during the student's intake at the DAEP with parents and school personnel.

Administrative discipline options for Level 3 Offenses, when a student is not placed in a DAEP may include, but are not limited to:

1. Reassignment of classes
2. Suspension as defined in TEC, S.37.005
3. Notification of police, with filing of charges when appropriate
4. Voluntary enrollment in a residential drug or alcohol rehabilitation/treatment program. The terms of placement prohibit the student from attending or participating in a school-sponsored or school-related activity (Sec. 37.006 (c))
5. Any other similar, appropriate discipline management techniques

NEWLY ENROLLED STUDENTS

A student assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district), at the time he or she enrolls in the district will be placed directly into the district's DAEP.

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

ELEMENTARY SCHOOL STUDENTS TEC Sections 37.006(f)(1)/37.007(e)(2)

Students who are younger than ten years of age shall be removed from class and placed in a Disciplinary Alternative Education Program if the student engages in conduct for which expulsion would be required by TEC Sec. 37.007.

An elementary school student may not be placed in a Disciplinary Alternative Education Program with any other student who is not an elementary school student.

A student who is younger than six years of age may not be removed from class and placed in a Disciplinary Alternative Education Program.

Level 3: Disciplinary Procedures - Suspension/DAEP

1. A Student Discipline Referral Form must be filled out for every offense. Any school employee may initiate this report.
2. The principal or appropriate administrator must send a copy of the teacher's documentation of the Code of Conduct violation to the student's parent or guardian within 24 hours of receiving it.
3. The principal or appropriate administrator will make every reasonable effort to notify parents immediately if their child(ren) is taken into police custody.
4. The principal or designee reviews reports of the student's behavior. If it is found that the student's behavior does not constitute a Level III behavior, the student may be disciplined using Level II options.
5. If the principal concludes that the student's behavior constitutes a Level III violation, he/she shall advise the student that the records indicate the student's conduct meets the guidelines and that he/she is considering suspension or removal of the student to a Disciplinary Alternative Education Program. Before suspending a student, the principal shall consider reasonable alternatives.
6. The student must be afforded an opportunity to respond to the principal's conclusion that the student's conduct meets the guidelines for a Level III offense.
7. Before suspending a student, the principal shall consider reasonable alternatives. If, after administering due process, the principal or designee determines that suspension is the most appropriate alternative, the principal or designee is not required to precede the suspension with another disciplinary action. The parent, guardian, or adult student is notified, and a copy of the Student Discipline Referral Form is given to the student for delivery to the parent or guardian. The student is excluded from attending any school functions or being on or about school property without the principal's permission during the time the student is suspended (not to exceed three school days).
8. If, after this informal due process hearing, the principal places the student into a Disciplinary Alternative Education Program, the parent, guardian, or adult student is notified by letter of the Disciplinary Alternative Education Program placement.

NOTIFICATION:

- a) The letter shall advise the parent, guardian, or adult student that, if requested, a conference will be arranged within three school calendar days, and shall specify the date, time, and place of the conference.
- b) The letter shall contain the reason(s) for the removal and shall include a list of persons who may appear at the conference.
- c) The student, parent, or guardian may be represented by another adult or by legal counsel at this conference.
- d) The parent, guardian, or adult student may, within three school calendar days, present notice of intent to appeal in writing.

PLACEMENT:

- a) If there is no written appeal or request for a hearing, the right to a hearing will be considered waived and the placement remains in effect.
- b) The principal is the hearing officer for his/her school; when the principal is not considered impartial, another administrator will be appointed as the hearing officer by the superintendent.
- c) Before a student may be placed in a Disciplinary Alternative Education Program for a period that extends beyond the end of the school year, it must be determined that:
 - (1) The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or to another individual; or
 - (2) The student has engaged in serious or persistent misbehavior that violates the district's Student Code of Conduct. TEC Sec. 37.009.

If a student receives Special Education or 504 services, a manifestation determination must be held prior to change of placement.

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.

The principal or other hearing officer shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a Disciplinary Alternative Education Program. Not later than the second business day after the hearing, a copy of such order shall be delivered to the authorized officer of the juvenile court in the county where the student resides. TEC Sec. 37.010(a)

APPEAL OF PLACEMENT: {Except for TEC Sec. 37.006(a)(b)(c) Offenses}

- a)** If, after a principal's hearing, the parent, guardian, or adult student chooses to appeal DAEP placement, a written request must be filed with the Superintendent within three school calendar days.
- b)** The Superintendent will review each decision for Disciplinary Alternative Education Program placement and any appeal, and may reinstate the student, assign a different alternative placement, or recommend that the Board's designee conduct a hearing if requested. Nothing herein limits the right of the student, parent, or guardian to appear before the Board's designee upon specific and timely request.
- c)** If a Board's designee hearing is requested, the Board's designee will conduct the hearing and render a decision within thirty calendar days after the date of the request for a hearing. During the pendency of appeal, the superintendent or his/her representative may make a Disciplinary Alternative Education Program placement.

Secondary students, who have committed a Level 3 discretionary offense and elementary students will have their placement reviewed at the 30 school day mark. They may be allowed to return to their home campus if they have:

- a)** No unexcused absences;
- b)** Are passing all of their course-work;
- c)** No discipline referrals;

* Students are only eligible for the early exit program one time during a school year.

Mandatory secondary placements – to include placements made for drugs, alcohol or weapons – will have their placement reviewed at the 30 and/or 60 school day mark. They may be allowed to return to their home campus if they meet conditions one through four above.

If a student was removed at the request of a teacher (Sec 37.002), the student may not be returned to the classroom of the teacher who removed the student without that teacher's consent, unless it is determined by the Placement Review Committee that this is the best or only alternative available. The teacher may not be coerced to consent. TEC Sec. 37.009(e)

The district is not required under this subsection to provide in the district's Disciplinary Alternative Education Program a course not specified under TEC Sec. 38.008(a).

EMERGENCY PLACEMENT IN DAEP

In situations which the principal or other appropriate administrator considers to be an emergency, the principal may order the immediate placement of a student when a student is so unruly, disruptive, or abusive that the student's presence seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

CONTINUATION OF PLACEMENT IN DAEP

A student's placement in a Disciplinary Alternative Education Program (DAEP) may be continued if he or she fails to complete the requirements of a DAEP program during the term of his or her removal to such a program.

When a student violates the district's Student Code of Conduct in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a DAEP placement and if the student then re-enrolls in the district during the same or subsequent school years, the district may enforce the order at that time, less any period of the DAEP placement that has been served by the student during enrollment in another district.

Level 4: Offenses Requiring Major Administrative Action

Action A student shall be expelled from school, if the student on school property or while attending a school-sponsored or school-related activity on or off of school property, for the following offenses as per TEC Sec. 37.007 (a)(d)

The parent or guardian will be notified in writing of the following situation involving his/her child:

1. Use, exhibition or possession of the following:
 - a) A firearm as defined by Sec. 46.01(3), Penal Code or 18 USC S.921;
 - b) An illegal knife as defined by Sec. 46.01(6), Penal Code ;
 - c) A club as defined by Sec 46.01(1), Penal Code;
 - d) A weapon listed as a prohibited weapon under Sec. 46.05, Penal Code;
2. Engaging in conduct that contains the elements of the following offenses:
 - a) Aggravated assault under Sec. 22.02, Penal Code;
 - b) Sexual assault under Sec. 22.011, Penal Code;
 - c) Aggravated sexual assault under Sec. 22.021, Penal Code;
 - d) Arson under Sec. 28.02, Penal Code;

- e) Murder under Sec. 19.02, Penal Code;
 - f) Capital murder under Sec.19.03, Penal Code;
 - g) Criminal attempt to commit murder or capital murder under Sec.16.01, Penal Code;
 - h) Indecency with a child under Sec. 21.11, Penal Code;
 - i) Aggravated kidnapping under Sec. 20.04, Penal Code;
 - j) Aggravated robbery under Sec 29.03, Penal Code;
 - k) Manslaughter under Sec 19.04, Penal Code;
 - l) Criminally negligent homicide under Sec 19.05, Penal Code; or
 - m) Engages in conduct specified by Sec 37.006(a)(2)(C) or (D), if punishable as a felony.
3. Engaging in conduct that contains the elements of any offense listed in Sections 1 and 2 of Level IV against any employee in retaliation for or as a result of the employee's employment with a school district (**Expulsion mandatory without regard to time or place**)
 4. Engaging in conduct punishable as a felony that involves the selling, giving or delivery to another person or possessing or using or being under the influence of the following:
 - a) Marijuana, Spice-K2-synthetic marijuana, or a controlled/illegal substance as defined by Chapter 481, Health and Safety Code or by 21 USC 801, et seq., or,
 - b) A dangerous drug as defined by Chapter 483, Health and Safety Code
 5. Engaging in conduct punishable as a felony involving the selling, giving, or delivering to another person an alcoholic beverage as defined by Section 1.04, Alcohol Beverage Code or committing a serious act or offense punishable as a felony while under the influence of alcohol or engaging in conduct punishable as a felony involving the possessing, using, or being under the influence of an alcoholic beverage.

A student may be expelled for any of the following offenses: TEC Sec. 37.007

1. While placed in a Disciplinary Alternative Education Program for disciplinary reasons, the student continues to engage in serious or persistent misbehavior that violates the district's Student Code of Conduct. {TEC Sec. 37.007(c)}
2. The student engages in criminal mischief under Texas Penal Code Sec 28.03, if the conduct is punishable as a felony, whether committed on or off school property or at school-related activities. The student shall be

referred to the authorized officer of the juvenile court regardless of whether the student is expelled.{TEC Sec. 37.007(f)}

3. While on or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off of school property, engaging in conduct that involves the selling, giving or delivery to another person or possessing or using or being under the influence of the following in any amount: {TEC Sec. 37.007(b)(2)}
 - a) Marijuana, spice-k2-synthetic marijuana, or a controlled/illegal substance as defined by Chapter 481, Health and Safety Code or by 21 USC 801, et. seq.,
 - b) A dangerous drug as defined by chapter 482, Health and Safety Code or
 - c) An alcoholic beverage as defined by Section 1.04, Alcohol Beverage Code.
 - d) Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sec. 485.031 through 485.034, Health and Safety Code
4. Engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Sec 42.06. Penal Code or terroristic threat under Sec 22.07, Penal Code
5. Subject to Subsection (d) of the TEC Sec, 37.007, while within 300 feet of school property,
 - a) Engages in conduct specified by Subsection (a) TEC Sec. 37.007 or
 - b) Possesses a firearm, as defined by 18 U.S.C. Section 921

In situations where a student expelled from another district (in or out of state) enrolls in a new district, the new district in which the student enrolls may continue the expulsion under the terms of the previous district's order, may place the student in a Disciplinary Alternative Education Program for the period specified by the expulsion order, or may allow the student to attend regular classes without completing the period of expulsion.

Level 4: Discipline Options

Options at this level include but are not limited to:

1. Expelled students are prohibited from being on school grounds or attending school related extracurricular activities during the period of expulsion. The maximum term of an expulsion is one calendar year.
2. Notification of police, with the filing of charges when appropriate. Any student, who engages in conduct that contains the elements of the offense of felony criminal mischief under S.28.03, Penal Code, whether or

not expelled, shall be referred to the authorized officer of the juvenile court.

3. In accordance with federal law, the school district shall expel a student who brings a firearm, as defined by 18 USC Section 921, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that: {TEC Sec. 37.007(e)}
 - a) The Superintendent or Assistant Superintendent of the school district may modify the length of the expulsion in the case of an individual student; and
 - b) The district may provide educational services to the expelled student in a Disciplinary Alternative Education Program as provided by Section 37.008.
4. Students under the age of ten cannot be expelled from the district; must be placed in a DAEP for the expellable offense. Maximum length of time...12 weeks
5. The maximum length of time for discretionary JJAEP placement at Level 4 for secondary students...one year
6. The maximum length of time for discretionary DAEP placement at Level 4 for elementary is 6 weeks

***Assuming the student successfully completed the academic, disciplinary, and attendance requirements and it is the end of a grading period, when appropriate, as explained during the student's intake at the DAEP with parents and school personnel.**

Level 4: Discipline Procedures

1. A Student Discipline Referral Form must be filled out for every offense. Any school employee may initiate this report.
2. For each offense, written notification, not to exceed one page, must be sent to the parents within twenty-four hours.
3. The principal or appropriate administrator will make every reasonable effort to notify parents immediately if their child(ren) is taken into police custody.
4. Principal or designee reviews reports of a student's behavior. If it is found that the student's behavior does not constitute a Level IV behavior, the student may be disciplined using Level III options.

5. If the principal concludes that the student's behavior constitutes a Level IV violation, he/she shall advise the student that the records indicate the student's conduct meets the guidelines and that he/she is considering recommendation for expulsion of the student.
6. Before a student is proposed for expulsion, the principal should advise the student of the reason(s) for the recommendation and afford the student the opportunity to respond. After this initial conference with the student, the principal or designee may propose the student for expulsion and schedule a hearing. Pending a hearing unless the student is removed under the emergency placement or expulsion provisions, the student may be suspended for up to three school days, or removed to a DAEP placement, or some alternative supervised arrangement. Such removal excludes the student from attending any school function or being on or about school property.
7. The principal shall make reasonable efforts to notify the parent prior to removing the student from school property. Efforts to contact the parent are to be documented by the principal or his/her designee. If the parent cannot be notified prior to removal, the parent must be notified after the removal. The reason(s) for the removal/expulsion must be explained. If possible, a copy of the Student Discipline Referral Form shall be given to the student with the recommendation for expulsion.
8. Any student who is removed from school property who is in a condition that threatens his/her own welfare or the welfare of others must be released to the student's parent, a representative of the parent, or other proper authority, including, but not limited to law enforcement officers and medical personnel. A minor student (younger than eighteen years of age) is not to be sent home during the day unless the parent or guardian has been notified.
9. A letter from the principal explaining the recommended expulsion shall advise the parent, guardian, or adult student that a prompt hearing with the Board's designee will be arranged within seven school calendar days unless the parent, guardian or adult student requests in writing that it be held at a later date. Students who are eighteen or older are adults; however, parents shall be notified if the adult lives in the parent's home unless the adult student expressly prohibits the notification in writing.
10. The letter shall contain a statement of the reason(s) for the proposed expulsion and shall include a list of persons who may appear at the hearing. If the parent, guardian, or the adult student desires, he/she may appoint an adult or legal counsel to represent him/her. This appointment

must be in writing and signed by the parent, guardian, or adult student. If the parents and/or adult student do not desire a hearing, the right to a hearing may be waived, and the Board's designee will act on the recommended expulsion. The waiver of the hearing should be in writing and signed by the parents and/or adult student, and if not, should be otherwise documented in writing by the principal.

- 11.** For any hearing regarding the proposed expulsion, the parent, guardian, or adult student shall be afforded the following:
 - Prior notice of the charges and the proposed sanctions in order to allow a reasonable opportunity for preparation.
 - Right to full and fair hearing. The hearing shall afford appropriate due process as required by law.
 - Right to an adult representative or legal counsel. At the hearing, the student must be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district.
 - Opportunity to testify and to present evidences and witnesses in his/her defense.
 - Opportunity to examine the evidence presented by the school administration and to question the administration's witnesses.
 - Copy of the expulsion notice and an explanation of right to appeal.

- 12.** After any hearing, the parent, guardian, or adult student shall be notified in writing of the decision. The notification shall be referred to as an order. If the decision is to expel the student, then said order shall state the terms of and the reason(s) for the expulsion. Not later than the second day after the date of the hearing, a copy of the order shall also be delivered to the authorized officer of the juvenile court in the county where the student resides.
 - Such decision may be appealed to the Board's appointed Appeals Committee. (Policy FOD) If the parent, guardian, or adult student chooses to appeal the expulsion, the following procedures must be initiated.
 - Within three-school calendar days of the date of the principal's decision, the parent, guardian, or adult student must file with the office of the Superintendent a written

request for a hearing before the Board's designee. Any appeal should be addressed to:

Superintendent of Schools
PO Box 170
Tornillo, Texas 79853

13. The Superintendent may review the decision of the board designee and, subject to the expulsion provisions, may alter the length of the recommended expulsion, change the recommendation to a disciplinary alternative placement, or forward to the Board's appointed Appeals Committee for the appeals hearing as requested.

The student will be excluded from attending any school functions or being on or about school property during the pendency of any appeal unless specifically authorized by the principal or Superintendent.

- a) If an appeal is requested, the Board's Appeals Committee will conduct the appeal hearing and render a decision within thirty calendar days after the date of the request. Pending the expulsion hearing, the student shall be placed in a DAEP.
- b) The Superintendent shall deliver, personally or by mail, a copy of the Board Appeals Committee's decision to the parent, guardian, or adult student. A copy of the order shall also be delivered to the authorized officer of the juvenile court in the county in which the student resides.
- c) After the Board Appeals Committee hearing, the parent, guardian, or adult student may appeal the decision of the Board's Appeals Committee to a State District Court of El Paso County.
- d) The district will cooperate with governmental agencies and community organizations providing services to students whom have been expelled.
- e) After the school district notifies the parent or guardians of a student that the student has been expelled, the parent or guardian shall provide adequate supervision of the student during the period of expulsion.

Placement and/or Expulsion for Certain Serious Offenses

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

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove

the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

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

- a) Threatens the safety of other students or teachers,
- b) Will be detrimental to the educational process, or
- c) 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. 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 Students

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following

circumstances exist in relation to the felony offense under Title 5(see glossary) of the Texas Penal Code. The student must:

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

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

- a) The date on which the student's conduct occurred,
- b) The location at which the conduct occurred,
- c) Whether the conduct occurred while the student was enrolled in the district, or
- d) 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 circumstance above that allow for the expulsion, the student's presence in the regular classroom:

- a) Threatens the safety of other students or teachers,
- b) Will be detrimental to the educational process, or
- c) 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

- a) The student graduates from high school,
- b) The charges are dismissed or reduced to a misdemeanor offense, or
- c) The student completes the term of the placement or is assigned to another program.

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.

DISCIPLINE UNDER SECTION 504

A student in a Section 504 program is subject to the district's Student Code of Conduct unless otherwise stated in the Accommodation Plan (AP). A student's AP may include a behavior management plan which outlines disciplinary options to be used in addition to or instead of certain parts of the district code.

DISCIPLINE OF SPECIAL EDUCATION (DISABLED) STUDENTS

The district publishes the Procedural Safeguards Handout. This handout contains information concerning students with disabilities. Copies are available from the Special Education Department. The individual educational plan (IEP) for each student with disabilities may address the procedures, behavior violations, and discipline options of the student with disabilities. If the IEP of a student with a disability contains disciplinary sanctions, including emergency placement (to an AEP) or expulsion, suspension, and removal to alternative education programs, and those sanctions are not currently being challenged in a court or special education administrative appeal, the sanctions implemented in accordance with specifications in the IEP shall be followed rather than the procedural requirements for emergency removal, suspension, or removal to alternative education program otherwise set out herein. 19 TAC 133.24(5)

When not specifically addressed and not a result of the disabling condition(s), behavior violations in Offenses Not Requiring Administrative Action and Offenses Requiring Limited Administrative Action may be addressed by using the same procedures and discipline options as for non-disabled students. A student with disabilities may not be removed from his/her assigned education program for reasons other than suspension, removal to an alternative education program or an emergency placement (to an AEP) or expulsion.

HOPE ACADEMY

MISSION

The Tornillo ISD discipline alternative education program (HOPE Academy) is committed to the belief that all children can learn, and that they can modify and change behaviors that made it difficult for them to be successful at their home campus. Positive core values such as respect, tolerance, responsibility, honesty and integrity will be reinforced.

BELIEFS

We believe that:

Every student is important.

Every student can learn.

While the behavior was bad, the student is not.

Every student is responsible for his/her learning & behavior.

Learning takes place in an orderly, structured, and positive environment.

PURPOSE

The Tornillo ISD discipline alternative education program (HOPE) is an alternative setting for all students who are at least 6 years of age on the date that an offense is committed who have violated the district's student code of conduct and campus disciplinary procedures to such an extent that by law or to maintain a safe and orderly environment it is necessary to place a student temporarily in an alternative educational setting. There the student will be given the opportunity to continue their academic progress and change behaviors that made it difficult for them to be successful at their home campus. HOPE Academy provides a safe and structured learning environment. Inappropriate behaviors are addressed so that students can be successful at their home campuses when they return.

ENROLLMENT / PLACEMENT PROCESS

Once an offense has been committed and a student has been removed from the general classroom setting, the appropriate administrator and staff shall schedule a conference within three (3) days to include the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.

Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the appropriate administrator, after considering any mitigating factors under

Education Code 37.001 (a)(4), shall order the placement of the student for a period consistent with the Student Code of Conduct. The appropriate administrator will notify all appropriate staff members. During the placement meeting the policies, procedures, and expectations will be explained with both the student and parent. The student will be made aware of all expectations and the necessary requirements for the student to return to their home campus. A copy of the placement order and contact information for TISD DAEP shall be provided to the student and the parent. A copy of the handbook should be made available at this time if possible.

**Should a Manifestation Determination Review (MDR) meeting be required, the appropriate administrator shall notify appropriate parties and comply with established guidelines. TISD DAEP staff and the Director of Special Education shall be included.*

GENERAL INFORMATION

INSTRUCTIONAL DAY

The instructional day begins at 7:15 am and ends at 3:00 pm. Students will be escorted by their parent/guardian in the morning and after school. They are to report directly to the HOPE building and sign in and out daily. Upon arrival, students and parents are to wait until the HOPE Academy teacher opens the building.

TRANSPORTATION

HOPE Academy students will not be allowed to use TISD transportation, drive personal vehicles or walk to or from school.

ATTENDANCE / TARDIES

Attendance will be reported daily. Students are required to bring a written note from a parent/guardian for any absence. The note shall include the date, reason, and be signed by the parent/guardian. Should a student need to see a doctor, then a note from the doctor/office is the most appropriate documentation. For court appearances, the judge or his designee shall issue appropriate documentation. All absences will be made up.

State Law applies. Failure to attend school may result in a civil/criminal case being filed against the student and/or parent in Truancy Court. A student may also be denied credit if not in attendance the required amount of time – 90%. This requirement includes both excused and unexcused absences.

Tardies are not acceptable. If the student is late a warning will be given and missed time will be made up at the end of the day. Three (3) or more tardies may result in a disciplinary action.

SCHEDULE & CURRICULUM

Students will receive instruction in their core classes. Electives will be determined on a case by case basis. Students will complete work through direct assignments from the teacher and the use of computer-based programs while at HOPE. It is the responsibility of the student and parent to check the schedule for accuracy and to monitor grades. HOPE Academy and the home campus will work together to ensure that the student receives necessary and required instructional accommodations and materials.

COUNSELING

Students who attend the academy are there because they have exhibited behavioral problems at their home campus. Counseling services will be provided as needed for students who are enrolled. Students will be held accountable for their behavior and will learn strategies to channel inappropriate behavior prior to their return to their home campus.

Group Session – Once a week by Communities In Schools (CIS) staff.

Individual Counseling – As per request from administrator, parent/ guardian, or student.

CONTACT INFORMATION

Contact information is to be provided at the intake meeting. It is the responsibility of the parent/guardian to keep student information up to date at both the home campus and at HOPE Academy.

LEAVING CAMPUS

HOPE students are not allowed to leave campus for any reason without a parent/guardian. The parent/guardian is required to sign the student out before he/she will be allowed to leave. Once they are dismissed from HOPE Academy, the student must leave Tornillo ISD property immediately.

VISITORS

Visitors shall report to the HOPE building.

TISD PROPERTY / EXTRA-CURRICULAR EVENTS

Students assigned to HOPE Academy are not allowed on any Tornillo ISD property other than HOPE Academy during their placement. This includes all school campuses, parking lots, playgrounds, and playing fields. Students may not attend any Tornillo ISD extra-curricular activities (in town or out of town) while

placed at HOPE Academy. During the intake meeting, both the student and parent will receive and sign the Criminal Trespass Notification.

MEDICATION

The school nurse or administrator will administer medication to a student. It is the responsibility of the parent/guardian to provide the appropriate written request for medication to be given. Medication must be in its original container and properly labeled for the student.

COMPUTER USAGE

Students are expected to follow all Tornillo ISD rules and guidelines regarding computer and technology use. Students assigned to computers will be held liable if found to be responsible for damage. Students found to be using computers in an inappropriate manner may lose computer privileges and are subject to disciplinary action.

MEALS

Students will be provided with a free breakfast and lunch through Tornillo ISD. Meals will be eaten in class during the designated time. If a student has a food allergy, proper documentation is to be provided from a doctor.

BREAKS

Students will be given scheduled breaks throughout the day. A student with a medical condition that may require more frequent breaks will need to provide appropriate documentation from a doctor.

SUPPLIES

Students are not allowed to bring backpacks or purses on campus. Following the intake conference, students will be provided with the necessary supplies. Books that are needed will be supplied by the campus.

TESTING

Students will take all required local and state assessments while attending HOPE Academy.

SAFETY / SECURITY

Upon entry, all students will go through a daily check-in process. Students will be searched and secured by Tornillo ISD Security with HOPE Academy personnel in attendance. Any out of compliance items will be confiscated.

PROHIBITED ITEMS

In addition to items indicated in the TISD Code of Conduct, students are not allowed to have/wear the following items while at HOPE Academy:

- *Electronic devices of any kind (cell phones will be taken up each morning)
- *Backpacks, bags, purses, etc.
- *Pens, pencils, etc.
- *Potential weapons (pocket-knives, clippers, scissors, etc.)
- *Hoodies or jackets with hoods
- *Anything irrelevant or determined to be a distraction of the learning process

CELL PHONES

Upon entering the building, all cell phones must be given to the HOPE Academy personnel in attendance. Phones will be logged in. When preparing to leave for the day, phones will be returned. A system is in place to ensure that the student receives their phone back. Devices found on a student during the instructional day (after check-in) may result in a disciplinary action.

DRESS CODE

While students are at HOPE, they are expected to follow the dress code established in the Student Handbook. In addition, students will maintain a clean and tidy appearance every day. It is the student's responsibility to wear the proper clothes while attending HOPE:

1. Blue jeans and a grey polo-shirt. (no torn, wide leg jeans or shorts will be allowed).
2. Tennis shoes (no sandals or boots).
3. Black belt only.
4. Shirts must always be tucked in.
5. Sweater with buttons or zipper only.
6. No jewelry worn by male or female students to include body piercing.
7. No caps, hats, or any other hair coverings are allowed at HOPE, so don't bring them. If you bring one it may get taken up until you finish your time at the HOPE.

If you are not properly dressed your home campus principal will be called, and you will be sent home to change. You must return to HOPE Academy that day or be considered truant.

PARENTS, STUDENTS, AND STAFF RESPONSIBILITIES

HOPE Academy Responsibilities:

1. Establish a structured environment that utilizes cognitive behavior modification techniques to support academics and reinforces appropriate behavior.
2. Assess student academic and behavioral needs.
3. Regularly review student progress and keep parents and home campus principals informed.
4. Coordinate communication links and act as a resource for teachers, parents, and campus administrators.
5. Maintain documentation of attendance, tardies, academic progress, and student behavior.
6. Attend teacher in-service sessions
7. Treat others fairly and without prejudice.

Student's Responsibilities:

1. Abide by the Tornillo ISD Student Handbook and Code of Conduct, Dress Code, and attendance law.
2. Participate in daily activities designed for improving behavior.
3. Strive to increase self-discipline and take responsibility for own actions.
4. Treat others fairly and without prejudice.
5. Respect other people's rights, property, and reputation.
6. Contribute to a positive, safe, drug and gang free environment.
7. Neatly complete all academic tasks.
8. Participate in counseling sessions.

Parent's Responsibilities:

1. Participate fully with the school in providing opportunities for students to correct behaviors.
2. Meet with school staff to receive systematic and comprehensive reports which reflect student attitudes, behaviors, and academic progress.
3. Support the academic goals of HOPE and maintain open lines of communication. Ensure that the student attends regularly and is on time.
4. Attend meetings, conferences, review placement, and be supportive of Tornillo ISD established policies and procedures.

The Home Campus' Responsibilities:

1. Contact HOPE Academy supervisor when a referral is being made to HOPE Academy.
2. Complete and submit all required forms to appropriately place a student at HOPE Academy.
3. Ensure that the counselor contact the student on a need basis once the student is placed.
4. Participate in monitoring sessions to review student progress.
5. Monitor student progress once he/she returns to the home campus.

The Student Handbook provides general information regarding the district's policies, practices, and procedures. The Student Code of Conduct, which is approved by the Board of Trustees, specifies the expectations for student behavior, discipline management techniques that are utilized by teachers and administrators, and the consequences for student misconduct.



Tornillo Independent School District

HOPE Academy

Recommendation for Discipline Alternative Education Program Placement

Date _____

Dear Parents,

This letter is to notify you that I am recommending your son/daughter, _____, be placed at our DAEP, HOPE Academy, for _____ days beginning on _____. This is also to notify you that your son/daughter cannot attend or participate in any school-sponsored activity. These are the reasons why I am recommending placement at HOPE Academy:

_____ has the right to a hearing regarding this placement. I will make arrangements for a hearing at your request as soon as possible. You have three (3) school days to solicit a hearing upon receipt of this letter. If you do not solicit a hearing within the three (3) school days, you lose the right to an appeal with the superintendent.

If you request a hearing, the school official in this case will be _____. You have the right to be represented if you wish. If you wish to be represented by someone else, the individual's name must be submitted in writing. You may present witnesses, written statements, and reasonable oral arguments at the Hearing. The school will present the following witnesses:

If more school witnesses are presented, the names and reason for testimony will be provided. If you have any questions regarding placement or need more information regarding a hearing, please call me at _____.

Sincerely,

Administrator: _____

School: _____



HOPE ACADEMY Placement Checklist

Student: _____ ID#: _____

Parent/Guardian: _____ Grade: _____

Special Ed: Yes ___ No ___ 504 ___ EL(LEP): Yes ___ No ___ ESL ___ Bil ___

Documentation prior to placement:

- Log Entry Date(s): _____
- ISS/OSS Notification Date(s): _____
- Administrator conference with student/parent Date(s): _____
- Recommendation for DAEP Placement Date(s): _____
- SPED / 504 Manifestation (if applicable) Date(s): _____
- ELL / LPAC (if applicable) Date(s): _____
- Other _____ Date(s): _____

NOTES:

Checklist:

- Student's Attendance
- Student's Grades
- Student's Discipline
- HOPE Academy Handbook
- Agreements / Acknowledgements
- Criminal Trespass Notification
- Referred to Support Personnel (Counselor, CIS, etc.)
- Nurse notified of Placement
- PEIMS Discipline Data Entry Form

Campus Behavioral Coordinator Signature

Date

Campus Administrator Signature

Date



HOPE ACADEMY EXIT Checklist

Student: _____	ID#: _____
Parent/Guardian: _____	Grade: _____
Special Ed: Yes ___ No ___ 504 ___	EL(LEP): Yes ___ No ___ ESL ___ <u>Bil</u> ___

Preventative measures documented prior to returning to home campus:

- Administrator conference with student/parent Date(s): _____
- Referred to Support Personnel (Counselor, CIS, etc.) Date(s): _____
- Other _____ Date(s): _____

NOTES:

Checklist:

- HOPE Attendance: _____ #days absent _____ #excused _____ #unexcused _____ #tardies
- Student's Grades
- Student's Discipline
- Behavioral Improvement Plan (BIP)
- Transition Plan
- Update PEIMS Discipline Data Entry form if changes were made

Campus Behavioral Coordinator Signature

Date

Campus Administrator Signature

Date

Student Code of Conduct Glossary

Abuse is improper or excessive use.

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

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

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

Arson is defined in part by Penal Code 28.02 as:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a) Any vegetation, fence, or structure on open-space land; or
 - b) Any building, habitation, or vehicle:
 - 1) Knowing that it is within the limits of an incorporated city or town,
 - 2) Knowing that it is insured against damage or destruction,
 - 3) Knowing that it is subject to a mortgage or other security interest,
 - 4) Knowing that it is located on property belonging to another,
 - 5) Knowing that it has located within it property belonging to another, or
 - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
 - a) Recklessly damages or destroys a building belonging to another, or
 - b) Recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

Bullying is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

Bullying includes cyberbullying. (See below) This state law on bullying prevention applies to:

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

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling 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.

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

Knuckles means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

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 excepted from this definition.

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

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

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;

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

Serious or persistent misbehavior includes, but is not limited to:

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

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

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

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.



Internet Acceptable Use Policy

User Responsibilities

These guidelines are intended for employees and students to make the best use of the Internet resources at their disposal. When using the District's Internet access facilities, you should understand and comply with the following guidelines:

Tornillo ISD's Internet Acceptable Use Policy ("IAUP") is to prevent unauthorized access and other unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act ("CIPA"). As used in this policy, "user" includes anyone using the computers, Internet, email, chat rooms, instant messaging (IM), peer-to-peer P2P, and other forms of direct electronic communications or equipment provided by Tornillo ISD. It also covers any outside equipment that uses the district's network to access the Internet.

Tornillo ISD will use technology protection measures to block or filter, to the extent possible, access of visual depictions that are obscene, pornographic, and harmful to **minors** over the network. Tornillo ISD reserves the right to monitor users' online activities and to access, review, copy, and store or delete any electronic communication or files and disclose them to others as it deems necessary. Users should have no expectation of privacy regarding their use of district property, network and/or Internet access or files, including email.

Schools must qualify students using the computer network and Internet access at the beginning of each school year with a signed IAUP. Students who are under 18 must have their parents or guardians sign the IAUP and schools must keep the signed page on file. Once signed, the permission/acknowledgement page remains in effect until revoked by the parent, or the student loses the privilege of using the district's network due to violation of the policy or is no longer a student of this district.

Employees and other users are required to follow this policy. Even without signature, all users must follow this policy and report any misuse of the network or Internet to a teacher, supervisor or other appropriate district personnel. Access is provided primarily for education and district business. Staff may use the Internet, for incidental personal use during duty-free time. By using the network, users have agreed to this policy. If a user is uncertain about whether a particular use is acceptable or appropriate, he or she should consult a teacher, supervisor or other appropriate district personnel.

It shall be the responsibility of all members of the Tornillo ISD staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.

Tornillo ISD will conduct annual trainings at the start of each school year that will educate all students including minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyber bullying awareness, and response.

The following are examples of inappropriate activities on the Internet, but the district reserves the right to take immediate action regarding activities (1) that create security and/or safety issues for the district, students, employees, schools, network or computer resources, or (2) that expend district resources on content the district in its sole discretion determines lacks legitimate educational content/purpose, or (3) other activities as determined by district as inappropriate.

- Violating any state or federal law or municipal ordinance, such as: accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials;
- Criminal activities that can be punished under law;
- Selling or purchasing illegal items or substances;
- Obtaining and/or using anonymous email sites; spamming; spreading viruses;
- Causing harm to others or damage to their property, such as:
 1. Using profane, abusive, or impolite language; threatening, harassing, or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
 2. Deleting, copying, modifying, or forging other users' names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous email;
 3. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance;
 4. Using any district computer to pursue "hacking," internal or external to the district, or attempting to access information protected by privacy laws; or
 5. Accessing, transmitting or downloading large files, including "chain letters" or any type of "pyramid schemes".
- Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:
 1. Using another's account password(s) or identifier(s);
 2. Interfering with other users' ability to access their account(s); or
 3. Disclosing anyone's password to others or allowing them to use another's account(s).
- Using the network or Internet for Commercial purposes:
 1. Using the Internet for personal financial gain;
 2. Using the Internet for personal advertising, promotion, or financial gain; or
 3. Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes.

Student Internet Safety

1. Students under the age of eighteen should only access district accounts outside of school if a parent or legal guardian supervises their usage at all times. The student's parent or guardian is responsible for monitoring the minor's use;

2. Students shall not reveal on the Internet personal information about themselves or other persons. For example, students should not reveal their name, home address, telephone number, or display photographs of themselves or others;
3. Students shall not meet in person anyone they have met only on the Internet; and
4. Students must abide by all laws, this Internet Acceptable Use Policy and all district security policies.

Penalties for Improper Use

The use of a Tornillo ISD account is a privilege, not a right, and misuse will result in the restriction or cancellation of the account. Misuse may also lead to disciplinary and/or legal action for both students and employees, including suspension, expulsion, dismissal from District employment, or criminal prosecution by government authorities. Tornillo ISD will attempt to tailor any disciplinary action to the specific issues related to each violation.

Disclaimer

Tornillo ISD makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from use of the network or accounts. Any additional charges a user accrues due to the use of the district's network are to be borne by the user. Tornillo ISD also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of the district, its affiliates, or employees.

Adoption

This Internet Safety Policy was adopted by the Board of Tornillo ISD at a public meeting, following normal public notice, on 5/14/2012.

Contact Us

If you have questions about this privacy statement or the comments about the website, please email GarciaC@tisd.us or write to:

Technology Department
Tornillo Independent School District
PO Box 170
19200 Cobb Ave.
Tornillo, TX 79853



2020-2021 Student & Parent Acknowledgement

Date/ Fecha

Student's Name / Nombre Del Estudiante

Failure to sign this contract does not take away the responsibility of the student to abide by the Student Handbook or Student Code of Conduct.

The offenses and sanctions included in this handbook are not all inclusive. While an attempt has been made to list major concerns, not all possible misbehavior and disciplinary actions have been included.

This document is a reference source for students, teachers and parents. More specific information may be obtained from Board Policy, which is available in the principal's office of each school and online, at www.tisd.us.

STUDENT

I have received a copy of the Tornillo ISD Student Handbook for 2020-21. I understand that the handbook contains information that I may need during the school year and that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Student Code of Conduct.

Student's Signature

Print Student's Name

PARENTS, GUARDIAN OR PERSONS RESPONSIBLE

I have received a copy of the Tornillo ISD Student Handbook for 2020-21 and will carefully review the Student Code of Conduct with my child and agree to help my child abide by the Student Handbook and the Student Code of Conduct. I will read and agree to comply with the Texas Compulsory Attendance Law (Texas Education Code, Section 21.032).

I certify that we live within the boundaries of the Tornillo Independent School District or that we have on file an approved out-of-district transfer form.

Parent/Guardian/Person Responsible Signature

Print Name

FAILURE TO RETURN THIS FORM WILL BE CONSIDERED AN ACKNOWLEDGEMENT OF RECEIPT.

Rehusarse a firmar este contrato no le quita al alumno la responsabilidad de obedecer el Manual Estudiantil o El Código de Conducta Estudiantil.

Las faltas y sanciones que se incluyen en este manual no son inclusivas del todo. Aun cuando se ha hecho el intento de incluir las preocupaciones más apremiantes, no todas las indisciplinas ni las medidas disciplinarias posibles se han incluido.

Este documento es un material de referencia para los estudiantes, maestros, padres y/o tutores. Información más específica se puede obtener de la Póliza de la Mesa Directiva que está a su disposición en la oficina del director de cada escuela y en línea en www.tisd.us

ESTUDIANTE

He recibido una copia del Tornillo ISD Manual Estudiantil para 2020-21. Entiendo que el Manual contiene la información que puedo necesitar durante el año escolar y que todos los estudiantes serán sostenidos responsables de su comportamiento y serán sujetos a las consecuencias disciplinarias perfiladas en el Código de Conducta Estudiantil.

Firma del Alumno

Nombre del Alumno en Letra de Molde

PADRES, TUTORES O PERSONAS RESPONSABLES

He recibido una copia del Tornillo ISD Manual Estudiantil para 2020-21 y voy con cuidado a examinar el Código de Conducta Estudiantil con mi hijo/a y consentir en ayudar a mi hijo/a cumplir con la Guía de Estudiante y el Código de Conducta Estudiantil. Leeré y consentiré en cumplir con la Ley de Asistencia Obligatoria de Texas (Código de Educación de Texas, la Sección 21.032)

Certifico que vivimos dentro de los límites del Distrito Independiente Escolar de Tornillo o que tenemos en el archivo una forma de transferencia de distrito aprobada.

Firma del Padre/Tutor/Persona Responsable

Nombre en Letra de Molde

EL FRACASO DE DEVOLVER ESTA FORMA SERÁ CONSIDERADO UN ACUSE DE RECIBO.



Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information

State law requires the district to give you the following information:

Certain information about 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 the Tornillo Independent School District 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.

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

- Student’s name
- Address
- Telephone listing
- E-mail address
- Photograph
- Date and place of birth
- Major field of study
- Degrees, honors, and awards received
- Dates of attendance
- Grade level
- Most recent school previously attended
- Participation in officially recognized activities and sports
- Weight and height, if a member of an athletic team
- Enrollment status
- Student identification numbers or identifiers that cannot be used alone to gain access to electronic education records

Parent: Please circle one of the choices below:

I, parent of _____ (student’s name), (do give) (do not give) the district permission to release the information in this list in response to a request.

Parent Signature

Date

Please note that if this form is not returned within the specified timeframe above, the district will assume that permission has been granted for the release of this information.



2020-2021 Parents' Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Learning Family Education Rights and Privacy Act (FERPA) Notice

Date / Fecha

Student's Name / Nombre del Estudiante

Federal law requires that the district release to military recruiters and institutions of higher education, upon request, the name, address, and phone number of secondary school students enrolled in the district, unless the parent or eligible student directs the district not to release information to those these types of requestors without prior written consent.

Please check one of the choices below:

- I do give the district permission to release my child's information to a military recruiter or an institution of higher education.
- I do not give the district permission to release my child's information to a military recruiter or an institution of higher education.

Parent/Guardian/Person Responsible Signature

Print Name

FAILURE TO RETURN THIS FORM WILL BE CONSIDERED PERMISSION TO RELEASE STUDENT INFORMATION TO MILITARY RECRUITERS AND INSTITUTIONS OF HIGHER LEARNING.

La ley federal requiere que el distrito libere a reclutadores militares e instituciones de la enseñanza superior, sobre petición, el nombre, dirección, y número de teléfono de estudiantes escolares secundarios matriculados en el distrito, a menos que el padre/tutor/persona responsable o estudiante elegible dirija el distrito para no liberar la información a aquellos tipos de solicitudes sin el consentimiento escrito previo.

Por favor compruebe una de las opciones abajo:

- Si doy el permiso al distrito de liberar la información de mi hijo/a un reclutador militar o una institución de enseñanza superior.
- No doy el permiso al distrito de liberar la información de mi hijo/a un reclutador militar o una institución de enseñanza superior.

Firma del Padre/Tutor/Persona

Responsable Nombre en Letra de Molde

EL FRACASO DE DEVOLVER ESTA FORMA SERÁ CONSIDERADO EL PERMISO DE LIBERAR LA INFORMACIÓN DE ESTUDIANTE A RECLUTADORES MILITARES E INSTITUCIONES DEL APRENDIZAJE MÁS ALTO.



2020-21 Permission to Video/Audio Record or Photograph

Date / Fecha

Student's Name / Nombre del Estudiante

The Tornillo ISD and campuses regularly invite the news media to publicize student, school and district accomplishments and events. In addition, representatives of Tornillo ISD may want to photograph, videotape, or audiotape students in our schools for purposes other than those stated directly in the code. This is most often done to highlight the achievements of our schools and their students or to provide general information about school programs. The photos or videos may appear in district publications or on the campus/district website.

The Texas Education Code, Sec. 26.009, allows videotaping of a student for the purposes of safety or discipline, instructional, media coverage, or co-curricular or extracurricular activity (such as athletics, band, or PTA programs).

Please check one of the choices below:

- I do give the district permission to photograph or video/audio record my child.
- I do not give the district permission to photograph or video/audio record my child.

Parent/Guardian/Person Responsible Signature

Print Name

FAILURE TO RETURN THIS FORM WILL BE CONSIDERED PERMISSION TO VIDEO/AUDIO RECORD OR PHOTOGRAPH.

El Distrito Independiente Escolar de Tornillo con regularidad invita los medios de noticias a hacer público a estudiante, escuela y logros del distrito y acontecimientos. Además, los representantes del distrito de Tornillo pueden querer fotografiar, audio o grabar en vídeo, a estudiantes en nuestras escuelas para objetivos además de aquellos declarados directamente en el código. Este el más a menudo es hecho para destacar los logros de nuestras escuelas y sus estudiantes o proporcionar la información general sobre programas escolares. Las fotos o videos pueden aparecer en publicaciones de distrito o en el sitio Web de la escuela / distrito.

El Código de Educación de Texas, Segundo. 26.009, permite grabar en vídeo a un estudiante para los objetivos de seguridad o disciplina, educacional, cobertura de medios, o actividades adicionales escolares o extraescolar (como atletismo, banda, o programas PTA).

Por favor compruebe una de las opciones abajo:

- Si doy el permiso al distrito de fotografiar o grabar en vídeo/audio a mi hijo/a.
- No doy el permiso al distrito de fotografiar o grabar en vídeo/audio a mi hijo/a.

Firma del Padre/Tutor/Persona Responsable

Nombre en Letra de Molde

EL FRACASO DE DEVOLVER ESTA FORMA SERÁ CONSIDERADO EL PERMISO A REGISTRO DE VÍDEO/DE AUDIO O FOTOGRAFÍA



2020-21 Student Consent/Opt Out Form

Date / Fecha

Student's Name / Nombre del Estudiante

The district is required by federal law to notify you and obtain your consent for or denial of (opt-out) your child's participation in certain school activities. The activities include any student survey, analysis, or evaluation, known as "protected information survey" that concerns one or more of the following eight areas:

1. Political affiliations or beliefs of the student or student's parents;
2. Mental or psychological problems of the student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, antisocial, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom the student has a close family relationship;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility or to receive financial assistance under such a program.

This notice and consent/opt-out requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys"), and to certain physical exams and screenings.

Please check one of the choices below:

- I do give the district permission for my child to participate in the activities listed.
 I do not give the district permission for my child to participate in the activities listed.

Parent/Guardian/Person Responsible Signature

Print Name

FAILURE TO RETURN THIS FORM WILL BE CONSIDERED PERMISSION FOR YOUR CHILD TO PARTICIPATE IN THE ACTIVITIES LISTED.

El distrito es requerido según la ley federal notificarle y obtener su consentimiento para o desmentido (de la opción de exclusión voluntaria) la participación de su hijo/a en ciertas actividades escolares. Las actividades incluyen cualquier revisión de estudiante, análisis, o evaluación, conocida como "revisión de información protegida" que concierne una o varias de las ocho áreas siguientes:

1. Afiliaciones políticas o creencia del estudiante o los padres del estudiante;
2. Problemas mentales o psicológicos del estudiante o la familia del estudiante;
3. Comportamiento sexual o actitudes;
4. Comportamiento ilegal, antisocial, auto incriminatorio, o humillante;
5. Las valoraciones críticas de otros con quien el estudiante tiene una relación de familia cercana;
6. Relaciones privilegiadas legalmente reconocidas, como con abogados, doctores, o ministros;
7. Prácticas religiosas, afiliaciones, o creencia del estudiante o padres; o
8. Ingresos, además de como requerido según la ley para determinar elegibilidad de programa o recibir ayuda financiera conforme a tal programa.

Este aviso y exigencia consent/opt-out también se aplican a la colección, revelación, o uso de la información de estudiante para objetivos de mercadotecnia ("revisiones de mercadotecnia"), y a ciertos exámenes físicos y proyecciones.

Por favor compruebe una de las opciones abajo:

- Si doy el permiso al distrito para mi hijo/a para participar en las actividades puestas en esta lista.
 No doy el permiso al distrito para mi hijo/a para participar en las actividades puestas en esta lista.

Firma del Padre/Tutor/Persona Responsable

Nombre en Letra de Molde

EL FRACASO DE DEVOLVER ESTA FORMA SERÁ CONSIDERADO EL PERMISO PARA LA PARTICIPACIÓN DE SU HIJO/A EN LAS ACTIVIDADES PUESTAS EN LA LISTA.

INDEX

- absences
 - doctor's note, 34
 - excused, 30
 - extenuating circumstances, 32
 - for college visits, 31
 - for competition, 61
 - for students in foster care, 30
 - makeup work, 82
 - military families, 23, 30
 - parent's note, 34
 - unexcused, 31
 - See also attendance.
- accelerated instruction
 - attendance, 29, 30, 31
 - failure to meet passing standards
 - on state assessment, 30
 - reading instruction, 29
- accident insurance, 90
- accountability of the school district, 35
- admission, review, and dismissal (ARD) committee, 68, 110, 124
- admissions
 - college and university, 42
- Advanced Placement (AP) courses, 43
- appeals process
 - board review of expulsion, 131
 - DAEP appeals, 121, 122
 - discipline management techniques, 113
 - sex offender registry, 125
- asbestos, 92
- assistance animals, 24
- attendance, 29, 105
 - college visits, 31
 - compulsory, 29
 - doctor's note, 34
 - driver license, 34
 - extenuating circumstances, 32
 - military families, 23
 - official attendance-taking time, 33
 - parent's note, 34
 - students 19 or older, 30
 - students with disabilities, 31
 - unexcused absences, 31
 - warning letter, 32
- attendance review committee, 48
- automatic admission, 42
- aversive techniques, 111
- awarding credit, 48
- awards, 35
- bilingual programs, 28, 59
- board of trustees, 102
- bullying, 35
 - cyberbullying, 35
 - policy, 107
 - See also hazing.
- bus rules, 100
- buses
 - pickup and drop-off locations, 100
 - required conduct, 100
 - routes and schedules, 100
- Buses, 100
- campus behavior coordinator, 45, 103–4
- campus rules, 105, 110
- career and technical education (CTE), 37
 - college credit courses, 43
- Celebrate Freedom Week, 16
- celebrations, 38
- cell phones, 57
- certificate of attendance, 68
- certificate of coursework completion, 68
- cheating. See prohibited behavior.
- child abuse, 38
- class changes, 99
- class rank**, 41
- class schedules, 42
 - partial vs. full-time, 42
- classroom parties, 38

classroom rules, 105, 110

clubs. *See* extracurricular activities.

college

- admissions, 42
- credit, 43
- visits, 31

communicable diseases

- See* contagious diseases.

communications, automated, 43

- emergency, 43
- nonemergency, 44

complaints, 21, 44

computers, 108–9

- breach of security, 108
- hacking/cracking, 108

***See also* technology resources.**

conduct, 45

- at social events, 46
- before and after school, 93
- campus behavior coordinator, 45
- disrupting school operations, 45
- on school buses, 100
- on school transportation, 46
- use of hallways, 93
- when school rules apply, 45

confiscation of student property

- confiscation of property. *See* discipline management techniques.

consideration of mitigating factors, 119

contagious diseases, 70

- excluding from school, 70

corporal punishment, 11

correspondence courses. *See* distance learning.

counseling, 111

- academic, 47
- at elementary and middle/junior high school, 47
- personal, 48
- postsecondary education, 47

courtesy, 105

credit

- by exam, 48
 - for acceleration or advancement, 49
 - with prior instruction, 48
 - without prior instruction, 49
- credit recovery, 48
- for coursework, 48
- partial credit, 48

crimes

- aggravated robbery, 107, 117, 118, 125, 127
- breach of computer security, 127
- breach of security, 108
- criminal mischief, 107, 117, 127
- criminal proceedings and placement in DAEP, 122–23
- felonies, 107, 117–18, 125, 127–29, 129, 130
- reporting, 104
- Title 5 offenses, 117, 118, 125, 174
 - expulsion and placement, 125
 - hearing and required findings, 125–26
 - length of placement, 126
 - newly enrolled students, 126
 - placement review, 126

CTE insurance, 91

dating violence, 50

Declaration of Independence

- excusing a student from reciting, 16

delinquent conduct, 118, 122, 125, 168

deliveries, 45

demonstrations, 110

Department of Public Safety (DPS), 34

detention. *See* discipline management techniques.

directory information, 9, 12

disabled students, 28

disciplinary alternative education program (DAEP), 116–23, 124

- additional misconduct, 122
- appeals. *See* appeals process.
- coursework notice, 120
- discretionary placement, 116–17

- elementary school students, 116
- emergency placement, 123
- extracurricular activities, 121
- grade classification, 116
- graduation, 121
- length of placement, 120–21
- mandatory placement, 117–18
 - 300 foot rule, 117–18
- newly enrolled students, 123
- notice of criminal proceedings, 122–23
- placement review, 122
- pre- and post-assessments, 120
- process, 119–20
- restrictions during placement, 121
- summer programs, 116
- transition services, 123
- transportation, 121
- under age six, 118
- under age ten, 118
- withdrawal during process, 123
- discipline management techniques, 110–13
 - alternative educational setting, 111
 - appeals. *See* appeals process.
 - behavioral contracts, 111
 - bus privileges, 111, 113
 - confiscation of property, 110
 - counseling, 111
 - criminal prosecution, 111
 - DAEP. *See* disciplinary alternative education program (DAEP).
 - demerits, 110
 - detention, 111
 - expulsion. *See* expulsion.
 - extracurricular organizations, 111
 - grade reductions, 111
 - in-school suspension, 111
 - loss of privileges, 111
 - notification, 112
 - out-of-school suspension, 111
 - probation, 111
 - referral. *See* routine referral.
 - refusal to accept, 106
 - rewards, 110
 - school duties, 111
 - students with disabilities, 110
 - time-out, 110
- discrimination, 51
- distance learning, 53
- distribution**, 54
 - nonschool materials
 - by others, 55
 - by students, 54
 - school materials, 54
- doctor's appointments, 30
- dress code, 56, 105, 109
- driver license, 34
- drug testing, 96
 - See also* steroids.
- drugs**, 108
 - marijuana, 108
 - over-the-counter, 108
 - paraphernalia, 108
 - prescription, 108
 - under the influence, 108
- dual-credit programs, 43
- earning credit, 48
- elections for student clubs and organizations, 61
- electronic cigarette
 - definition, 169
 - See also* prohibited items
 - e-cigarettes.
- electronic media
 - contact between student and staff, 12
- end-of-course (EOC) assessments, 98
- English as a second language, 28, 59
- English learner, 28, 59
- exams. *See* tests.
- expulsion, 126
 - 300 foot rule, 127–28
 - additional misconduct, 132
 - and DAEP placement, 133
 - discretionary, 126–28
 - emergency, 133
 - for serious misbehavior committed while in DAEP, 128
 - length, 131–32
 - mandatory, 129–30

- newly enrolled students, 133
- process, 130–31
- restrictions, 132
- under age six, 130
- under age ten, 130
- withdrawal during process, 132
- extracurricular activities, 60
 - conduct, 61
 - eligibility, 60
 - fees, 61
 - meetings, 94
 - offices and elections for student clubs and organizations, 61
- falsification of records, 109, 173
- fees, 61
 - graduation, 69
 - waivers, 62
- field trips, 94
- fire drills, 91
- firearms exception, 129
- formal removal from class, 113–14
 - returning student to the classroom, 114
- foster care, 115, 116, 119, 126, 131
- foster care liaison, 98
- foster students. *See* students in foster care.
- foundation graduation program
 - endorsements, 65
 - personal graduation plans (PGP), 67

See also graduation programs.
- fraternity, 117, 172
- fundraising, 62
- gang-free zones, 63
- gangs, 117, 168, 172
- gender-based harassment, 51, 106,
 - See also* prohibited behavior.
- grades, 63
 - classification by credits, 63
- grading guidelines, 63
- graduation**, 64
 - activities, 69
 - certificates of coursework completion, 68
 - end-of-course (EOC) assessments, 64
 - expenses, 69
 - individual graduation committee (IGC), 64, 69
 - individualized education program (IEP), 68
 - participation, 104
 - personal graduation plan (PGP)
 - for middle school or junior high, 88
 - under the foundation graduation program, 67
 - programs
 - foundation program, 65
 - requirements, 64
 - student speakers, 69
 - students with disabilities, 68

See also credit; grades; standardized tests.
- grants, 69
- grievances. *See* complaints.
- grooming standards, 56
- Gun Free Schools Act**, 129
- hall pass, 93
- harassment, 51
 - gender-based, 51
 - investigation, 53
 - reporting, 52
 - retaliation, 52
 - sexual, 51
- health instruction, 11
- health-related matters**, 70
 - asbestos, 92
 - pest management, 93
 - physical fitness, 75
 - vending machines, 92
- homeless students, 25
 - diplomas, 25
 - school of origin, 25
- homelessness, 115, 116, 119, 126, 131
- homework
 - electronic and social media, 12
- honors, 35
- human sexuality instruction, 15

curriculum, 15
 removing a child from class, 16
 reviewing materials, 16
 illness
 See also contagious diseases.
 improvised explosive device, 171, 172
 individual graduation committee (IGC)
 graduation, 64, 69
 individualized education program (IEP)
 and eligibility for extracurricular activities, 61
 graduation, 68
 inspections. See searches
 instructional materials, 17, 18
 International Baccalaureate (IB)
 courses, 43
 joint high school and college programs, 43
 juvenile justice alternative education program (JJAEP), 124, 125, 132
 laptops, 57
 laser pointers, 108
 learning difficulties, 25
 leaving campus
 during lunch, 82
 legal guardian
 defined, 8
 liaison for students in conservatorship of the state, 98
 library, 93
 limited English proficiency (LEP). See English learner
 location-restricted knife, 107, 128, 129, 171
 lost and found, 82
makeup work, 82
 for absences, 82
 penalties, 83
 medical emergency, 91, 94
 meditation, 86
 meetings of noncurriculum-related groups, 94
 metal detectors, 95
 military recruiters, 13
 minute of silence, 16, 86
 in observance of September 11, 2001, 86
 mobile phones, 57
 multiple birth siblings, 23
 netbooks, 57
 newspaper (school newspaper), 54
 no pass, no play, 54
 organizations, student. See extracurricular activities.
 parent, 104
 access to student records, 19
 defined, 8
 rights, 10
 volunteering, 103
 parenting and paternity awareness, 11
 parent-teacher conferences, 111
 peace officer. See security personnel
 personal appearance, 56
 personal graduation plan (PGP)
 for middle school or junior high, 88
 under the foundation graduation program, 67
 pest management, 93
 physical activity, 75
 physical examinations, 14
 placement review committee, 114, 124
 plagiarism. See prohibited behavior: cheating.
 pledges of allegiance, 86
 excusing a student from reciting, 16
 police dogs, 95
 police officer. See security personnel
 posting
 of the Student Code of Conduct, 102
 prayer, 86
 preparation for class, 105
 privacy
 and personal telecommunications devices, 57

- on district-owned equipment and networks, 95
- student records, 19, 21
- programs
 - before and after school, 94
- progress reports**, 89
- progressive interventions, 110
- prohibited behavior, 106–10
 - 300 foot rule, 117–18, 127–28
 - aggravated sexual assault, 118
 - alcohol, 118, 127
 - assault, 106, 114, 117, 127, 174
 - at another district, 128
 - blackmail, 107
 - bullying, 106
 - cheating, 109
 - coercion, 106
 - dating violence, 106
 - deadly conduct, 127
 - disclosure or promotion of intimate visual material, 174
 - drugs, 118, 127
 - false accusations, 109
 - false alarm, 117, 127
 - fighting, 106
 - fire extinguishers discharged without cause, 109
 - forgery. See falsification of records.
 - gambling, 109
 - gender-based harassment, 106
 - graffiti, 107
 - harassment, 106
 - hazing, 106
 - hit lists, 106
 - hoaxes, 109
 - inappropriate conduct, 107
 - inciting violence, 109
 - indecent exposure, 106, 118
 - insubordination, 106
 - invasive visual recording, 174
 - leaving school grounds, 106
 - misuse of technology resources**, 108
 - on school buses, 106
 - recording without consent, 107

- repeated offenses, 110
- robbery, 107
- sexual abuse, 106
- sexual assault, 118, 120
- sexual coercion, 174
- sexual harassment, 106
- smuggling or continuous smuggling of persons, 174
- stealing, 107
- terroristic threat, 117, 127, 174
- theft, 107
- threats, 106, 109
- throwing objects, 109
- trafficking of persons, 174
- under the influence, 127
- vandalism, 107
- volatile chemicals, 118, 127
- voyeurism, 174
- prohibited conduct, 50
 - investigation, 53
 - reporting, 52
 - See also bullying; dating violence; discrimination; harassment; hazing; retaliation; sexting; vandalism; video cameras.
- prohibited items
 - air guns, 107
 - alcohol, 130
 - ammunition, 107
 - clubs, 128
 - drugs, 130
 - e-cigarettes, 107, 169
 - firearms, 118, 129
 - fireworks, 107
 - handgun, 129
 - knives, 128, 129
 - lighters, 108
 - mace, 107
 - matches, 108
 - other dangerous items, 107, 108, 128
 - other weapons, 129
 - pepper spray, 107
 - pornography, 107
 - stun guns, 107

tobacco, 107

promotion and retention, 87

personal graduation plan (PGP) for
middle school or junior high, 88

See also credit; grades; standardized tests.

property, 105

protected information, 14

protests. *See* demonstrations.

psychological evaluation, 10

published material

- from students, 54
- school materials, 54

recording

- permission, 11
- without parental consent, 11

religion

- and surveys, 14
- holy days, 30

religious or moral beliefs

- and removal from the classroom, 16

removal from the regular educational setting, 113–14

report cards, 89

- parent's signature, 90
- parent-teacher conferences, 89

See also grades.

respect, 105

restorative discipline practices, 110

retaliation, 52, 118, 127, 130

rights

- parental, 10**
- student, 14

routine referral, 113

safety, 90, 105, 109

- emergency medical treatment and information, 91, 94
- emergency preparedness, 90
- emergency school closing, 91
- fire, tornado, and severe weather drills, 91
- football helmets, 60
- insurance, 90
- on campus, 90
- on district vehicles, 90
- preparedness drills, 91
- student conduct, 90
- UIL rules, 60
- video cameras, 101

SAT/ACT, 96

schedules. *See* class schedules.

scholarships, 69

school closings, 91

school dances, 46

school facilities, 92

- before and after school, 94
- meetings, 94

School Health Advisory Council, 15

SHAC, 79

school resource officer (SRO). *See* security personnel

searches, 94, 104

- desks, 104
- desks and lockers, 95
- district-owned equipment and networks, 95
- drug testing, 96
- lockers, 104
- metal detectors, 95
- personal electronic devices, 57, 58, 95
- trained dogs, 95
- vehicles, 104

secret society, 117, 172

Section 504. *See* students with disabilities., *See* students with disabilities.

security. *See* security personnel, *See* computers

security personnel, 104, 105

self-defense, 115, 116, 119, 126

self-discipline, 105

serious misbehavior, 128

service animals, 24

sex education. *See* human sexuality instruction.

sex offender, 124, 125

appeal of placement as a registered sex offender, 125
 newly enrolled student, 124
 sexting, 58
 sexual abuse, 106, *See also* prohibited behavior.
 sexual abuse of a child, 38
 counseling options, 39
 sexual assault
 campus assignments, 118
 See also prohibited behavior.
 sexual harassment, 51, 106, *See also* prohibited behavior.
 sorority, 117, 172
 special education, 25, 28, 110
 graduation, 68
 special programs, 96
 coordinator, 96
 standardized tests, 96
 end-of-course (EOC) assessments, 98
 English learner, 59
 SAT/ACT, 96
 STAAR, 97
 TSI assessment, 97
 tutoring, 17
 See also **credit; grades; graduation; promotion and retention.**
 standards for student conduct, 105–6
 State of Texas Assessments of Academic Readiness (STAAR), 97
 retaking, 87
 STAAR Alternate 2, 98
 Student Code of Conduct, 8, 17, 55, 57, 58, 59, 61, 90, 93, 100, 101
 student groups, 61, 62, 94
 See also extracurricular activities.
 student handbook
 conflict with Student Code of Conduct, 102
 student illness
 See also contagious diseases.
 student records, 18
 accrediting organizations, 20
 colleges and postsecondary schools, 20
 confidentiality, 19
 copies, 21
 corrections, 21
 court orders, 20
 custodian, 21
 directory information, 12
 driver license attendance verification, 34
 financial aid, 20
 government agencies, 20
 institutions of higher education, 13
 military recruiters, 13
 released with permission, 21
 school officials, 19
 students age 18 or older, 19
 student speakers, 99
 See also graduation, student speakers.
 student work
 display of, 10
 publishing, 10
 students in conservatorship of the state, 24
 students in conservatorship of the state. *See* students in foster care.
 students in foster care, 24, 98
 diplomas for students in conservatorship of the state, 24
 educational services, 98
 enrollment assistance, 98
 enrollment of students in conservatorship of the state, 24
 exemptions to compulsory attendance, 30
 foster care liaison, 98
 students with disabilities, 28, 102, 124
 discipline management techniques, 110
 graduation, 68
 Section 504 of the Rehabilitation Act, 28
 transportation while in DAEP, 121

students with learning difficulties, 25
surveys, 14
 opting out, 14
suspension
 in-school. *See* discipline
 management techniques.
 out-of-school, 111, 114–16
tablets, 57
tardiness, 99
teacher and staff qualifications, 22
technology, 57
 acceptable use of district
 resources, 58
 confiscated devices, 57
 instructional use of personal
 electronic devices, 58
 personal electronic devices, 58
 personal telecommunications
 devices, 57
 prohibited uses of district resources,
 58
 recording still and video images
 prohibited, 57
 searches of personal devices, 57
 unauthorized use, 57
technology resources
 district policy, 108
 See also computers.
test preparation. *See* tutoring.
tests, 17
 confidentiality, 19
 credit by exam, 48
 exams for acceleration or grade
 advancement, 49
 personal electronic devices, 57
 scores, 18
 See also standardized tests.
Texas Success Initiative (TSI)
 assessment, 97
Texas Virtual School Network
 (TXVSN), 43, 54
textbooks, 17
threat assessment, 103
time-out. *See* discipline
 management techniques.

Title 5 offenses. *See* crimes.
top 25 percent, 42
top ten percent, 42
tornado drills, 91
transfers, 99
 campus assignments, 118
 multiple birth siblings, 23
 special education, 28
transportation, 100
 discipline management
 techniques, 111
 rules for conduct, 106
 school-sponsored trips, 100
 while in DAEP, 121
truancy, 31
tutoring, 17
 removal from classroom, 17
 school services, 17
UIL. *See* University Interscholastic
 League.
unexcused absences, 31
university admissions. *See* college
 admissions.
University Interscholastic League
 (UIL), 60
 condition of football helmets, 60
 safety rules, 60
use of school facilities, 94
vandalism, 101
vending machines. *See* health,
 vending machines.
video cameras, 101
visitors, 102
 business, civic, and youth groups,
 102
 career day, 102
 classroom observation, 102
 parents, 102
 patriotic societies, 102
 unauthorized persons, 102
vocational education. *See* career
 and technical education (CTE).
volunteers, 103
voter registration, 103

withdrawing from school, 103

yearbook, 54