

# Agenda of Special Board meeting

## The Board of Trustees

### Marathon ISD

#### *Preparing Each Student for a Successful Future as a Lifelong Learner*

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A Special Board meeting of the Board of Trustees of Marathon ISD will be held August 4, 2021, beginning at 5:00 PM in the Marathon High School Library.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

I. Call Meeting to Order	
II. Pledge of Allegiance to the American and Texas Flags	
III. Moment of Silence	
IV. Public Comment	
V. Discussion of 2021-2022 Budget (board discussion)	3
VI. 2021-2022 District Compensation Plan (board action)	10
VII. Vote on 2021 Proposed Tax Rate (board action)	16
VIII. Schedule and Announce Meeting to Adopt 2021 Budget (board action)	
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X. Certification of 2021 Property Appraisal Roll (board action)	18
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XII. Budget Amendment (board action)	
XIII. Superintendent Report	
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b. Student Performance	
1. TCLAS grant proposal (board action)	
c. Graduation Rate	
d. Staff Quality	
1. Consideration of Employee Handbook (board action)	67
e. Safe and Healthy School Climate	
1. Consideration of Student Handbook/Code of Conduct (board action)	130
f. Fiscal Responsibility and Facilities Management	
1. Consideration of JSA architectural bids for track, telescope building, digital lab, and boys locker room (board action)	290
g. Board/Parent/Community Engagement	
1. Debrief SLI (board discussion)	
2. Consideration of school board/superintendent norms	293
3. School board/superintendent communication--T.H.I.N.K.	294

4. TASB Effective Board Practices--consideration of future school board self-assessment

295

XIV. Upcoming Events

a. Aug. 10-17--Staff development for teachers

Aug. 18--First day of school

Aug. 25--School board meeting (6 pm)

XV. Adjourn

***The Marathon ISD seven-member Board of Trustees is focused on student achievement and the overall success of the school district.***

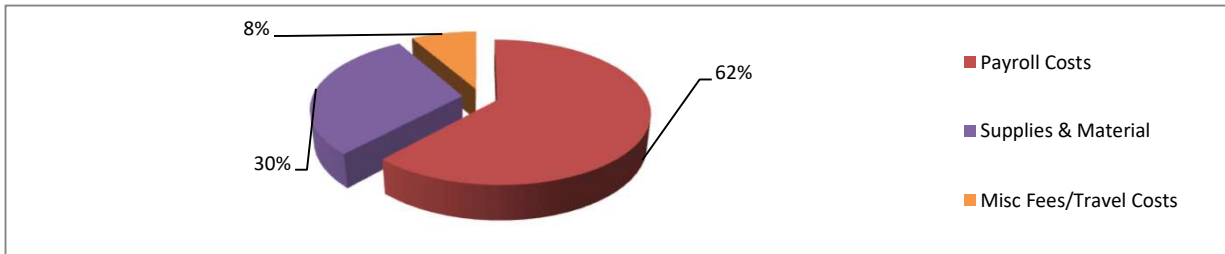
**CONSTRUCTION/FACILITIES/TECHNOLOGY PROJECTS  
ASSIGNED FUND BALANCES - FUND 198**

		2020-2021	2021-2022	Inc/Dec.	% inc/Dec
<b>Revenues</b>					
3700	Fund Balance - Designated for Facilities	\$0	\$35,000		
3700	Fund Balance - Designated for Security	\$6,000	\$0		
		\$6,000	\$35,000	\$29,000	
<b>Appropriations by Function</b>					
51	Facilities	\$0	\$35,000		
52	Security	\$6,000	\$0		
		\$6,000	\$35,000	\$29,000	
<b>Appropriations by Object</b>					
66xx	Capital Improvements	\$6,000	\$35,000		
		\$6,000	\$35,000	\$29,000	483.33%

Phase 1 of Marathon ISD Miscellaneous Projects: Architect Fees  
Services to begin on 9/1/2021

## FOOD SERVICE - FUND 101

<i>Note: 2021-2022 Data Subject to Change by Fiscal Year End</i>	2020-2021	2021-2022	Inc/Dec.	% inc/Dec
<b>Revenues</b>				
59XX - Federal Revenues	\$7,500	\$9,000		
79XX - Other Resources /General Fund Transfer In	\$15,027	\$10,229		
	\$22,527	\$19,229	-\$3,298	-14.64%
<b>Appropriations by Function</b>				
Function 35-Food Service	\$22,527	\$19,229		
	\$22,527	\$19,229	-\$3,298	-14.64%
<b>Appropriations by Object</b>				
61XX - Payroll Costs	\$14,927	\$11,629		
63XX - Supplies & Material	\$5,800	\$6,000		
64XX - Misc Fees/Travel Costs	\$1,800	\$1,600		
	\$22,527	\$19,229	-\$3,298	-14.64%



**School Breakfast Program - Breakfast Offered Daily! Free to Students of MISD**

Students are provided with a free breakfast meal as per the federally funded Universal Breakfast Program.

***District funds used to supplement School Breakfast Program***

2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
\$1,035	\$0	\$5,524	\$6,816	\$2,175	\$12,026	\$13,941	\$15,027	\$10,229
No Salary Costs	No Salary Costs	Salary + Minimal Cost	Salary + Costs	Salary + Costs	Salary + Costs	Salary + Costs	Salary + Costs Budgeted	Salary + Costs Projected

## GENERAL MAINTENANCE, FUND 199 ESTIMATED REVENUES

Estimated Revenues		Estimated Revenues			
		2020-2021 Budget	2021-2022 Proposed	Inc/Dec	% Inc/Dec
<i>2020-2021 Data to change by year end</i>					
571X	Property Tax Revenue	\$1,039,787	\$1,075,786		
5742	Interest Earnings	\$7,575	\$3,100		
5743	Rent/Teacherage	\$6,000	\$6,000		
5744	Donations	\$209	\$0		
5749	Miscellaneous	\$1,000	\$500		
<b>Total Local Revenues</b>		<b>\$1,054,571</b>	<b>\$1,085,386</b>		
5811	Available School Funds/Per Capita	\$23,903	\$22,726		
5812	Foundation School Program	\$616,663	\$547,042	\$581,985	(\$34,943)
5831	TRS On Behalf - Flow Thru w/6144	\$81,471	\$80,596		
<b>Total State Revenues</b>		<b>\$722,037</b>	<b>\$650,364</b>		
59XX - Federal Revenues (MAC/SHARS)		\$20,000	\$30,000		
<b>Total Estimated Revenues</b>		<b>\$1,796,608</b>	<b>\$1,765,750</b>	<b>-\$30,858</b>	<b>-1.75%</b>
37XX - Prior Year Funds/Purchase/Brown Foundation		<b>\$12,202</b>			
		<b>\$1,808,810</b>			

### State Revenue Special Program Allocation

	Career & Technology	\$13,687	\$82,465
	College, Career, or Military Readir	\$11,000	
	Dyslexia	\$1,232	
	Early Education	\$9,010	
	Gifted & Talented	\$1,193	
	Special Education	\$8,579	
	Decreased from \$24,952		
	State Compensatory	\$37,226	
	School Safety Allotment	\$538	

This is a breakdown showing TEA's requirement on the amount of state funds that MISD must spend towards the identified special programs.

(\$45,368 to \$15,597 = \$29,771 anticipated loss in funding)

**Appropriations by Function & Object**

<b>By Function:</b>	<b>Amount</b>	<b>Percentage</b>	<b>By Object:</b>	<b>Amount</b>	<b>Percentage</b>
11-Instruction	\$864,645	48.97%	61XX - Payroll Costs	\$1,248,896	70.73%
12-Media Services	\$2,123	0.12%	62XX - Professional Services	\$286,163	16.21%
13-Professional Development	\$3,076	0.17%	63XX - Supplies & Material	\$89,027	5.04%
23-Campus Administration	\$123,851	7.01%	64XX - Misc Fees/Travel Costs	\$108,022	6.12%
31-Counseling Services	\$42,336	2.40%	65XX - Lease Payment/School B	\$23,413	1.33%
33-Health Services	\$10,100	0.57%	66XX - Capital Assets/Bus	\$0	0.00%
34-Transportation Services	\$17,418	0.99%	89XX - Transfer Out	\$10,229	0.58%
36-Ex/Co-Curricular	\$66,105	3.74%		<b>\$1,765,750</b>	<b>100%</b>
41-District Administration	\$249,313	14.12%	<b>Reporting Requirement - SB622</b>		
51-Facilities	\$187,097	10.60%	<b>Legally-Required Public Notices</b>	<b>2020-2021</b>	<b>2021-2022</b>
52-Security and Monitoring	\$5,605	0.32%	6491-701 Superintendent's Offi	\$ 1,500	\$ 1,000
53-Data Processing/Technology	\$119,303	6.76%	6491-702 Board of Trustees	\$ 500	\$ 250
61-Parental Involvement	\$1,000	0.06%	6491-750 Business Office	\$ 1,500	\$ 1,500
71-Debt Services	\$23,413	1.33%		\$ 3,500	\$ 2,750
91 - Recapture Payment to TEA	\$0	0.00%	<b>Advocacy - Lobbying</b>		
93-Payments to Fiscal Agents	\$4,920	0.28%	6214-701 Superintendent's Offi	\$ 25	\$ 25
99-Appraisal District	\$35,216	1.99%		\$ 3,525	\$ 2,775
00-Transfer Out	\$10,229	0.58%			
<b>Total</b>	<b>\$1,765,750</b>	<b>100%</b>			

## Appropriations Comparison Report

By Function: Note 2020-2021 data subject to change at year end	2020-2021	2021-2022	Inc/Dec	% Inc/Dec
11-Instruction	\$950,346	\$864,645	-\$85,701	
12-Media Services	\$3,965	\$2,123	-\$1,842	
13-Professional Development	\$8,488	\$3,076	-\$5,412	
23-Campus Administration	\$115,769	\$123,851	\$8,082	
31-Counseling Services	\$5,682	\$42,336	\$36,654	
33-Health Services	\$12,150	\$10,100	-\$2,050	
34-Transportation Services	\$15,746	\$17,418	\$1,672	
36-Ex/Co-Curricular	\$56,438	\$66,105	\$9,667	
41-District Administration	\$236,267	\$249,313	\$13,046	
51-Facilities	\$201,357	\$187,097	-\$14,260	
52-Security and Monitoring	\$5,000	\$5,605	\$605	
53-Technology	\$114,719	\$119,303	\$4,584	
61-Community Involvement	\$1,000	\$1,000	\$0	
71-Debt Services	\$23,413	\$23,413	\$0	
91 - Recapture Payment to TEA	\$0	\$0	\$0	
93-Payments to Fiscal Agents	\$6,800	\$4,920	-\$1,880	
99-Other Payments	\$36,643	\$35,216	-\$1,427	
00-Transfer Out	\$15,027	\$10,229	-\$4,798	
	<b>\$1,808,810</b>	<b>\$1,765,750</b>	<b>-\$43,060</b>	<b>-2.38%</b>

By Object: Note 2020-2021 data subject to change at year end	2020-2021	2021-2022	Inc/Dec	% Inc/Dec
61XX - Payroll Costs	\$1,279,974	\$1,248,896	-\$31,078	
62XX - Professional Services	\$286,262	\$286,163	-\$99	
63XX - Supplies & Material	\$94,288	\$89,027	-\$5,261	
64XX - Misc Fees/Travel Costs	\$109,846	\$108,022	-\$1,824	
65XX - Capital Lease	\$23,413	\$23,413	\$0	
89XX - Transfer Out	\$15,027	\$10,229	-\$4,798	
	<b>\$1,808,810</b>	<b>\$1,765,750</b>	<b>-\$43,060</b>	<b>-2.38%</b>

### Projected Budget Deficit/Surplus

	<b>2021-2022</b>
Estimated Revenues	\$1,765,750
Projected Appropriations	\$1,765,750
Fund Balance Impact (Surplus/Deficit)	<b>\$0</b>
	<i>Balanced Budget</i>

**Special Programs - TEA Required Allotments/Program Intent Codes (PIC)**

	<b>Allotment</b>	<b>Expenditure Requirement</b>	<b>Percentage</b>	<b>Program Budget</b>	
PIC 21: Gifted and Talented	\$1,193	\$1,193	100%	\$1,200	Meets State Expenditure Requirement
PIC 22: Career & Technical Education	\$24,885	\$13,687	55%	\$29,818	Meets State Expenditure Requirement
PIC 23: Special Education	\$15,597	\$8,579	55%	\$56,331	Meets State Expenditure Requirement
PIC 30: State Compensatory Education	\$67,683	\$37,226	55%	\$106,559	Meets State Expenditure Requirement
PIC 36: Early Education (PK-3) Reading/Math	\$9,010	\$9,010	100%	\$9,281	Meets State Expenditure Requirement <sup>8</sup>
PIC 37: Dyslexia	\$1,232	\$1,232	100%	\$7,169	Meets State Expenditure Requirement
PIC 38: College Career & Military Readiness	\$11,000	\$11,000	100%	<b>\$39,240</b>	Meets State Expenditure Requirement

**MARATHON INDEPENDENT SCHOOL DISTRICT  
General Maintenance Fund Balance  
2020-2021 Fiscal Year**

<b>2019-2020 (Prior Year) Closing Balances</b>		<b>2020-2021 Approved</b>
<i>9/1/2020 Beginning Balance</i>	<b>Committed Fund Balance - Construction</b>	<b>\$925,000</b>
	2020-2021 Projects Costs	\$0
	Balance	<b>\$925,000</b>
<i>9/1/2020 Beginning Balance</i>	<b>Committed Fund Balance - Furniture/Equipment</b>	<b>\$75,000</b>
	2020-2021 Projects Costs	\$0
	Balance	<b>\$75,000</b>
<i>9/1/2020 Beginning Balance</i>	<b>Committed Fund Balance - Security</b>	<b>\$125,000</b>
	2020-2021 Projects Costs	-\$6,000
	Balance	<b>\$119,000</b>
<i>9/1/2020 Beginning Balance</i>	<b>Committed Fund Balance - Technology</b>	<b>\$225,000</b>
	2020-2021 Projects Costs	
	Balance	<b>\$225,000</b>
<i>9/1/2020 Beginning Balance</i>	<b>Undesignated Fund Balance</b>	<b>\$512,213</b>
<b>Final</b>	<b>Total Fund Balance as of August 31, 2020</b>	<b>\$1,856,213</b>

**Professional Contract Employment: Teachers/Counselors/Administrators Exempt/FLSA**

		2021-2022							
Name Hire Date: MM/YR Yrs w/MISD 20-21 EOY	Position	YRS EXP	DAYS	Contract Salary	\$2500 RTP Pre 19-20 Emp	Stipend Mon/Disb	Total Salary Paid on a monthly basis	Ex Duty Varies	Combined Total Pay
Peppers, Amanda	Teacher	0	184	\$36,000	\$0	\$0	\$36,000	\$0	\$36,000
08/2021									
0									
Barlow, Melissa	Teacher	25	184	\$56,000	\$2,500	\$0	\$58,500	\$0	\$58,500
08/2013									
8/MISD 25/Total									
Garcia, Jacob	Teacher/Coach	1	184	\$36,500	\$0	\$0	\$36,500	\$8,500	\$45,000
08/2019	Cross County							\$2,000	
2/MISD2/Total	Basketball HS							\$2,000	
	Basketball JH							\$1,500	
	Golf							\$1,500	
1/Teacher Aide	Track/ JH or HS							\$1,500	
Note: Coaching stipends are contingent on actual participation. If there are not enough players for a team, no stipend will be issued for that sport. Stipend may be prorated if less than half of the season is not played.									
Hernandez, Pauline	Teacher	14	184	\$51,000	\$0	\$2,000	\$53,000	\$0	\$53,000
08/2019	Master's Degree						\$2,000		
2/MISD 14/Total									
Hunt, Audra	Teacher	17	184	\$54,000	\$2,500	\$0	\$56,500	\$0	\$56,500
08/2017									
4/MISD 17/Total									
Jarrell, Travis	Teacher	16	184	\$53,000	\$2,500	\$2,000	\$57,500	\$0	\$57,500
08/2006 R 9/2012	Masters Stipend						\$2,000		
9/MISD 16/Total									
Newton, John	Teacher	2	184	\$37,000	\$0	\$2,000	\$39,000	\$0	\$39,000
8/2021	Masters						\$2,000		
0/MISD 3/Total									

**Professional Contract Employment: Teachers/Counselors/Administrators Exempt/FLSA**

		2021-2022							
Name Hire Date: MM/YR Yrs w/MISD 20-21 EOY	Position	YRS EXP	DAYS	Contract Salary	\$2500 RTP Pre 19-20 Emp	Stipend Mon/Disb	Total Salary Paid on a monthly basis	Ex Duty Varies	Combined Total Pay
Novosad, Neal	Teacher	24	184	\$56,000	\$2,500	\$2,000	\$60,500	\$0	\$60,500
8/2003	Masters					\$2,000			
18/MISD 24/Total									
Pinedo, Monica	Teacher	23	184	\$56,000	\$0	\$2,000	\$58,000	\$0	\$58,000
08/2019	Masters Stipend					\$2,000			
2/MISD 23/Total									
Raybun, Lisa	Teacher	12	184	\$49,000	\$0	\$0	\$49,000	\$0	\$49,000
9/2019									
2/MISD 12/Total									
Rivera, Jasmine	Teacher/Coach	2	184	\$37,000	\$0	\$0	\$37,000	\$10,000	\$47,000
1/2019	Volleyball/JH							\$1,500	
3/MISD 3/Total	Volleyball/HS							\$1,500	
	Basketball/JH							\$1,500	
	Basketball/HS							\$2,000	
	Track/JH or HS							\$1,500	
1/TA 1/TCHR	Tennis JH/HS						\$2,000		
12 Month Contract 221 Days									
Price, Peter	Superintendent	39	221	\$102,000	\$0	\$0	\$102,000	\$0	\$102,000
6/2020									
1/MISD 39 Total									
12 Month Contract 221 Days									
Sanchez, Victoria	Business Manager	33	221	\$80,431	\$0	\$0	\$80,431	\$0	\$80,431
12/2016									
5/MISD 33/Total									

Note: Coaching stipends are contingent on actual participation. If there are not enough players for a team, no stipend will be issued for that sport. Stipend may be prorated if less than half of the season is not played.

Note: Recommended by Peter Price - Competitive Salary Restructure as per TASB Salary Survey (increase from \$70,431 to \$80,431)

VACANT POSITIONS: Principal (1/2 Time), Counselor (1/2 Time)

**At-Will Employment: Paraprofessional/Auxiliary Staff - Hourly NonExempt (FLSA)**

		2021-2022							
Name Hire Date: MM/YR Yrs w/MISD 20-21 EOY	Position	YRS EXP	DAYS	Hours per Day	Hourly Rate	Daily Rate	Total Salary Paid on a monthly basis	Other	Combined Total Pay
Gonzales, Ruben	Grounds/Facilities	8	200	4	\$19.50	\$78.00	\$15,600	\$0.00	\$15,600
8/2013 8/MISD 8/Total	(Half-Time)								
Gonzalez, Jacobina	Secretary/PEIMS	29	215	8	\$29.09	\$232.72	\$50,035	\$0.00	\$50,035
8/1992 29/MISD 29/Totals									
Hernandez, Candelari	Custodian/Facilities	21	215	8	\$15.90	\$127.20	\$27,348	\$0.00	\$27,348
8/1998 R 5/2009 21/MISD 21/Total									
Salmon, Consuelo	Ins. Aide/Food Srvc	23	182	8	\$20.94	\$167.52	\$30,489	\$0.00	\$30,489
8/1997 23/MISD 23/Total									

2020-2021 TASB Salary Survey					
Organization	0-Year Salary	5-Year Salary	10-Year Salary	15-Year Salary	20-Year Salary
Fort Stockton ISD	\$45,500	\$48,000	\$51,020	\$55,200	\$59,250
Terrell County ISD	\$41,300	\$43,785	\$47,085	\$51,485	\$55,485
McCamey ISD	\$40,500	\$44,200	\$49,545	\$54,260	\$57,560
Culberson County-	\$40,277	\$44,003	\$51,325	\$56,875	\$61,064
Buena Vista ISD	\$39,660	\$44,980	\$52,230	\$57,810	\$62,140
Presidio ISD	\$38,750	\$40,150	\$45,630	\$50,710	\$54,540
Rankin ISD	\$38,010	\$43,230	\$49,980	\$55,060	\$58,890
Marfa ISD	\$36,500	\$41,750	\$45,630	\$50,710	\$55,040
Marathon ISD (184)+ Inc	\$36,000	\$40,000	\$47,000	\$52,000	\$56,000
San Vicente ISD	\$35,343	\$44,010	\$49,710	\$56,866	\$62,449
Alpine ISD	\$35,190	\$39,856	\$46,326	\$51,344	\$55,215
Marathon ISD (184)	\$34,535	\$39,813	\$46,637	\$51,773	\$55,645
Iraan-Sheffield ISD	\$33,725	\$38,900	\$45,650	\$50,725	\$54,540
Fort Davis ISD	\$33,660	\$38,880	\$45,630	\$50,710	\$54,540
Valentine ISD	\$33,660	\$38,880	\$45,630	\$50,710	\$54,540
Valentine ISD pays \$1,000 more per pay step for teacher's with a Master's degree.					
Note: Marathon ISD also provide a \$2500 supplement for teachers hired prior to May 2019. (There are currently four teachers receiving the supplement.)					

Step	Daily Rate	Annual Salary 10 Months 184 Days	Step	No. of Employees	\$2,500 x No of Teachers	2020-2021 Former Pay Scale	No. of Employees	2021-2022	No. of Employees	2022-2023	No. of Employees	2023-2024	No. of Employees	2024-2025	No. of Employees	2025-2026	
0	\$195.652	\$36,000	0	1	\$0.00	\$34,160.00	1	\$36,000.00									
1	\$198.370	\$36,500	1	1	\$0.00	\$34,890.00	1	\$36,500.00	1	\$36,500.00							
2	\$201.087	\$37,000	2	1	\$0.00	\$35,600.00	2	\$74,000.00	1	\$37,000.00	1	\$37,000.00					
3	\$203.804	\$37,500						JF	2	\$75,000.00	1	\$37,500.00	1	\$37,500.00			
4	\$206.522	\$38,000							JF	2	\$76,000.00	1	\$38,000.00	1	\$38,000.00		
5	\$217.391	\$40,000									JF	2	\$80,000.00	1	\$40,000.00		
6	\$225.543	\$41,500											JF	2	\$83,000.00		
7	\$233.696	\$43,000															
8	\$241.848	\$44,500															
9	\$250.000	\$46,000															
10	\$255.435	\$47,000															
11	\$260.870	\$48,000	11	2	\$0.00	\$94,540.00											
12	\$266.304	\$49,000				JG	2	\$98,000.00									
13	\$271.739	\$50,000	13	1	\$0.00	\$49,350.00		JG	2	\$100,000.00							
14	\$277.174	\$51,000					1	\$51,000.00		JG	2	\$102,000.00					
15	\$282.609	\$52,000	15	1	\$2,500.00	\$53,710.00			1	\$52,000.00		JG	2	\$104,000.00			
16	\$288.043	\$53,000	16	1	\$2,500.00	\$54,570.00		1	\$55,500.00		1	\$53,000.00		JG	2	\$106,000.00	
17	\$293.478	\$54,000					1	\$56,500.00		1	\$56,500.00		1	\$54,000.00			
18	\$296.196	\$54,500							1	\$57,000.00		1	\$57,000.00		1	\$54,500.00	
19	\$298.913	\$55,000								1	\$57,500.00		1	\$57,500.00			
20/20+	\$304.348	\$56,000	20	1	\$0.00	\$55,040.00		1	\$56,000.00		1	\$56,000.00		1	\$56,000.00	1	\$56,000.00
20/20+	\$304.348	\$56,000	20	2	\$5,000.00	\$115,080.00		2	\$117,000.00		2	\$117,000.00		3	\$175,500.00	4	\$234,000.00
				11		\$526,940.00		12	\$580,500.00		12	\$593,000.00		12	\$602,500.00	12	\$611,500.00
								\$53,560.00		\$6,500.00		\$6,000.00		\$9,500.00		\$9,000.00	

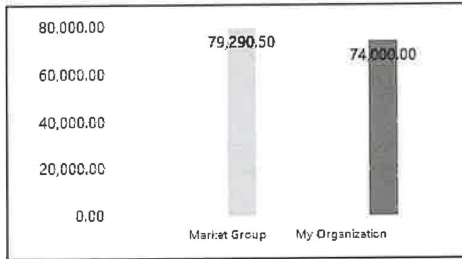
(1 extra teacher)

Note: Does not include principal or counselor positions

# TASB HR Services Report

Market Group	14	318	1	226	\$65,993.00	\$99,091.28	\$70,960.00	\$79,290.50	\$89,260.00
Comparison to Market (%)									93.3%
Dollar Difference (\$)									(\$5,290.50)

Data Selection Criteria  
 Enrollment: All  
 ESC Region: 18  
 Effective School Year: 2020-21



## Director of Finance/Business Manager

Organization	ESC	Enrollment	Staff Count	Duty Days	Duty Hours	Pay Range Minimum	Pay Range Maximum	Average Pay
Alpine ISD	18	984	1	226	8.00	\$71,755.98	\$99,091.28	\$73,942.80
Big Spring ISD	18	3,728	1	226	8.00			\$73,840.00
Buena Vista ISD	18	240	1	226				\$76,661.00
Fort Davis ISD	18	201	1	220	7.00	\$41,500.00	\$54,129.00	\$52,952.00
Fort Stockton ISD	18	2,211	1	234	8.00			\$96,885.00
Glasscock County ISD	18	293	1	224	8.00	\$40,000.00	\$83,000.00	\$55,929.00
Iraan-Sheffield ISD	18	340	1	226	8.00	\$68,688.00	\$103,032.00	\$92,700.00
Marfa ISD	18	281	1	230				\$45,534.00
McCamey ISD	18	516	1	226	8.00			\$81,920.00
Midland ISD	18	25,207	1	236	8.00	\$87,522.00	\$125,157.00	\$90,148.00
Presidio ISD	18	1,047	1	226	7.50			\$101,726.00
Rankin ISD	18	296	1	226	8.00	\$64,000.00	\$103,536.00	\$86,596.00
San Vicente ISD	18	5	1	215	8.00			\$70,000.00
Terrell County ISD - Sandersen	18	125	1	226	7.00	\$65,993.00	\$94,966.00	\$85,528.00

Estimated Years Exp

0 yrs Exp

8?

1 yr

5?

?

? 5 as BM  
 9 yrs ?

Source: 2020 TASB District Personnel Salary Survey  
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6/16/2021 1:47:17 PM

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\* This is a % of Supt. Salary or Asst/Business Specialist - Mr. Aguero is Supt/BM

MISD

BM - 34 years Experience  
 19 yrs BMgr + 15 yrs Bus. Asst + Supt Secy

2020-2021 Salary: \$70,431

**VOTE ON PROPOSED 2020 TAX RATE**  
**Special Board Meeting of the Marathon ISD Board of Trustees**  
**August 4, 2021**

Proposed 2021 Tax Rate:

General Maintenance & Operations: \$ 0.979/per \$100 valuation

In Favor:

Opposed:

Absent:

**SCHEDULE AND ANNOUNCE PUBLIC MEETING TO DISCUSS THE 2021-2022 ADOPTED BUDGET AND  
PROPOSED 2021 TAX RATE**

Public Meeting to be held on Wednesday, August 25, 2021, at 6:00 P.M., in the Library/Board Meeting Room, located at 109 N. 5<sup>th</sup> Street, Marathon, TX 79842.

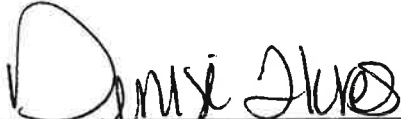
**CERTIFICATION 2021 APPRAISAL ROLL FOR  
MARATHON ISD**

“I Denise Flores, Chief Appraiser for the Brewster County Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Brewster County Central Appraisal District which lists property taxable by Marathon ISD and constitutes the appraisal roll for Marathon ISD”

**2021 Appraisal Roll Information**

Total Appraised Value	\$123,237,671
Total Assessed Value	\$119,763,554
Net Taxable Value	\$112,098,357
Freeze Adjusted Taxable*	\$107,190,104
Number of Accounts	<u>1,541</u>
Value Under Protest	\$478,461

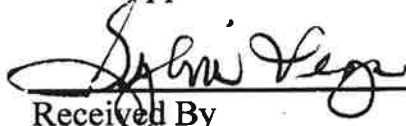
*Number of Accounts that have a Ceiling	<u>74</u>
*Actual Tax from Accounts that have a Ceiling	<u>\$30,492.95</u>



Chief Appraiser

7/21/21

Date



Received By

7/21/2021

Date

## 2021 CERTIFIED TOTALS

Property Count: 1,541

23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:20PM

Land		Value			
Homesite:		8,052,606			
Non Homesite:		4,999,368			
Ag Market:		424,066,737			
Timber Market:		0	<b>Total Land</b>	(+) 437,118,711	
Improvement		Value			
Homesite:		43,861,677			
Non Homesite:		5,690,198	<b>Total Improvements</b>	(+) 49,551,875	
Non Real		Count	Value		
Personal Property:	64		43,931,284		
Mineral Property:	5		9,900		
Autos:	0		0	<b>Total Non Real</b>	(+) 43,941,184
			<b>Market Value</b>	= 530,611,770	
Ag		Non Exempt	Exempt		
Total Productivity Market:	424,066,737		0		
Ag Use:	16,692,638		0	<b>Productivity Loss</b>	(-) 407,374,099
Timber Use:	0		0	<b>Appraised Value</b>	= 123,237,671
Productivity Loss:	407,374,099		0	<b>Homestead Cap</b>	(-) 3,474,117
				<b>Assessed Value</b>	= 119,763,554
				<b>Total Exemptions Amount (Breakdown on Next Page)</b>	(-) 7,665,197
				<b>Net Taxable</b>	= 112,098,357

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count			
DP	646,011	367,671	2,921.78	3,313.06	8			
OV65	6,723,063	4,540,582	27,571.17	28,325.08	66			
<b>Total</b>	<b>7,369,074</b>	<b>4,908,253</b>	<b>30,492.95</b>	<b>31,638.14</b>	<b>74</b>	<b>Freeze Taxable</b>	(-) 4,908,253	
<b>Tax Rate</b>	<b>1.051600</b>							
						<b>Freeze Adjusted Taxable</b>	= 107,190,104	

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 1,157,704.08 = 107,190,104 \* (1.051600 / 100) + 30,492.95

Certified Estimate of Market Value: 530,520,949  
 Certified Estimate of Taxable Value: 112,007,536

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

**2021 CERTIFIED TOTALS**

Property Count: 1,541

23 - Marathon ISD  
Grand Totals

7/21/2021

3:49:21PM

**Exemption Breakdown**

Exemption	Count	Local	State	Total
DP	8	0	68,340	68,340
DV2	1	0	1,000	1,000
DV3	1	0	5,000	5,000
DV4	5	0	58,933	58,933
EX-XV	47	0	3,007,212	3,007,212
EX366	2	0	558	558
HS	160	0	3,851,239	3,851,239
OV65	75	0	672,915	672,915
<b>Totals</b>		<b>0</b>	<b>7,665,197</b>	<b>7,665,197</b>

**2021 CERTIFIED TOTALS**

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:21PM

**State Category Breakdown**

State Code Description	Count	Acres	New Value	Market Value	Taxable Value
A SINGLE FAMILY RESIDENCE	3	31.1900	\$87,977	\$478,461	\$418,461
<b>Totals</b>		31.1900	\$87,977	\$478,461	\$418,461

**2021 CERTIFIED TOTALS**

Property Count: 1,541

23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:21PM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	SINGLE FAMILY RESIDENCE	396	132.0984	\$1,616,071	\$33,372,784	\$25,706,334
B	MULTIFAMILY RESIDENCE	1		\$0	\$21,513	\$21,513
C1	VACANT LOTS AND LAND TRACTS	252	116.9524	\$0	\$2,879,576	\$2,874,576
D1	QUALIFIED OPEN-SPACE LAND	289	1,277,760.2738	\$0	\$424,066,737	\$16,681,705
D2	IMPROVEMENTS ON QUALIFIED OP	11		\$0	\$473,669	\$473,669
E	RURAL LAND, NON QUALIFIED OPE	536	28,489.7420	\$0	\$15,218,771	\$14,840,140
F1	COMMERCIAL REAL PROPERTY	54	111.6667	\$48,238	\$7,229,726	\$7,229,726
G1	OIL AND GAS	5		\$0	\$9,900	\$9,900
J3	ELECTRIC COMPANY (INCLUDING C	1		\$0	\$351,280	\$351,280
J4	TELEPHONE COMPANY (INCLUDI	12		\$0	\$2,461,646	\$2,461,646
J5	RAILROAD	1		\$0	\$38,806,520	\$38,806,520
J7	CABLE TELEVISION COMPANY	2		\$0	\$9,320	\$9,320
J8	OTHER TYPE OF UTILITY	2		\$0	\$349,030	\$349,030
L1	COMMERCIAL PERSONAL PROPE	40		\$0	\$1,467,516	\$1,467,516
L2	INDUSTRIAL AND MANUFACTURIN	1		\$0	\$513,470	\$513,470
M1	TANGIBLE OTHER PERSONAL, MOB	16		\$0	\$372,542	\$302,012
X	TOTALLY EXEMPT PROPERTY	49	468.3914	\$2,015	\$3,007,770	\$0
<b>Totals</b>		<b>1,307,079.1247</b>		<b>\$1,666,324</b>	<b>\$530,611,770</b>	<b>\$112,098,357</b>

**2021 CERTIFIED TOTALS**

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:21PM

**CAD State Category Breakdown**

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	2	31.1900	\$87,977	\$373,960	\$338,960
A2	SINGLE FAMILY RESIDENCE (MH)	1		\$0	\$104,501	\$79,501
	<b>Totals</b>		31.1900	\$87,977	\$478,461	\$418,461

**2021 CERTIFIED TOTALS**

Property Count: 1,541

23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:21PM

**CAD State Category Breakdown**

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	348	115.6384	\$1,412,611	\$30,250,770	\$23,413,930
A2	SINGLE FAMILY RESIDENCE (MH)	52	16.4600	\$203,460	\$3,122,014	\$2,292,404
B1	MULTIFAMILY RESIDENCE	1		\$0	\$21,513	\$21,513
C1	VACANT LOT	223	42.2024	\$0	\$2,430,918	\$2,425,918
C2	VACANT LOT	1	2.8100	\$0	\$27,125	\$27,125
C3	VACANT LOT	20	25.7800	\$0	\$66,197	\$66,197
C4	VACANT LOT	4	9.5700	\$0	\$26,026	\$26,026
C6	VACANT LOT	4	36.5900	\$0	\$329,310	\$329,310
D1	QUALIFIED AG LAND	292	1,279,119.1938	\$0	\$424,576,333	\$17,191,301
D2	IMPROVEMENTS ON QUALIFIED AG L	11		\$0	\$473,669	\$473,669
E1	FARM OR RANCH IMPROVEMENT	81	1,297.4000	\$0	\$10,763,427	\$10,480,479
E2	FARM OR RANCH IMPROVEMENT	6	1.0000	\$0	\$219,294	\$168,260
E3	NON QUALIFIED LAND	446	25,832.4220	\$0	\$3,726,454	\$3,681,805
F1	COMMERCIAL REAL PROPERTY	54	111.6667	\$48,238	\$7,229,726	\$7,229,726
G1	OIL AND GAS	5		\$0	\$9,900	\$9,900
J3	ELECTRIC COMPANY (INCLUDING CC	1		\$0	\$351,280	\$351,280
J4	TELEPHONE COMPANY (INCLUDING I	12		\$0	\$2,461,646	\$2,461,646
J5	RAILROAD	1		\$0	\$38,806,520	\$38,806,520
J7	CABLE TV COMPANY	2		\$0	\$9,320	\$9,320
J8	OTHER TYPE OF UTILITY	2		\$0	\$349,030	\$349,030
L1	COMMERCIAL PERSONAL PROPER	40		\$0	\$1,467,516	\$1,467,516
L2	INDUSTRIAL PERSONAL PROPERTY	1		\$0	\$513,470	\$513,470
M1	TANGIBLE OTHER PERSONAL, MOBI	16		\$0	\$372,542	\$302,012
X	TOTALLY EXEMPT PROPERTY	49	468.3914	\$2,015	\$3,007,770	\$0
<b>Totals</b>		<b>1,307,079</b>	<b>1,247</b>	<b>\$1,666,324</b>	<b>\$530,611,770</b>	<b>\$112,098,357</b>

**2021 CERTIFIED TOTALS**

Property Count: 1,541

23 - Marathon ISD  
Effective Rate Assumption

7/21/2021 3:49:21 PM

**New Value**

TOTAL NEW VALUE MARKET: \$1,666,324  
TOTAL NEW VALUE TAXABLE: \$1,608,855

**New Exemptions**

Exemption	Description	Count	2020 Market Value	Exemption Amount
EX366	HB366 Exempt	1		\$868
<b>ABSOLUTE EXEMPTIONS VALUE LOSS</b>				<b>\$868</b>

Exemption	Description	Count	Exemption Amount
DV4	Disabled Veterans 70% - 100%	1	\$10,933
HS	Homestead	5	\$125,000
OV65	Over 65	4	\$40,000
<b>PARTIAL EXEMPTIONS VALUE LOSS</b>			<b>\$175,933</b>
<b>NEW EXEMPTIONS VALUE LOSS</b>			<b>\$176,801</b>

**Increased Exemptions**

Exemption	Description	Count	Increased Exemption Amount
<b>INCREASED EXEMPTIONS VALUE LOSS</b>			
<b>TOTAL EXEMPTIONS VALUE LOSS</b>			<b>\$176,801</b>

**New Ag / Timber Exemptions**

**New Annexations**

**New Deannexations**

**Average Homestead Value**

Category A and E

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
156	\$123,258	\$46,505	\$76,753
Category A Only			

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
147	\$124,440	\$47,570	\$76,870

**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
3	\$478,461.00	\$327,640

## 2021 FREEZE TOTALS

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:23PM

Property Count: 1

Land			Value		
Homesite:			22,619		
Non Homesite:			0		
Ag Market:			0		
Timber Market:			0	<b>Total Land</b>	(+) 22,619
Improvement			Value		
Homesite:			120,138		
Non Homesite:			0	<b>Total Improvements</b>	(+) 120,138
Non Real		Count	Value		
Personal Property:	0		0		
Mineral Property:	0		0		
Autos:	0		0	<b>Total Non Real</b>	(+) 0
				<b>Market Value</b>	= 142,757
Ag	Non Exempt	Exempt			
Total Productivity Market:	0	0			
Ag Use:	0	0	<b>Productivity Loss</b>	(-)	0
Timber Use:	0	0	<b>Appraised Value</b>	=	142,757
Productivity Loss:	0	0	<b>Homestead Cap</b>	(-)	0
				<b>Assessed Value</b>	= 142,757
				<b>Total Exemptions Amount (Breakdown on Next Page)</b>	(-) 35,000
				<b>Net Taxable</b>	= 107,757

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count			
OV65	142,757	107,757	810.63	810.63	1			
<b>Total</b>	<b>142,757</b>	<b>107,757</b>	<b>810.63</b>	<b>810.63</b>	<b>1</b>	<b>Freeze Taxable</b>	(-) 107,757	
<b>Tax Rate</b>	<b>1.051600</b>							

**Freeze Adjusted Taxable = 0**

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 810.63 = 0 \* (1.051600 / 100) + 810.63

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

### 2021 FREEZE TOTALS

#### Exemption Breakdown

Exemption	Count	Local	State	Total
HS	1	0	25,000	25,000
OV65	1	0	10,000	10,000
	<b>Totals</b>	<b>0</b>	<b>35,000</b>	<b>35,000</b>

## 2021 FREEZE TOTALS

23 - Marathon ISD  
Grand Totals

Property Count: 74

7/21/2021

3:49:23PM

Land	Value			
Homesite:	950,624			
Non Homesite:	2,075			
Ag Market:	55,815			
Timber Market:	0	<b>Total Land</b>	(+)	1,008,514
<hr/>				
Improvement	Value			
Homesite:	7,696,909			
Non Homesite:	0	<b>Total Improvements</b>	(+)	7,696,909
<hr/>				
Non Real	Count	Value		
Personal Property:	0	0		
Mineral Property:	0	0		
Autos:	0	0	<b>Total Non Real</b>	(+)
			<b>Market Value</b>	=
				0
				8,705,423
<hr/>				
Ag	Non Exempt	Exempt		
Total Productivity Market:	55,815	0		
Ag Use:	1,446	0	<b>Productivity Loss</b>	(-)
Timber Use:	0	0	<b>Appraised Value</b>	=
Productivity Loss:	54,369	0		8,651,054
			<b>Homestead Cap</b>	(-)
				1,278,459
			<b>Assessed Value</b>	=
				7,372,595
			<b>Total Exemptions Amount</b>	(-)
			<b>(Breakdown on Next Page)</b>	2,460,821
			<b>Net Taxable</b>	=
				4,911,774

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count			
DP	646,011	367,671	2,921.78	3,313.06	8			
OV65	6,723,063	4,540,582	27,571.17	28,325.08	66			
<b>Total</b>	<b>7,369,074</b>	<b>4,908,253</b>	<b>30,492.95</b>	<b>31,638.14</b>	<b>74</b>	<b>Freeze Taxable</b>	(-)	
<b>Tax Rate</b>	<b>1.051600</b>						<b>4,908,253</b>	
<b>Freeze Adjusted Taxable</b>							<b>=</b>	<b>3,521</b>

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 30,529.98 = 3,521 \* (1.051600 / 100) + 30,492.95

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

# 2021 FREEZE TOTALS

23 - Marathon ISD  
Grand Totals

Property Count: 74

7/21/2021

3:49:24PM

## Exemption Breakdown

Exemption	Count	Local	State	Total
DP	8	0	68,340	68,340
DV4	1	0	12,000	12,000
HS	74	0	1,787,566	1,787,566
OV65	67	0	592,915	592,915
<b>Totals</b>		<b>0</b>	<b>2,460,821</b>	<b>2,460,821</b>

Brewster County

## 2021 FREEZE TOTALS

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:24PM

Property Count: 1

### State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	SINGLE FAMILY RESIDENCE	1	25.8500	\$0	\$142,757	\$107,757
	<b>Totals</b>		25.8500	\$0	\$142,757	\$107,757

# 2021 FREEZE TOTALS

23 - Marathon ISD  
Grand Totals

Property Count: 74

7/21/2021 3:49:24PM

## State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	SINGLE FAMILY RESIDENCE	68	38.7866	\$79,715	\$7,896,563	\$4,390,231
D1	QUALIFIED OPEN-SPACE LAND	1	97.0700	\$0	\$55,815	\$1,446
E	RURAL LAND, NON QUALIFIED OPE	6	5.0000	\$0	\$753,045	\$520,097
<b>Totals</b>			140.8566	\$79,715	\$8,705,423	\$4,911,774

Brewster County

## 2021 FREEZE TOTALS

Property Count: 1

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:24PM

### CAD State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	1	25.8500	\$0	\$142,757	\$107,757
		<b>Totals</b>	<b>25.8500</b>	<b>\$0</b>	<b>\$142,757</b>	<b>\$107,757</b>

# 2021 FREEZE TOTALS

23 - Marathon ISD

Property Count: 74

Grand Totals

7/21/2021

3:49:24PM

## CAD State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	58	37.7566	\$75,605	\$7,078,381	\$4,016,873
A2	SINGLE FAMILY RESIDENCE (MH)	10	1.0300	\$4,110	\$818,182	\$373,358
D1	QUALIFIED AG LAND	1	97.0700	\$0	\$55,815	\$1,446
E1	FARM OR RANCH IMPROVEMENT	6	5.0000	\$0	\$753,045	\$520,097
<b>Totals</b>			140.8566	\$79,715	\$8,705,423	\$4,911,774

### 2021 FREEZE TOTALS

23 - Marathon ISD  
Effective Rate Assumption

7/21/2021 3:49:24PM

#### New Value

TOTAL NEW VALUE MARKET:  
TOTAL NEW VALUE TAXABLE:

#### New Exemptions

Exemption	Description	Count
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#### ABSOLUTE EXEMPTIONS VALUE LOSS

Exemption	Description	Count	Exemption Amount
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#### PARTIAL EXEMPTIONS VALUE LOSS

NEW EXEMPTIONS VALUE LOSS \$0

#### Increased Exemptions

Exemption	Description	Count	Increased Exemption Amount
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#### INCREASED EXEMPTIONS VALUE LOSS

TOTAL EXEMPTIONS VALUE LOSS \$0

#### New Ag / Timber Exemptions

#### New Annexations

#### New Deannexations

#### Average Homestead Value

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
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#### Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used
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# 2021 CERTIFIED TOTALS

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021

3:49:20PM

Land		Value		
Homesite:		42,619		
Non Homesite:		48,060		
Ag Market:		0		
Timber Market:		0		
			<b>Total Land</b>	(+) 90,679
Improvement		Value		
Homesite:		387,782		
Non Homesite:		0		
			<b>Total Improvements</b>	(+) 387,782
Non Real		Count	Value	
Personal Property:	0		0	
Mineral Property:	0		0	
Autos:	0		0	
			<b>Total Non Real</b>	(+) 0
			<b>Market Value</b>	= 478,461
Ag		Non Exempt	Exempt	
Total Productivity Market:	0		0	
Ag Use:	0		0	
Timber Use:	0		0	
Productivity Loss:	0		0	
			<b>Productivity Loss</b>	(-) 0
			<b>Appraised Value</b>	= 478,461
			<b>Homestead Cap</b>	(-) 0
			<b>Assessed Value</b>	= 478,461
			<b>Total Exemptions Amount (Breakdown on Next Page)</b>	(-) 60,000
			<b>Net Taxable</b>	= 418,461

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count	
OV65	142,757	107,757	810.63	810.63	1	
<b>Total</b>	<b>142,757</b>	<b>107,757</b>	<b>810.63</b>	<b>810.63</b>	<b>1</b>	<b>Freeze Taxable</b>
<b>Tax Rate</b>	<b>1.051600</b>					(-) 107,757
						<b>Freeze Adjusted Taxable</b>
						= 310,704

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 4,077.99 = 310,704 \* (1.051600 / 100) + 810.63

Certified Estimate of Market Value:	387,640
Certified Estimate of Taxable Value:	327,640
Tax Increment Finance Value:	0
Tax Increment Finance Levy:	0.00

### 2021 CERTIFIED TOTALS

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021

3:49:21PM

#### Exemption Breakdown

Exemption	Count	Local	State	Total
HS	2	0	50,000	50,000
OV65	1	0	10,000	10,000
<b>Totals</b>		<b>0</b>	<b>60,000</b>	<b>60,000</b>

# 2021 Ag/Timber Use Report

For Entity 23 (Marathon ISD)

Date: 7/21/2021

Page: 1

<u>State Code</u>	<u>State Land Type Code</u>	<u>Local Land Type Code</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	NATP	AG2	26	32,461.4442	6,098,203	483,676	15	5,614,527
D1	NATP	AG3	27	45,471.8693	22,838,509	677,532	15	22,160,977
D1	NATP	AG5	24	33,284.9300	12,268,394	704,976	21	11,563,418
D1	NATP	DG	142	803,778.6193	305,054,529	11,913,948	15	293,140,581
D1	NATP	DS	53	274,204.3310	51,222,358	1,361,830	5	49,860,528
D1	NATP	MP	8	39,283.8500	14,166,095	832,032	21	13,334,063
<b>Total:</b>			<b>280</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>15.33</b>	<b>395,674,094</b>
<b>Grand Total:</b>			<b>280</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>15</b>	<b>395,674,094</b>

# 2021 Ag/Timber Use Report

## For Entity 23 (Marathon ISD)

Date: 7/21/2021  
Page: 2

<u>State Code</u>	<u>State Land Type Code</u>	<u>Ag / Timber Schedule</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	NATP	AG2	1	80.0000	8,000	648	8	7,352
D1	NATP	DG	183	881,701.9328	333,900,291	13,078,061	15	320,822,230
D1	NATP	DS	52	274,134.3310	51,305,308	1,358,277	5	49,947,031
D1	NATP	MP	32	72,568.7800	26,434,489	1,537,008	21	24,897,481
<b>NATP Total:</b>			<b>268</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>12</b>	<b>395,674,094</b>
<b>Grand Total:</b>			<b>268</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>12</b>	<b>395,674,094</b>

# 2021 Wildlife Report

## For Entity 23 (Marathon ISD)

Date: 7/21/2021

Page: 1

<u>State Code</u>	<u>State Land Type Code</u>	<u>Local Land Type Code</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	WDLF	WDLF1	11	49,275.2300	12,418,649	718,644	16	11,700,005
		<b>Total:</b>	<b>11</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>16.00</b>	<b>11,700,005</b>
<b>Grand Total:</b>			<b>11</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>16</b>	<b>11,700,005</b>

# 2021 Wildlife Report

## For Entity 23 (Marathon ISD)

Date: 7/21/2021  
Page: 2

<u>State Code</u>	<u>State Land Type Code</u>	<u>Ag / Timber Schedule</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	WDLF	DG	10	30,086.6200	7,098,757	448,290	15	6,650,467
D1	WDLF	DS	1	8,337.0500	1,250,558	40,518	5	1,210,040
D1	WDLF	MP	2	10,851.5600	4,069,334	229,836	21	3,839,498
<b>WDLF Total:</b>			<b>13</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>14</b>	<b>11,700,005</b>
<b>Grand Total:</b>			<b>13</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>14</b>	<b>11,700,005</b>

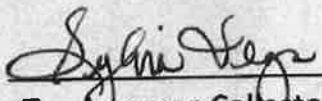


2021 Certified Tax Roll

Marathon ISD

I, Sylvia Vega, Tax Assessor/Collector for Brewster County, have reviewed and accepted the Certified Appraisal roll for the 2021 Tax Year. A property listing is attached which lists the taxable property within Marathon ISD.

Total Appraised Value	\$ 123,237,671.00
Total Assessed Value	\$ 119,763,554.00
Total Taxable Value	\$ 112,098,357.00
Value Under Protest	\$ 418,461.00
Number of Accounts	<u>1,541</u>

  
Tax Assessor-Collector

7/27/2021  
Date

RECEIVED  
7/21/2021

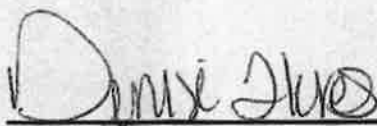
CERTIFICATION 2021 APPRAISAL ROLL FOR  
MARATHON ISD

"I Denise Flores, Chief Appraiser for the Brewster County Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Brewster County Central Appraisal District which lists property taxable by Marathon ISD and constitutes the appraisal roll for Marathon ISD"

2021 Appraisal Roll Information

Total Appraised Value	\$123,237,671
Total Assessed Value	\$119,763,554
Net Taxable Value	\$112,098,357
Freeze Adjusted Taxable*	\$107,190,104
Number of Accounts	<u>1,541</u>
Value Under Protest	\$478,461

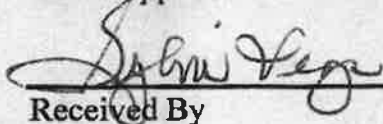
*Number of Accounts that have a Ceiling	<u>74</u>
*Actual Tax from Accounts that have a Ceiling	<u>\$30,492.95</u>



Chief Appraiser

7/21/21

Date



Received By

7/21/2021

Date

**Brewster County** **As of Certification**  
**2021 CERTIFIED TOTALS**  
 23 - Marathon ISD  
 Grand Totals 7/21/2021 3:49:20PM  
 Property Count: 1,541

Land		Value			
Homesite:		8,052,606			
Non Homesite:		4,999,368			
Ag Market:		424,066,737			
Timber Market:		0	<b>Total Land</b>	(+)	437,118,711

Improvement		Value			
Homesite:		43,861,677			
Non Homesite:		5,690,198	<b>Total Improvements</b>	(+)	49,551,875

Non Real		Count	Value		
Personal Property:	64		43,931,284		
Mineral Property:	5		9,900		
Autos:	0		0	<b>Total Non Real</b>	(+)
				<b>Market Value</b>	=
					43,941,184
					530,611,770

Ag	Non Exempt	Exempt			
Total Productivity Market:	424,066,737	0			
Ag Use:	16,692,638	0	<b>Productivity Loss</b>	(-)	407,374,099
Timber Use:	0	0	<b>Appraised Value</b>	=	123,237,671
Productivity Loss:	407,374,099	0			
			<b>Homestead Cap</b>	(-)	3,474,117
			<b>Assessed Value</b>	=	119,763,554
			<b>Total Exemptions Amount</b>	(-)	7,665,197
			<b>(Breakdown on Next Page)</b>		
			<b>Net Taxable</b>	=	112,098,357

Freeze	Assessed	Taxable	Actual Tax	Celling	Count		
DP	646,011	367,671	2,921.78	3,313.06	8		
OV65	6,723,063	4,540,582	27,571.17	28,325.08	66		
<b>Total</b>	<b>7,369,074</b>	<b>4,908,253</b>	<b>30,492.95</b>	<b>31,638.14</b>	<b>74</b>	<b>Freeze Taxable</b>	(-)
<b>Tax Rate</b>	<b>1.051600</b>						
						<b>Freeze Adjusted Taxable</b>	=
							107,190,104

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 1,157,704.08 = 107,190,104 \* (1.051600 / 100) + 30,492.95

Certified Estimate of Market Value:	530,520,949
Certified Estimate of Taxable Value:	112,007,536
Tax Increment Finance Value:	0
Tax Increment Finance Levy:	0.00

Brewster County

2021 CERTIFIED TOTALS

As of Certification

Property Count: 1,641

23 - Marathon ISD  
Grand Totals

7/21/2021

3:49:21PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	8	0	68,340	68,340
DV2	1	0	1,000	1,000
DV3	1	0	6,000	6,000
DV4	5	0	58,933	58,933
EXXV	47	0	3,007,212	3,007,212
EX366	2	0	558	558
HS	160	0	3,851,239	3,851,239
OV65	75	0	672,915	672,915
<b>Totals</b>		<b>0</b>	<b>7,966,197</b>	<b>7,966,197</b>

State Code Description	Count	Acres	New Value	Market Value	Taxable Value
A SINGLE FAMILY RESIDENCE	3	31.1900	\$87,977	\$478,461	\$418,461
<b>Totals</b>	<b>3</b>	<b>31.1900</b>	<b>\$87,977</b>	<b>\$478,461</b>	<b>\$418,461</b>

**State Category Breakdown**

<b>2021 CERTIFIED TOTALS</b>	<b>23 - Marathon ISD</b>	<b>Under ARB Review Totals</b>	<b>7/21/2021</b>	<b>3:49:21 PM</b>
Brewster County	Property Count: 3			
As of Certification				

Brewster County **2021 CERTIFIED TOTALS** As of Certification  
 Property Count: 1,541 23 - Marathon ISD 7/21/2021 3:49:21PM  
Grand Totals

**State Category Breakdown**

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	SINGLE FAMILY RESIDENCE	396	132.0984	\$1,616,071	\$33,372,784	\$25,706,334
B	MULTIFAMILY RESIDENCE	1		\$0	\$21,513	\$21,513
C1	VACANT LOTS AND LAND TRACTS	252	116.9524	\$0	\$2,879,576	\$2,874,576
D1	QUALIFIED OPEN-SPACE LAND	289	1,277,760.2738	\$0	\$424,066,737	\$16,681,705
D2	IMPROVEMENTS ON QUALIFIED OP	11		\$0	\$473,669	\$473,669
E	RURAL LAND, NON QUALIFIED OPE	536	28,489.7420	\$0	\$15,218,771	\$14,840,140
F1	COMMERCIAL REAL PROPERTY	54	111.6667	\$48,238	\$7,229,726	\$7,229,726
G1	OIL AND GAS	5		\$0	\$9,900	\$9,900
J3	ELECTRIC COMPANY (INCLUDING C	1		\$0	\$351,280	\$351,280
J4	TELEPHONE COMPANY (INCLUDI	12		\$0	\$2,461,646	\$2,461,646
J5	RAILROAD	1		\$0	\$38,806,520	\$38,806,520
J7	CABLE TELEVISION COMPANY	2		\$0	\$9,320	\$9,320
J8	OTHER TYPE OF UTILITY	2		\$0	\$349,030	\$349,030
L1	COMMERCIAL PERSONAL PROPE	40		\$0	\$1,467,516	\$1,467,516
L2	INDUSTRIAL AND MANUFACTURIN	1		\$0	\$513,470	\$513,470
M1	TANGIBLE OTHER PERSONAL, MOB	16		\$0	\$372,542	\$302,012
X	TOTALLY EXEMPT PROPERTY	49	468.3914	\$2,015	\$3,007,770	\$0
<b>Totals</b>		<b>1,307,079.1247</b>		<b>\$1,666,324</b>	<b>\$530,611,770</b>	<b>\$112,098,357</b>

Brewster County As of Certification

Property Count: 3 2021 CERTIFIED TOTALS

23 - Marathon ISD

Under ARB Review Totals

7/21/2021

34821PM

**CAD State Category Breakdown**

State Code Description	Count	Acres	New Value	Market Value	Taxable Value
A1 SINGLE FAMILY RESIDENCE	2	31.1800	\$87,877	\$373,980	\$338,890
A2 SINGLE FAMILY RESIDENCE (RM-1)	1		\$0	\$104,501	\$79,501
<b>Totals</b>		31.1800	\$87,877	\$478,481	\$418,461

Brewster County

**2021 CERTIFIED TOTALS**

As of Certification

Property Count: 1,541

23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:21PM

**CAD State Category Breakdown**

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	348	115.6384	\$1,412,611	\$30,250,770	\$23,413,930
A2	SINGLE FAMILY RESIDENCE (MH)	52	16.4600	\$203,460	\$3,122,014	\$2,292,404
B1	MULTIFAMILY RESIDENCE	1		\$0	\$21,513	\$21,513
C1	VACANT LOT	223	42.2024	\$0	\$2,430,918	\$2,425,918
C2	VACANT LOT	1	2.8100	\$0	\$27,125	\$27,125
C3	VACANT LOT	20	25.7800	\$0	\$66,197	\$66,197
C4	VACANT LOT	4	9.5700	\$0	\$26,026	\$26,026
C6	VACANT LOT	4	36.5900	\$0	\$329,310	\$329,310
D1	QUALIFIED AG LAND	292	1,279,119.1938	\$0	\$424,576,333	\$17,191,301
D2	IMPROVEMENTS ON QUALIFIED AG L	11		\$0	\$473,669	\$473,669
E1	FARM OR RANCH IMPROVEMENT	81	1,297.4000	\$0	\$10,763,427	\$10,480,479
E2	FARM OR RANCH IMPROVEMENT	6	1.0000	\$0	\$219,294	\$168,260
E3	NON QUALIFIED LAND	446	25,832.4220	\$0	\$3,726,454	\$3,681,805
F1	COMMERCIAL REAL PROPERTY	54	111.6667	\$48,238	\$7,229,726	\$7,229,726
G1	OIL AND GAS	5		\$0	\$9,900	\$9,900
J3	ELECTRIC COMPANY (INCLUDING CC	1		\$0	\$351,280	\$351,280
J4	TELEPHONE COMPANY (INCLUDING I	12		\$0	\$2,461,646	\$2,461,646
J5	RAILROAD	1		\$0	\$38,806,520	\$38,806,520
J7	CABLE TV COMPANY	2		\$0	\$9,320	\$9,320
J8	OTHER TYPE OF UTILITY	2		\$0	\$349,030	\$349,030
L1	COMMERCIAL PERSONAL PROPER	40		\$0	\$1,467,516	\$1,467,516
L2	INDUSTRIAL PERSONAL PROPERTY	1		\$0	\$513,470	\$513,470
M1	TANGIBLE OTHER PERSONAL, MOBI	16		\$0	\$372,542	\$302,012
X	TOTALLY EXEMPT PROPERTY	49	468.3914	\$2,015	\$3,007,770	\$0
<b>Totals</b>		<b>1,307,079.1247</b>		<b>\$1,666,324</b>	<b>\$530,611,770</b>	<b>\$112,098,357</b>

Brewster County

**2021 CERTIFIED TOTALS**

As of Certification

Property Count: 1,541

23 - Marathon ISD  
Effective Rate Assumption

7/21/2021 3:49:21PM

**New Value**

TOTAL NEW VALUE MARKET: **\$1,666,324**  
TOTAL NEW VALUE TAXABLE: **\$1,608,855**

**New Exemptions**

Exemption	Description	Count	2020 Market Value	Exemption Amount
EX366	HB366 Exempt	1		\$868
<b>ABSOLUTE EXEMPTIONS VALUE LOSS</b>				<b>\$868</b>

Exemption	Description	Count	Exemption Amount
DV4	Disabled Veterans 70% - 100%	1	\$10,933
HS	Homestead	5	\$125,000
OV65	Over 65	4	\$40,000
<b>PARTIAL EXEMPTIONS VALUE LOSS</b>			<b>\$176,933</b>
<b>NEW EXEMPTIONS VALUE LOSS</b>			<b>\$176,801</b>

**Increased Exemptions**

Exemption	Description	Count	Increased Exemption Amount
<b>INCREASED EXEMPTIONS VALUE LOSS</b>			
<b>TOTAL EXEMPTIONS VALUE LOSS</b>			<b>\$176,801</b>

**New Ag / Timber Exemptions**

**New Annexations**

**New Deannexations**

**Average Homestead Value**

**Category A and E**

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
158	\$123,258	\$46,505	\$76,753
Category A Only			

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
147	\$124,440	\$47,570	\$76,870

**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
3	\$478,461.00	\$327,640

Brewster County

### 2021 FREEZE TOTALS

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:23PM

Property Count: 1

Land	Value			
Homesite:	22,619			
Non Homesite:	0			
Ag Market:	0			
Timber Market:	0			
<b>Total Land</b>		(+)		<b>22,619</b>

Improvement	Value			
Homesite:	120,138			
Non Homesite:	0			
<b>Total Improvements</b>		(+)		<b>120,138</b>

Non Real	Count	Value		
Personal Property:	0	0		
Mineral Property:	0	0		
Autos:	0	0		
<b>Total Non Real</b>			(+)	<b>0</b>
<b>Market Value</b>			=	<b>142,757</b>

Ag	Non Exempt	Exempt		
Total Productivity Market:	0	0		
Ag Use:	0	0	Productivity Loss	(-) 0
Timber Use:	0	0	Appraised Value	= 142,757
Productivity Loss:	0	0	Homestead Cap	(-) 0
			Assessed Value	= 142,757
			<b>Total Exemptions Amount</b>	(-) <b>35,000</b>
			<b>(Breakdown on Next Page)</b>	
			<b>Net Taxable</b>	= <b>107,757</b>

Freeze	Assessed	Taxable	Actual Tax	Celling	Count		
OV65	142,757	107,757	810.63	810.63	1		
<b>Total</b>	<b>142,757</b>	<b>107,757</b>	<b>810.63</b>	<b>810.63</b>	<b>1</b>	<b>Freeze Taxable</b>	(-) <b>107,757</b>
<b>Tax Rate</b>	<b>1.051600</b>						

**Freeze Adjusted Taxable = 0**

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 810.63 = 0 \* (1.051600 / 100) + 810.63

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

Exemption	Count	Local	State	Total
HS	1	0	25,000	25,000
OV65	1	0	10,000	10,000
Totals		0	35,000	35,000

Exemption Breakdown

2021 FREEZE TOTALS	23 - Marathon ISD	Under ARB Review Totals	7/21/2021	3:49:24PM	Property Count 1	Brewster County
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Brewster County

**2021 FREEZE TOTALS**

23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:23PM

Property Count: 74

Land	Value			
Homesite:	950,624			
Non Homesite:	2,075			
Ag Market:	55,815			
Timber Market:	0	Total Land	(+)	1,008,514

Improvement	Value			
Homesite:	7,696,909			
Non Homesite:	0	Total Improvements	(+)	7,696,909

Non Real	Count	Value		
Personal Property:	0	0		
Mineral Property:	0	0		
Autos:	0	0	Total Non Real	(+)
			Market Value	=
				0
				8,705,423

Ag	Non Exempt	Exempt		
Total Productivity Market:	55,815	0		
Ag Use:	1,448	0	Productivity Loss	(-)
Timber Use:	0	0	Appraised Value	=
Productivity Loss:	54,369	0		54,369
			Homestead Cap	(-)
			Assessed Value	=
			Total Exemptions Amount	(-)
			(Breakdown on Next Page)	2,460,821
			Net Taxable	=
				4,911,774

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	646,011	367,671	2,921.78	3,313.06	8		
OV65	6,723,063	4,540,582	27,571.17	28,325.08	66		
Total	7,369,074	4,908,253	30,492.95	31,838.14	74	Freeze Taxable	(-)
Tax Rate	1.051600						

Freeze Adjusted Taxable = 3,521

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 30,529.98 = 3,521 \* (1.051600 / 100) + 30,492.95

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

Brewster County  
Property Count 74

**2021 FREEZE TOTALS**  
23 - Marathon ISD  
Grand Totals

7/21/2021 3:49:24PM

**Exemption Breakdown**

Exemption	Count	Local	State	Total
DP	8	0	68,340	68,340
DM4	1	0	12,000	12,000
HS	74	0	1,787,586	1,787,586
OM83	67	0	582,915	582,915
<b>Totals</b>		<b>0</b>	<b>2,460,821</b>	<b>2,460,821</b>

**2021 FREEZE TOTALS**

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:48:24PM

Brewster County

Property Count: 1

**Stats Category Breakdown**

Stats Code Description	Count	Acres	New Value	Market Value	Taxable Value
A SINGLE FAMILY RESIDENCE	1	25.8500	\$0	\$142,757	\$107,757
<b>Totals</b>		25.8500	\$0	\$142,757	\$107,757

State Code Description	Count	Acres	New Value	Market Value	Taxable Value
A SINGLE FAMILY RESIDENCE	68	38.7866	\$79,715	\$7,898,563	\$4,390,231
D1 QUALIFIED OPEN-SPACE LAND	1	97.0700	\$0	\$56,816	\$1,446
E RURAL LAND, NON QUALIFIED OPE	6	5.0000	\$0	\$753,045	\$520,097
<b>Totals</b>		<b>140.8566</b>	<b>\$79,715</b>	<b>\$8,705,423</b>	<b>\$4,811,774</b>

State Category Breakdown

Brewster County  
 23 - Marathon ISD  
 Grand Totals  
 Property Count: 74  
 7/21/2021 3:49:24PM

2021 FREEZE TOTALS

**2021 FREEZE TOTALS**

Brewster County

Property Count: 1

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021

3:48:24PM

**CAD State Category Breakdown**

State Code/Description	Count	Acres	New Value	Market Value	Taxable Value
A1 SINGLE FAMILY RESIDENCE	1	25.8500	\$0	\$142,757	\$107,757
<b>Totals</b>		<b>25.8500</b>	<b>\$0</b>	<b>\$142,757</b>	<b>\$107,757</b>

State Code Description	Count	Acres	New Value	Market Value	Taxable Value
A1 SINGLE FAMILY RESIDENCE	58	37.7566	\$75,605	\$7,078,381	\$4,016,873
A2 SINGLE FAMILY RESIDENCE (MH)	10	1.0300	\$4,110	\$818,182	\$373,358
D1 QUALIFIED AG LAND	1	87.0700	\$0	\$55,815	\$1,446
E1 FARM OR RANCH IMPROVEMENT	6	5.0000	\$0	\$753,045	\$620,087
<b>Totals</b>		<b>140.8566</b>	<b>\$79,715</b>	<b>\$8,705,423</b>	<b>\$4,911,774</b>

**CAD State Category Breakdown**

Brewster County	23 - Marathon ISD	Property Count 74
	Grand Totals	
7/21/2021 3:49:24PM		

**2021 FREEZE TOTALS**

Brewster County

**2021 FREEZE TOTALS**

23 - Marathon ISD  
Effective Rate Assumption

7/21/2021 3:49:24PM

**New Value**

TOTAL NEW VALUE MARKET:  
TOTAL NEW VALUE TAXABLE:

**New Exemptions**

Exemption	Description	Count
-----------	-------------	-------

**ABSOLUTE EXEMPTIONS VALUE LOSS**

Exemption	Description	Count	Exemption Amount
-----------	-------------	-------	------------------

**PARTIAL EXEMPTIONS VALUE LOSS**

**NEW EXEMPTIONS VALUE LOSS \$0**

**Increased Exemptions**

Exemption	Description	Count	Increased Exemption Amount
-----------	-------------	-------	----------------------------

**INCREASED EXEMPTIONS VALUE LOSS**

**TOTAL EXEMPTIONS VALUE LOSS \$0**

**New Ag / Timber Exemptions**

**New Annexations**

**New Deannexations**

**Average Homestead Value**

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
------------------------	----------------	----------------------	-----------------

**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
-------------------------------	--------------------	------------------

Brewster County

**2021 CERTIFIED TOTALS**

As of Certification

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021 3:49:20PM

Land		Value		
Homesite:		42,619		
Non Homesite:		48,060		
Ag Market:		0		
Timber Market:		0	<b>Total Land</b>	(+) 90,679
Improvement		Value		
Homesite:		387,782		
Non Homesite:		0	<b>Total Improvements</b>	(+) 387,782
Non Real		Count	Value	
Personal Property:	0	0		
Mineral Property:	0	0		
Autos:	0	0	<b>Total Non Real</b>	(+) 0
			<b>Market Value</b>	= 478,461
Ag		Non Exempt	Exempt	
Total Productivity Market:	0	0		
Ag Use:	0	0	<b>Productivity Loes</b>	(-) 0
Timber Use:	0	0	<b>Appraised Value</b>	= 478,461
Productivity Loes:	0	0	<b>Homestead Cap</b>	(-) 0
			<b>Assessed Value</b>	= 478,461
			<b>Total Exemptions Amount</b>	(-) 60,000
			<b>(Breakdown on Next Page)</b>	
			<b>Net Taxable</b>	= 418,461

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
OV65	142,757	107,757	810.63	810.63	1		
<b>Total</b>	<b>142,757</b>	<b>107,757</b>	<b>810.63</b>	<b>810.63</b>	<b>1</b>	<b>Freeze Taxable</b>	(-) 107,757
<b>Tax Rate</b>	<b>1.051600</b>						
						<b>Freeze Adjusted Taxable</b>	= 310,704

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 4,077.99 = 310,704 \* (1.051600 / 100) + 810.63

Certified Estimate of Market Value:	387,640
Certified Estimate of Taxable Value:	327,640
Tax Increment Finance Value:	0
Tax Increment Finance Levy:	0.00

Brewster County

**2021 CERTIFIED TOTALS**

As of Certification

Property Count: 3

23 - Marathon ISD  
Under ARB Review Totals

7/21/2021

3:49:21PM

**Exemption Breakdown**

Exemption	Count	Local	State	Total
HS	2	0	50,000	50,000
OV65	1	0	10,000	10,000
<b>Totals</b>		<b>0</b>	<b>60,000</b>	<b>60,000</b>

## 2021 Ag/Timber Use Report For Entity 23 (Marathon ISD)

Date: 7/21/2021  
Page: 1

<u>State Code</u>	<u>State Land Type Code</u>	<u>Local Land Type Code</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	NATP	AG2	26	32,461.4442	6,098,203	483,676	15	5,614,527
D1	NATP	AG3	27	45,471.8693	22,838,509	677,532	15	22,160,977
D1	NATP	AG5	24	33,284.9300	12,268,394	704,976	21	11,563,418
D1	NATP	DG	142	803,778.6193	305,054,529	11,913,948	15	293,140,581
D1	NATP	DS	53	274,204.3310	51,222,358	1,361,830	5	49,860,528
D1	NATP	MP	8	39,283.8500	14,166,095	832,032	21	13,334,063
<b>Total:</b>			<b>280</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>15.33</b>	<b>395,674,094</b>
<b>Grand Total:</b>			<b>280</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>15</b>	<b>395,674,094</b>

## 2021 Ag/Timber Use Report

### For Entity 23 (Marathon ISD)

Date: 7/21/2021  
Page: 2

<u>State Code</u>	<u>State Land Type Code</u>	<u>Ag / Timber Schedule</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	NATP	AG2	1	80.0000	8,000	648	8	7,352
D1	NATP	DG	183	881,701.9328	333,900,291	13,078,061	15	320,822,230
D1	NATP	DS	52	274,134.3310	51,305,308	1,358,277	5	49,947,031
D1	NATP	MP	32	72,568.7800	26,434,489	1,537,008	21	24,897,481
<b>NATP Total:</b>			<b>268</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>12</b>	<b>395,674,094</b>
<b>Grand Total:</b>			<b>268</b>	<b>228,485.0438</b>	<b>411,648,088</b>	<b>15,973,994</b>	<b>12</b>	<b>395,674,094</b>

Source: Print Certified Totals Dialog  
Entity ID: 23

## 2021 Wildlife Report For Entity 23 (Marathon ISD)

Date: 7/21/2021  
Page: 1

<u>State Code</u>	<u>State Land Type Code</u>	<u>Local Land Type Code</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	WDLF	WDLF1	11	49,275.2300	12,418,649	718,644	16	11,700,005
		<b>Total:</b>	<b>11</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>16.00</b>	<b>11,700,005</b>
<b>Grand Total:</b>			<b>11</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>16</b>	<b>11,700,005</b>

Source: Print Certified Totals Dialog  
Entity ID: 23

7/21/2021 3:50:22PM  
True Automation, Inc.

### 2021 Wildlife Report For Entity 23 (Marathon ISD)

Date: 7/21/2021

Page: 2

<u>State Code</u>	<u>State Land Type Code</u>	<u>Ag / Timber Schedule</u>	<u>Number of Land Detail</u>	<u>Acres</u>	<u>Market Value</u>	<u>Productivity Use Value</u>	<u>Avg. Prod. Value/Acre</u>	<u>Mkt Val Loss Due to Ag/Tim</u>
D1	WDLF	DG	10	30,086.6200	7,098,757	448,290	15	6,650,467
D1	WDLF	DS	1	8,337.0500	1,250,558	40,518	5	1,210,040
D1	WDLF	MP	2	10,851.5600	4,069,334	229,836	21	3,839,498
<b>WDLF Total:</b>			<b>13</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>14</b>	<b>11,700,005</b>
<b>Grand Total:</b>			<b>13</b>	<b>49,275.2300</b>	<b>12,418,649</b>	<b>718,644</b>	<b>14</b>	<b>11,700,005</b>

Source: Print Certified Totals Dialog  
Entity ID: 23

7/21/2021 3:50:22PM  
True Automation, Inc.

## 2020-21 Marathon ISD Goals

### Goal 1: Student Performance

**100% of students will attain maximum achievement and development through relevant and rigorous academic and extracurricular programs.**

- 100% of grades PreK - 2 students will maintain grade level or make at least one year of growth in reading and mathematics by May, 2021.
- 100% of grades 3 - 12 students will meet or exceed standards on state/national assessments by May, 2021.
- 100% of junior high/high school students will be actively involved in at least one extracurricular activity.

### Goal 2: Graduation Rate

**100% of seniors will graduate from high school on the Distinguished Plan.**

- MISD will maintain the 2019-20 graduation rate of 100%, with graduates meeting or exceeding the CCMR (College, Career, Military Readiness) standards by May, 2021.
- MISD will monitor students in the years after graduation, assisting them with CCMR support.

### Goal 3: Staff Quality

**100% of teachers and staff will be highly qualified by May, 2021.**

- A comprehensive, state-wide recruitment process will be created and implemented.
- 100% of staff will complete mandatory state and local trainings.
- 100% of staff will be annually evaluated and provided feedback on a regular basis.

### Goal 4: Safe and Healthy School Climate

**100% of students will be educated in safe, supportive learning environments, ensuring a focus on whole child development, by May, 2021.**

- 100% of students and parents will indicate on a mid- and end-of-year survey that students feel safe and supported in MISD.
- MISD will implement 100% of mandated safety drills with students and staff.

### Goal 5: Fiscal Responsibility and Facilities Management

**MISD will manage a budget development, implementation, and monitoring process that reflects sound business and fiscal practices and that supports district goals.**

- The district will continue to meet or exceed the financial audit standards by May, 2021.
- A district facilities plan will be completed by May, 2021.

### Goal 6: Board/Parent/Community Engagement

**The Board, parents and the community will be actively engaged as partners in the education of MISD students by May, 2021.**

- 100% of school board members will regularly attend meetings and school events.
- A District Advisory Committee will be established in the 2020-21 school year.
- The superintendent will collaborate with the PTO and support their activities.

# Marathon ISD

## 2021–2022 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please  
e-mail: [pprice@marathonisd.net](mailto:pprice@marathonisd.net)



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# Employee Handbook Receipt

Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

I hereby acknowledge receipt of a copy of the Marathon ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- I choose to receive a hard copy of the employee handbook and understand I am required to contact \_\_\_\_\_ to obtain a hard copy.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or render obsolete the information summarized in this document. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended 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 superintendent if I have questions or concerns or need further explanation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please sign and date this receipt and forward it to Dr. Pete H. Price.

# 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 the superintendent.

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 non-contract 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.marathonisd.net](http://www.marathonisd.net)

## **Mission Statement, Goals, and Objectives**

Policy [AE](#)

### **Vision**

Marathon ISD will educate all students to their highest levels of academic achievement and personal growth, preparing productive, responsible, innovative, and compassionate life-long learners.

### **Mission**

All teachers and staff will provide a safe and nurturing environment, empowering students to expand and reach their individual potential, while holding them accountable through diverse, rigorous learning experiences.

### **Core Values**

**Motivate** *Unwavering belief in all students' unique abilities and interests*

**Unlimited potential** *All students and staff can learn and grow*

**Safety** *Ensuring all students and staff feel safe and secure*

**Teamwork** *All stakeholders are critical in the education process*

**Academic Achievement** *Focused on college, career, and military readiness*

**Nurture** *Commitment to social and emotional development*

**Growth** *Continuous improvement*

**Strive to Succeed** *In pursuit of excellence in all areas*

### **Motto**

Every student matters.

## **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 in November and serve 4-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Judy Briones - President

- Hayes West- Vice President
- Cheyenne Marta- Secretary
- Craig Carter
- Dara Cavness
- Marina Aguilar
- Steven Aguilar

The board usually meets the fourth Wednesday of the month at 6:00 pm in the High School Library. In the event that large attendance is anticipated, the board may meet at the elementary auditorium. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website, on the front bulletin of the secondary building, and downtown at the community bulletin by the library 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 two-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed meeting 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

Aug 25, 2021	Sep 22, 2021	Oct 27, 2021	Nov 17, 2021
Dec 15, 2021	January 26, 2022	February 23, 2022	March 23, 2022
April 27, 2022	May 25, 2022	June 22, 2022	

## Administration

Pete H. Price - Superintendent

Victoria Sanchez - Business Manager

## School Calendar

Available on school website at [www.marathonisd.net](http://www.marathonisd.net)

# Employment

## Equal Employment Opportunity

*Policies [DAA](#), [DIA](#)*

In its efforts to promote nondiscrimination and as required by law, Marathon ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), 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.

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Peter H. Price, Superintendent, 109 N 5th Street, Marathon, TX 79842, [pprice@marathonisd.net](mailto:pprice@marathonisd.net), (432) 386-4431. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Peter H. Price, Superintendent, 109 N 5th Street, Marathon, TX 79842, [pprice@marathonisd.net](mailto:pprice@marathonisd.net), (432) 386-4431.

Questions or concerns relating to discrimination for any other reason should be directed to 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](http://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 two probationary years.

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.

**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 non-instructional 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 the superintendent in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the superintendent when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 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 superintendent 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 superintendent if you have any questions regarding re-verification of employment authorization.

## **Searches and Alcohol and Drug Testing**

*Policy [CQ](#), [DHE](#)*

Non-investigatory 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 the superintendent.

## **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 superintendent by the established deadline.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder awareness, recognition, and related first aid.

## **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. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by May, 2020. 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 superintendent's office 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.

## Teacher Work Schedule

Teacher Prep/Duty/Breakfast - 7:45-7:55
1st period - 8:00-8:50
2nd - 8:52-9:42
3rd - 9:44-10:34
4th - 10:36-11:26
Lunch - 11:26-12:07
Flex - 12:09-12:54
5th - 12:56-1:46
6th - 1:48-2:38
7th - 2:40-3:30
Teacher Prep - 3:30 - 4:00

## **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 the superintendent.

## **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 [BQ](#), [BQA](#)*

At both the campus and district levels, Marathon 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 non instructional 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.

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 the Business Manager for more information about the district's pay schedules or their own pay.

### **Paychecks**

All district employees are paid monthly. Employee Wage Statements or 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 2021-22 school year as follows:

<b><u>Payroll Date</u></b>	<b><u>Payroll Information &amp; Timesheet Deadline</u></b>
September 24, 2021	Tuesday, September 21, 2021 - Noon
October 22, 2021	Tuesday, October 19, 2021 - Noon
November 19, 2021	Tuesday, November 16, 2021 - Noon
December 17, 2021	Tuesday, December 14, 2021 - Noon
January 25, 2022	Wednesday, January 19, 2022 – Noon
February 25, 2022	Monday, February 22, 2022 – Noon
March 25, 2022	Monday, March 22, 2022 – Noon
April 25, 2022	Tuesday, April 20, 2022 – Noon
May 25, 2022	Wednesday, May 19, 2022 – Noon
June 23, 2022	Monday, June 21, 2022 – Noon
July 21, 2022	Monday, July 19, 2022 – Noon
August 25, 2022	Thursday, August 19, 2022 – Noon

The District is required to meet NACHA submission deadlines established by its bank depository. Please note that all payroll deadlines are final. Late payroll submission forms and requests will be processed with the following scheduled payroll.

## **Automatic Payroll Deposit**

The district payroll procedures include that employee paychecks are electronically deposited into a designated account. The new employee packet includes the automatic payroll deposit form that is to be completed and returned within five days from receipt of packet.

Additions, deletions or revisions to the automatic payroll deposit form/service are to be submitted within the scheduled payroll submission timelines for the change to take place with the next payroll. Contact the Business Manager 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. 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. on Saturday.

Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

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.

At the District's option, nonexempt employees may receive compensatory time off for time worked in excess of their assigned work hours/schedule, in lieu of additional or overtime pay. Calculation of earned compensatory time will be in accordance with the Federal Labor Standards Act. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

## **Travel Expense Reimbursement**

### *Policy [DEE](#)*

Before any travel expenses are incurred by an employee, the employee's supervisor and Superintendent must give approval.

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's supervisor and in accordance with administrative regulations.

For any allowable expense incurred, the employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses.

## **Health, Dental, and Life Insurance**

### *Policy [CRD](#)*

Group health insurance coverage is provided through TRS-ActiveCare, 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, contributing 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-ActiveCare.

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 the Superintendent's Secretary/Human Resources for more information.

The district's contribution to employee insurance premiums for the 2021-2022 school is as follows:

- 1) TRS-Active Care for Eligible Employees. The district's contribution is equal to the employee only premium coverage for TRS Active Care Primary +.
- 2) Metlife Dental and Metlife Vision for Eligible Employees. The district's contribution is equal to the employee only premium coverage.
- 3) Dearborn National Life - \$10,000 Group Term Life, Employee Only. The district's contribution

is equal to the employee only premium coverage.

Employee's may add spouse, children, or family coverage to the options above. The additional cost to be paid by the employee.

## **Supplemental Insurance Benefits**

*Policy [CRD](#)*

At their own expense, employees may enroll in supplemental insurance programs for 2021-2022. Premiums for these programs can be paid by payroll deduction. Employees should contact the district's Third Party Administrator, First Financial Group of America, for more information and enrollment. Contact Information is as follows:

Frank Martinez, Senior Account Administrator

[Frank.Martinez@ffg.com](mailto:Frank.Martinez@ffg.com)

## **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 TASB Risk Management Fund.

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 Superintendent's Secretary/Human Resources. 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 Business Manager.

## **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 the Business Manager 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](http://www.trs.texas.gov)). The TRS website has information on restrictions of employment of retirees in Texas public schools.

## **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 the Business Manager 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 the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments. 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:

- Compensatory time (*if applicable*)
- Local personal leave
- State sick leave accumulated before the 1995-1996 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. Any unapproved absences or absences beyond accumulated or available leave shall result in deduction from the employee's pay.

**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 five consecutive workdays 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 FML. 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 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 who work fewer than 221 days annually shall earn five paid local leave days per school year in accordance with administrative regulations.

All employees who work 221 or more days annually shall earn seven paid local leave days per school year in accordance with administrative regulations.

Local leave shall be noncumulative.

Local leave shall be used according to the terms and conditions of state personal leave. [See STATE PERSONAL LEAVE, above]

An employee may also use local leave for absences related to the birth or placement of a child when leave is taken within the first year after the child's birth, adoption, or foster placement.

Note: At the end of the employee's contract year, the district will pay \$65.00 per full day/8 hours, or \$32.50 per half day/4 hours, towards unused local personal leave.

## **Vacation**

*Policy [DED](#)*

All employees who work 221 or more days annually shall earn ten paid vacation days per school year in accordance with administrative regulations and Board Policy DED (Local)

## **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 service member'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.

\*Special hours of service eligibility requirements apply to airline flight crew employees.

## **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 beginning on the first duty day of the school year

**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. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. 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. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

**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 to 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 the Business Manager 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, the Superintendent 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 the Business Manager.

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**

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 15 days of paid leave per fiscal year when engaged in authorized training or duty orders by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in

response to a disaster. 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 the Superintendent. 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 the Business Office for details on eligibility, requirements, and limitations.

## **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.

## **District Communications**

Throughout the school year, the Marathon ISD 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.

# 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 available by clicking on the following link: [DGBA Employee Conduct and Welfare](#).

# 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***

#### **Purpose and Scope**

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))

## **Enforceable 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.

## **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.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is available on the following links: *Policies* [DH](#), [DIA](#)

## **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. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

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 has reasonable cause to believe that child abuse or neglect occurred 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:

**DHB (Legal): Employee Standards of Conduct - Reports to State Board for Educator Certification:**

*A superintendent shall make a report to SBEC if an educator was terminated or resigned and there is evidence that the educator:*

- 1. Abused or otherwise committed an unlawful act with a student or minor;*
- 2. Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor.*

**FFH (Local): Student Welfare - Freedom from Discrimination, harassment, and Retaliation**

**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*

## **Reporting Suspected Child Abuse**

*Policies DG, [FFG](#), [GRA](#)*

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the 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 reasonable 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> 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 taking an adverse employment action against a certified or licensed professional 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 make the required report 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 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 [marathonisd.net](http://marathonisd.net). 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 has reasonable cause to believe 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.

## **Technology Resources**

### *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 district's 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 Technology Services.

## **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 includes 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 Policy [DH \(EXHIBIT\)](#)]
  - Confidentiality of district records, including educator evaluations and private email 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 Policy [DH \(EXHIBIT\)](#)]

See *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 email, 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 10:00 p.m. and 6:00a.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 email, 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](#)*

Marathon 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:

*[DH \(Local\)](#) and [DI \(Local\)](#)*

## **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 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 the superintendent at 432-386-4431.

## **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 911 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 superintendent's 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 staff lounge. 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.

## **Other Topics**

### **Employee Parking**

MISD has two designated employee parking lots. Parking Lot #1 is located in front of the high school building and Parking Lot #2 is located in front of the elementary school building. For security purposes, all employees need to park their vehicles in one of the two designated parking areas.

### **Gradebook**

Employees are expected to keep their gradebook current on a weekly basis. A gradebook should reflect two grades per week with a total of at least 12 grades per reporting period.

### **Lesson Plans**

Employees are expected to create weekly lesson plans. Lesson plans should be available for viewing by Monday at 8:00 am.

### **Emails**

Employees are expected to check their emails at least twice a day. Emails should be checked at both the beginning and end of the school day. All emails should be responded to in a timely manner.

### **Attendance**

Employees are expected to take attendance on a daily basis. Elementary teachers must have their attendance posted by 9:30 am. Secondary teachers must have their attendance posted during the first ten minutes of every class period.

# General Procedures

## Emergency Weather 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 following radio and television stations:

CBS - Channel 7

Your Basin - Channel 2

NewsWest 9

## 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 through Ascender Purchasing. If approved, a purchase order will be generated for order placement. 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 the Business Manager 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 Superintendent's Secretary/Human Resources office 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 Superintendent's Secretary/Human Resources office.

## **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
- Information that reveals whether they have family members
- Personal email address

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 the Superintendent's Secretary/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 or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

## **Facility Use**

*Policies [DGA](#), [GKD](#)*

Employees who wish to use district facilities after school hours must follow established procedures. The superintendent is responsible for scheduling the use of facilities after school hours. Contact the district front office 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 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 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 of knowing 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.

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to any of the acts listed in Reports to Texas Education Agency*. The superintendent will notify SBEC

when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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**

### *Policy [DCD](#)*

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*, page 31.)

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.

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**

*Policy [DF](#), [DHB](#)*

**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 or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "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](#)

In an effort to promote nondiscrimination and as required by law, Marathon ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) 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 superintendent 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 provide a note from a physician or parent. 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 cyberbullying, to the principal or superintendent. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is available on the following link: *Policy [FFI](#)*

## **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.

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# Marathon Independent School District



**2021-22**

## **STUDENT CODE OF CONDUCT**

*Updated and approved August 4, 2021 by the MISD Board of Trustees*

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## **Student Code of Conduct**

### **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact the superintendent at pprice@marathonisd.net or 432-386-4431 x102.

### **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 Marathon ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinator and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

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

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

### **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 superintendent, principal, or any other campus administrator selected by the superintendent or principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at [www.marathonisd.net](http://www.marathonisd.net) and at [www.marathonisd.net/required-postings](http://www.marathonisd.net/required-postings).

### **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 superintendent, principal, campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

## **“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.

## **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:

12. The person poses a substantial risk of harm to any person; or
13. 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** on page 23, 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.

## 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 on page 14.

### 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.**)
- 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.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- 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.

## **Discipline Matrix**

The discipline matrix is designed to be a guide for establishing clear and consistent consequences for specified offenses.

When behavior is inappropriate the following consequences will be enforced:

### **1. GENERAL DISRUPTIVE CONDUCT**

*Any conduct which disrupts the educational process, constitutes a health or safety hazard, is in violation of state or municipal law, or is in violation of specified school rules. \*Severity of offense may affect level of consequences applied.*

1st offense: student conference, warning

2nd offense: 1-3 days lunch detention, parent contact

3rd offense: 1-3 days In School Suspension (ISS), parent conference

4th offense: 1-3 days Out of School Suspension (OSS), possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **2. REFUSAL TO OBEY / INSUBORDINATION / DEFIANCE**

*Refusing to comply with any reasonable demand or request by any school official or sponsor at places and times where school personnel have jurisdiction.*

1st offense: 1-3 days lunch detention, parent contact

2nd offense: 1-3 days ISS, parent conference

3rd offense: 1-3 days OSS, possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **3. PROFANITY / VERBAL ABUSE**

1st offense: 1-3 days lunch detention, parent contact

2nd offense: 1-3 days ISS, parent conference

3rd offense: 1-3 days OSS, possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **4. FIGHTING / ASSAULTS**

1st offense: 1-3 days OSS, parent contact/conference, mediation, further consequence depending on the severity of the incident, possible citation

2nd offense: 3 days OSS, possible citation and/or discipline hearing which may lead to long-term placement in DAEP

### **5. HARASSMENT**

#### ***Bullying***

1st offense: 1-3 days lunch detention, parent contact, possible mediation

2nd offense: 1-3 days ISS, parent conference, possible mediation

3rd offense: 1-3 days OSS, possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

#### **Sexual Harassment:**

1st offense: 1-3 days ISS, parent contact

2nd offense: 1-3 days OSS, possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **6. THEFT OR THE POSSESSION OF STOLEN MERCHANDISE**

*Felonies (any criminal mischief with a monetary value that exceeds \$1,500.00):*

Discipline hearing, mandatory removal, possible citation and/or arrest

*Non-felonies:* depending on offense, possible consequences include 1-3 days ISS or OSS, parent conference, restitution, possible citation/arrest/discipline hearing

### **7. GANG-LIKE ACTIVITY / ITEMS**

1st offense: 1-3 days ISS, parent contact

2nd offense: 1-3 days OSS, possible citation and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **8. VANDALISM OR TAGGING/GRAFFITI**

1st offense: 1-3 days ISS, parent contact, possible restitution

2nd offense: 1-3 days OSS, possible citation/restitution and/or possible disciplinary hearing which may lead to long-term placement in DAEP

### **10. POSSESSION / USE TOBACCO, DRUGS, ALCOHOL, INCENDIARY DEVICES**

***Tobacco use/possession:*** 3 days OSS, parent conference, possible citation

**Alcohol use/possession:** 3 day OSS, parent conference, possible citation, discipline hearing, placement in long-term DAEP

**Drugs, drug paraphernalia, use/possession:** 3 days OSS, parent conference, possible citation/arrest, discipline hearing, placement in long-term DAEP

**Incendiary devices:** 3 days OSS, parent conference, possible citation/arrest.

### **11. TRUANCY**

1st. offense: 1-3 days lunch detention, parent contact

2nd offense: 1-3 days ISS, parent contact

3rd offense: 1-3 days OSS, parent conference

### **12. TARDIES**

Students are expected to arrive to each class on time. If they do not, they are marked tardy by the teacher. Excessive tardies will result in lunch detentions and/or ISS.

### **13. DRESS CODE**

All offenses: student conference, parent contact, change clothes or ISS for the remainder of the day

### **14. INNAPPROPRIATE USAGE OF CELL PHONE/ELECTRONIC DEVICES**

1st offense: Student conference, parent contact

2nd offense: Cell phone/technology confiscated for the remainder of the day

3rd offense: Cell phone/technology confiscated for five school days

4<sup>th</sup> offense: Cell phone/technology banned for remainder of the semester

### **17. CHEATING / PLAGIARISM**

1st offense: Behavioral/academic consequences administered by teacher, parent contact

2nd. offense: 1-3 days lunch detention, possible loss of academic credit, parent contact

3rd offense: 1-3 days ISS, possible loss of academic credit, parent conference

## **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. 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 to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal 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**.)
- Criminal mischief, not punishable as a felony.

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** on page 28.) (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** on page 28.)
  - 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:

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

### ***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:

13. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
14. 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, or the central administration office.

Appeals shall begin at Level 1 with the superintendent.

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

### **Restrictions During Placement**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

A student placed in a DAEP shall not be provided transportation unless he or she is a student 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 last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

### **Placement Review**

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the 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:

15. 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
16. 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:

17. Threatens the safety of other students or teachers,
18. Will be detrimental to the educational process, or
19. 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:

20. The date on which the student's conduct occurred,
21. The location at which the conduct occurred,
22. Whether the conduct occurred while the student was enrolled in the district, or
23. 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:

24. Threatens the safety of other students or teachers,
25. Will be detrimental to the educational process, or
26. 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:

27. The student graduates from high school,
28. The charges are dismissed or reduced to a misdemeanor offense, or
29. 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:

30. Self-defense (see **Glossary**),
31. Intent or lack of intent at the time the student engaged in the conduct,
32. The student's disciplinary history,

33. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
34. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
35. 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:

36. Deliberate violent behavior that poses a direct threat to the health or safety of others;
37. Extortion, meaning the gaining of money or other property by force or threat;
38. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
39. 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:

40. 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,
41. An opportunity to testify and to present evidence and witnesses in the student's defense, and

42. An opportunity to question the witnesses called by the district at the hearing.
43. 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 hearing shall be conducted by the board of trustees and the decision to expel shall be made by the board.

### ***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:

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

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

Not later than the second business day after the hearing, the superintendent shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order 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:

50. The student is a threat to the safety of other students or to district employees, or

51. 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 decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

- 52. The out-of-state district provides the district with a copy of the expulsion order, and
- 53. 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:

- 54. The student is a threat to the safety of other students or district employees, or
- 55. Extended placement is in the best interest of the student.

## **Emergency Expulsion Procedures**

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

## **DAEP Placement of Expelled Students**

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

## **Transition Services**

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

## Glossary

**Abuse** is improper or excessive use.

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

56. Causes serious bodily injury to another;
57. Uses or exhibits a deadly weapon; or
58. 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:
  - f) 65 years of age or older, or
  - g) 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:
  - h) Any vegetation, fence, or structure on open-space land; or
  - i) 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:
  - j) Recklessly damages or destroys a building belonging to another, or
  - k) 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:

5. 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;
6. 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
7. 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:

8. Cause action by an official or volunteer agency organized to deal with emergencies;

9. Place a person in fear of imminent serious bodily injury; or
10. 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:

11. 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;
12. The frame or receiver of any such weapon;
13. Any firearm muffler or firearm weapon; or
14. 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:

15. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
16. 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
17. 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:
  - l) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - m) 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;
  - n) 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
  - o) 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:

18. Any type of physical brutality;
19. 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;
20. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
21. 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:

22. 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:

- p) An explosive weapon;
- q) A machine gun;
- r) A short-barrel firearm;

23. Armor-piercing ammunition;

24. A chemical dispensing device;

25. A zip gun;

26. A tire deflation device;

27. An improvised explosive device; or

28. 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:**

29. Deliberate violent behavior that poses a direct threat to the health or safety of others;

30. Extortion, meaning the gaining of money or other property by force or threat;

31. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or

32. Conduct that constitutes the offense of:

- s) Public lewdness under Penal Code 21.07;
- t) Indecent exposure under Penal Code 21.08;
- u) Criminal mischief under Penal Code 28.03;
- v) Hazing under Education Code 37.152; or
- w) 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:

- 33. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- 34. Place any person in fear of imminent serious bodily injury;
- 35. 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;
- 36. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
- 37. Place the public or a substantial group of the public in fear of serious bodily injury; or
- 38. 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.

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# Marathon Independent School District



**2021-22**

## **STUDENT HANDBOOK**

*Updated and approved Aug. 4, 2021 by MISD Board of Trustees*

# **Marathon Independent School Student Handbook**

2020-21 School Year

## **Accessibility**

If you have difficulty accessing this handbook because of a disability, please contact the superintendent or principal:

Peter Price--[pprice@marathonisd.net](mailto:pprice@marathonisd.net)--432.386.4431

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- MISD School Board
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  - Marina Aguilar, Board Member
  - Dara Cavness, Board Member
  - Craig Carter, Board Member
  - Steven Aguilar, Board Member
- Superintendent, Peter Price
- Marathon ISD
  - 109 N. 5th
  - Marathon, TX 79842
  - 432-386-4431

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## 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 Marathon ISD Student Handbook is a general reference guide that is divided into two sections:

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

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

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

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

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

Therefore, parents and students should become familiar with the Marathon Independent School District Student Code of Conduct. To review the Code of Conduct, visit the district’s website at State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

A hard copy of either the Student Code of Conduct or Student Handbook can be requested at the high school front office.

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 superintendent or principal.

Complete and return to the student's campus the following forms (provided in the forms packet distributed at the beginning of the year or upon enrollment):

- Acknowledgement Form,
- Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information,
- Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education (if you choose to restrict the release of information to these entities), and
- Consent/Opt-Out Form.

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

## **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***

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

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

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

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

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

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

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

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

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

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

- Is to be used for school safety,
- Relates to classroom instruction or a co-curricular or extracurricular activity,
- Relates to media coverage of the school, or

- Relates to the promotion of student safety as provided by law for a student receiving special education services in certain settings.

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

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

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

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

A parent who does not want corporal punishment administered to his or her child must return the form included in the forms packet. This signed statement must be submitted each school year. A parent may revoke this prohibition at any time during the school year by providing a signed statement to the campus principal.

#### **Note:**

- District personnel may use discipline methods other than corporal punishment if a parent requests that corporal punishment not be used.
- If the district knows that a student is in temporary or permanent custody of the state (through foster care, kinship care, or other arrangements), corporal punishment will not be administered, even when the student’s caregiver or caseworker has not submitted a signed statement prohibiting its use.

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

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

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

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

The employee is required to include the student’s parent as a recipient on all text messages.

The employee is required to include his or her immediate supervisor and the student’s parent as recipients on all text messages.

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

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

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

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

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

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

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

As allowed by state law, the district has identified two directory information lists—one for school-sponsored purposes and a second for all other requests. For district publications and announcements, the district has designated the following as directory information:

1. Items for use only for school-sponsored purposes; and
2. Items for all other purposes.

If a parent does not object to the use of his or her child’s information for these school-sponsored purposes, the school will not ask permission each time the district wants to use the information for these purposes.

For all other purposes, the district has identified the following as directory information: If a parent does not object to the use of the student’s information for these purposes, the school must release this information when requested by an outside entity or individual.

- Honor roll,
- Yearbook,

- Recognition activities,
- News releases, and
- Athletic programs.

For the following school-sponsored purposes – all District publications and announcements – directory information shall include 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 the athletic teams.

For all other purposes, directory information shall include student name, address, and grade level.

**Note:** Review **Authorized Inspection and Use of Student Records** on page 19.

***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 EF and FFAA.]

A parent may inspect a survey created by a third party before the survey is administered or distributed to his or her child.

### **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:

The District will use “*Big Decisions*” curriculum. *Big Decisions* encourages young people to postpone sexual involvement, and the program also gives them knowledge and skills to reduce their risks of when they do become sexually active. *Big Decisions* imbeds basic sexual health education in a program that provides a safe, inclusive, and respectful group experience; and that helps young people:

- Value respect, both showing respect and expecting respect;
- Connect healthy decisions to achieving their personal goals and dreams;
- Recognize and build healthy relationships;
- Set and defend personal limits-and respect others’ personal limits;
- Practice refusal skills; and
- Anticipate challenges and how to overcome them.

The Big Decisions curriculum is delivered in a classroom setting by trained teachers, coaches, or other facilitators. The sexual health content includes the basics of:

- Anatomy and reproduction;
- Abstinence (what it is and where to set limits),
- Basic sexual rights (to say “no” to sex) and responsibilities (never to pressure anyone for sex);
- Methods to avoid unplanned pregnancy
- Sexually transmitted infections (STIs) and how to reduce the risk of contracting and spreading them;
- The importance of addressing the risks of both pregnancy and STIs, if a teen does have sex; and
- The importance of defending your limits, with regard to sex.

The curriculum is designed for youth in the 8<sup>th</sup> or 9<sup>th</sup> grade, but it can be adapted for 7<sup>th</sup> grade.

*Big Decisions* can also be used with youth up to 12<sup>th</sup> grade.

A parent is entitled to review the curriculum materials. In addition, a parent may remove his or her child from any part of the human sexuality instruction without academic, disciplinary, or

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

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

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

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

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

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

[See policy EHBK(LEGAL).]

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

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

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

[See **Pledges of Allegiance and a Minute of Silence** on page 76 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** on page 13, 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.

- 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** on page 11.]

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 principal 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 109 N. 5<sup>th</sup>, Marathon, TX 79842.

The address of the principal's office is: 109 N. 5<sup>th</sup>, Marathon, TX 79842.

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

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

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy FNG(LOCAL). A grade issued by a teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines.

[See Finality of Grades at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 78, and **Complaints and Concerns** on page 40.]

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

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

### ***Teacher and Staff Professional Qualifications***

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

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

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

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

#### ***Children of Military Families***

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

- Immunization requirements;
- Grade level, course, or educational program placement;
- Eligibility requirements for participation in extracurricular activities;
- Enrollment in Edgenuity; 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**

A parent may:

- Request the transfer of 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.
- Consult with district administrators if the district has determined that his or her child has engaged in bullying and the board has decided to transfer the child to another classroom or campus.

[See **Bullying** on page 34, and policies FDB and FFI.]

- Request 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.]

- Request the transfer of his or her child to 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 district 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** on page 43, **Course Credit** on page 43, and **A Student in Foster Care** on page 86 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** on page 43, **Course Credit** on page 43, and **Homeless Students** on page 67 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 superintendent or principal at 432-386-4431.

### **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 superintendent at 432- 386-4431.

[See **A Student with Physical or Mental Impairments Protected under Section 504** on page 27.] 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** on page 25 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 principal at 432-386-4431.

### **Absences/Attendance**

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

### ***Compulsory Attendance***

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

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

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

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

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

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

## **Prekindergarten and Kindergarten**

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

### ***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. [See page 22.]

#### **Secondary Grade Levels**

In addition, a junior or senior student's absence of up to two days related to visiting a college or university will be considered an exemption, provided this has been authorized by the board under policy FEA(LOCAL), the student receives approval from the campus principal, follows the campus procedures to verify such a visit, and makes up any work missed.

An absence will also be considered an exemption if a student 17 years of age or older is pursuing enlistment in a branch of the U.S. armed services or Texas National Guard, provided the absence does not exceed four days during the period the student is enrolled in high school and the student provides verification to the district of these activities.

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

- An early voting clerk, provided the district's board has authorized this in policy FEA(LOCAL), the student notifies his or her teachers, and the student receives approval from the principal prior to the absences; and

- An election clerk, if the student makes up any work missed.

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

## ***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.

### **Age 19 and Older**

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

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

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

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

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

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

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

### ***Attendance for Credit 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 every day at 9:30 a.m., which is during the second instructional hour as required by state rule.

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

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

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

[See policy FEC(LOCAL).]

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

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

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

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

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

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

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

### **Armed Services Vocational Aptitude Battery Test**

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

### **Awards and Honors (All Grade Levels)**

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

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

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

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

The district is required to adopt policies and procedures regarding:

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

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

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying. A student may anonymously report an alleged incident of bullying by accessing the STOP IT app.

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

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

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined by the district to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See **Safety Transfers/Assignments** on page 23.]

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

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

[See **Safety Transfers/Assignments** on page 23, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44, **Hazing** on page 62, 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 areas:

- Welding.
- Career Investigations

Admission to these programs is based on interest.

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

It is the policy of the district not to discriminate on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

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

[See **Nondiscrimination Statement** on page 72 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** on page 64.]

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

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

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

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

Parents, if your child is a victim of sexual abuse or other maltreatment, the school counselor or principal will provide information regarding counseling options for you and your child available

in your area. The Texas Department of Family and Protective Services (DFPS) also manages early intervention counseling programs. [To find out what services may be available in your county, see [Texas Department of Family and Protective Services, Programs Available in Your County.](#)]

Be aware that children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See **Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)** on page 44.]

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

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

Reports of abuse or neglect may be made to:

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

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

All high school credit courses will be included in class rank calculations. There is no weighting of grades. Class rank may be used for the purpose of determining local honors/scholarships.

The valedictorian is the student with the highest GPA and must attend MISD all four years of high school. If there is a tie for valedictorian, attendance and level of courses (high school vs. college) may be used to break the tie. The salutatorian is the student with the second highest GPA and must attend MISD all four years in MISD. 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** on page 80 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.

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

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University's enrollment capacity for incoming resident freshmen. For students who are eligible to enroll in the University during the summer or fall 2020 terms or spring 2021 term, the University will admit the top six percent of the high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

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.

Upon a student's registration for his or her first course that is required for high school graduation, the district will provide written notice concerning automatic college admission, the curriculum requirements for financial aid, 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** on page 37 for information specifically related to how the district calculates a student's rank in class, and requirements for **Graduation** on page 56 for information associated with the foundation graduation program.]

[See **Students in the Conservatorship of the State (Foster Care)** on page 86 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 courses taught in conjunction and in partnership with the University of Texas of the Permian Basin and Odessa 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** on page 79 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** on page 79 for information regarding contact with parents during an emergency.]

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

Usually student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal. For those complaints and concerns that cannot be handled so easily, the board has adopted a standard complaint policy at FNG(LOCAL) in the district's policy manual, available on the district's website at [www.marathonisd.net](http://www.marathonisd.net). A copy of the complaint forms may be obtained in the principal's or superintendent's office.

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

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

#### ***Applicability of School Rules***

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

#### ***Campus Behavior Coordinator***

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The campus behavior coordinator at each district campus is the 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. 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.

## **Counseling**

### ***Academic Counseling***

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

*\*When Marathon ISD does not have a counselor, the superintendent and/or principal will serve in this capacity.*

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

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

## **High School Grade Levels**

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

The school counselor can also provide information about entrance examinations and application deadlines, as well as information about automatic admission, financial aid, housing, and scholarships as these relate to state colleges and universities. 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 concerns, including such areas as social, family, emotional or mental health issues, or substance abuse. A student who wishes to meet with the school counselor should schedule a meeting with the school counselor. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

[See **Substance Abuse Prevention and Intervention** on page 86, **Suicide Awareness and Mental Health Support** on page 87, and **Child Sexual Abuse and Other Maltreatment of Children and Dating Violence** on page 36.]

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

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

### **Credit by Examination**

#### ***If a Student Has Taken the Course / Subject (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 take an examination to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The examinations offered by the district are approved by the district’s board of trustees. The dates on which examinations are scheduled during the 2019–20 school year will be published in appropriate district publications and on the district’s website. The only exceptions to the published dates will be for any examinations administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system. When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific examination only once.

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

### **Kindergarten Acceleration**

#### ***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 or online at [www.marathonisd.net](http://www.marathonisd.net). [See policy FFH.]

#### ***Dating Violence***

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

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

#### ***Discrimination***

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

#### ***Harassment***

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an

intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

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

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

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

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

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

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

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

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

### ***Retaliation***

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

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

## ***Reporting Procedures***

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

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

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

## ***Investigation of Report***

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

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

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

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

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

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

## **Discrimination**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

## **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 University of Texas of the Permian Basin, Odessa College and the .

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

### ***Edgenuity***

#### ***(Secondary Grade Levels)***

Edgenuity 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 Edgenuity to earn course credit for graduation.

Depending on the Edgenuity course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [See **Extracurricular Activities, Clubs, and Organizations** on page 52.] In addition, for a student who enrolls in an Edgenuity 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 an Edgenuity course, please contact the school counselor. Unless an exception is made by the superintendent, a student will not be allowed to enroll in an Edgenuity 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 counselor.

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

### ***School Materials***

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

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

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

### **From Students**

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

The principal has designated the bulletin board in the front hallway 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 non-school material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without approval will be removed.

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

### **From Others**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA. To be considered for distribution, any non-school 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 superintendent has designated the bulletin board in the front hallway as the location for approved non-school materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy GKD(LOCAL) or a 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 non-school materials distributed under these circumstances must be removed from district property immediately following the event at which the materials are distributed.

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

(updated 3.24.21)

The District's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards. Accommodations may be made for student's religious beliefs. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

- All students must wear street shoes. Shoes must have a hard sole. Shower shoes, beach/water shoes, rubber flip-flops and house slippers are not permitted.
- Students may wear wind suits (no flannel/fleece warm-ups will be permitted)
- Clothing that is torn, or has holes beyond three inches above the knee, is not permitted.
- Students may not wear athletic, biker, or fringed pants or cut-off shorts.
- All garments must not be shorter than 3 inches above the center of the knee. Leggings or other stocking type pants will not change the garment length requirement This includes all skirts, the slit in the skirts, shorts or any other garment.
- Collared, button-up dress shirts, or shirts with tails must be tucked in, while all other T-shirts and Polo knit shirts must be tucked in only if the length of the shirt exceeds the fingertips of the student.
- Heavy coats and oversized jackets must be placed in lockers when entering the building. Hooded garments must be worn with the hood down all times.
- Baggy pants and baggy shorts are not allowed (if pants or shorts are sagging a belt must be worn). Pants and shorts must be worn at the natural waistline. Under no circumstance will undergarments be visible.
- Clothing shall not have obscene, vulgar, or sexually suggestive language or images; language or images that promote hate or violence. Drug, alcohol, or tobacco logos, or any other substance prohibited under Policy FNCF (Legal), symbols or illustrations are also prohibited.
- The wearing or display of gang-related colors or gang-related paraphernalia is prohibited.
- Hair should be neat, clean, pulled back, and not be distracting to the educational environment.
- Hair may not be dyed an unnatural color (purple, green, orange, white, red, etc.). Light tinting is allowed as long as it is not considered distracting by school officials.
- Make-up and other artificial skin coloring shall not be distracting or disruptive. Tattoos must not be visible at any time while at school or when participating in a

school sponsored or related activity on or off campus. This includes artificially induced scars produced purposely to resemble or represent something else.

- No head coverings of any kind shall be allowed in building during school hours.
- Sunglasses shall be allowed in the building.
- No chains of any kind are allowed.
- Students may have one earring per ear but no other visible body piercing. Ear gauges or plugs are not allowed.
- No muscle shirts, tank tops, halters, string tops or tops that expose the midsection (midriff), cleavage or back.
- No undergarment of any type should be visible.
- Facial hair will not be permitted. Side burns may not extend beyond the earlobes.
- Shirt straps must measure at least two fingers in width.
- The principal or superintendent will determine if clothing or attire not addressed in this policy creates a distraction to the educational process and may prohibit that clothing or attire for his or her campus. Administrators have the discretion to determine the appropriateness of dress and grooming and to make special exceptions, including for religious or medical necessities.

If the principal or superintendent 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. Students are issued, or allowed access to, school computers for instructional purposes; therefore, there is no instructional need for students to possess personal electronic devices, such as tablets, laptop computers, or MP3 players at school. The district understands that many parents feel their children need to carry cell phones to school for emergency communication purposes; however, there is no instructional need for students to use cell phones during the school day. In order to minimize distractions to instruction and to protect our students from obscene, violent, or other inappropriate media and content, the district does not allow these personal devices to be brought to school (tablets, laptops, etc.). The district cannot effectively control and monitor personal devices for such inappropriate content. Phones may be brought to school, but may not be used during the school day on school

grounds. Cell phones may not be openly visible, used, or turned on during the school day on school grounds except during the lunch period.

The use of electronic devices capable of capturing images or video is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

Any personal devices being used at school during the school day (other than school-issued laptops) will be confiscated by staff and given to the principal. The first confiscation/violation will result in the device being held until the end of the school day and may be picked up by the student. The second confiscation/violation will result in the device being held until the end of the school day and may be picked up by an authorized adult (not the student). The third confiscation/violation will result in the device being held for a minimum of 1 week and may be picked up by an authorized adult (not the student). The fourth confiscation/violation will result in the device being held until the end of the semester and may be picked up by an authorized adult (not the student). Confiscated telecommunications devices that are not retrieved by the student or the student's parents will be disposed of after the notice required by law. [See policy FNCE.] In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See Searches 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***

The District recommends that all electronic devices be stored during the instructional day in the student's locker. If a student chooses not to keep their electronic device in their locker, they may not use their cell phone or personal electronic devices in class. Students will be required to surrender their cell phone upon entry to the classroom each period. It is the responsibility of the student to surrender their phone voluntarily without prompting. The phone must stay in the teacher designated area until the end of class. If a student is carrying more than one cell phone or other personal electronic device, they must all be surrendered in each class during the instructional day. Failure to surrender all personal electronic devices each period will result in disciplinary action.

Personal earphones, earbuds, airpods and any other personal listening devices are not allowed to be used during the instructional day. School issued earphones will be distributed to each student and will be used for instructional purposes only.

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 82 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** on page 56 and **Standardized Testing** on page 84.]

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

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

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at **Standardized Testing** on page 84, 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** on page 87.]

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 inter-district 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](mailto:curriculum@tea.texas.gov).

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

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

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an Advanced Placement (AP) or International Baccalaureate (IB) course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or languages other than English—may not participate in extracurricular activities for at least three school weeks.
- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student is allowed in a school year up to 10 absences not related to post-district competition, a maximum of 5 absences for post-district competition prior to state, and a maximum of 2 absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

### ***Standards of Behavior***

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

### ***Offices and Elections***

Certain clubs, organizations, and performing groups will hold elections for student officers. These groups include National Honor Society and High School Class Administration.

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

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student health and accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
  - A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles** on page 88.]
  - 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 Edgenuity.

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 superintendent. [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** on page 44.]

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

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

<b>Credits Earned</b>	<b>Classification</b>
<u>6</u>	Grade 10 (Sophomore)
<u>12</u>	Grade 11 (Junior)
<u>19</u>	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** on page 78 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** on page 84 for more information.]

### **Foundation Graduation Program**

Every student in a Texas public school who entered grade 9 in the 2014–15 school year and thereafter will graduate under the “foundation graduation program.” Within the foundation graduation program are “endorsements,” which are paths of interest that include Science, Technology, Engineering, and Mathematics (STEM); Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies. Endorsements earned by a student will be noted on the student’s transcript. The foundation graduation program also involves the term “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits. A **Personal Graduation Plan** will be completed for each high school student, as described on page 59.

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.

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

### 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
<b>Total</b>	<b>22 credits</b>	<b>26 credits</b>

Additional considerations apply in some course areas, including:

- **Mathematics.** To obtain the distinguished level of achievement under the foundation graduation program, which will be included on a student’s transcript and is a requirement to be considered for automatic admission to a Texas four-year college or university, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits.

- **Physical education.** A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. 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***

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

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

Please be aware that not all courses are offered at every secondary campus in the district. 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 those students to take a course in the required curriculum other than fine arts or career and technical education (CTE), the district will offer the course for 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 not* 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 may include:

- Senior/Parent Dinner
- Project Graduation
- Painting of the Marathon "M" on Mustang Hill

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.

The following students and student groups shall be recognized at graduation ceremonies:

- Early College High School Graduates
- Scholarship Recipients
- Post-Secondary Degrees and Certificates

### ***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** on page 86.]

### ***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** on page 53.]

### ***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** on page 44.]

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

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

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

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

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

## **Health-Related Matters**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Maintaining healthy habits, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and

washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

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

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

You should seek prompt medical attention.

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

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

**Note:** DSHS requires at least one meningococcal vaccination on or after the student's 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

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

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

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

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

[See policy FFAF and **Celebrations** on page 36.]

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

Head lice, although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time, and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to determine whether the student will need to be picked up from school and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return.

Notice will also be provided to parents of elementary school students in the affected classroom.

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

[See policy FFAA.]

### ***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 at least 135 minutes of moderate or vigorous physical activity within each one-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.

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

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing issues such as school health services, counseling services, a safe and healthy school environment, recess recommendations, improving student fitness/nutrition, mental health concerns, and employee wellness. Additional information regarding the district's SHAC is available from the superintendent.

[See policies at BDF and EHAA. See **Human Sexuality Instruction** on page 15 for additional information.]

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

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

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

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

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

#### **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 superintendent. [See policies at CO and FFA.]

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

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off-campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school

property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies at FNCD and GKA.]

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

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact the principal or superintendent, the district's designated asbestos coordinator, at 432-386-4431.

### **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 principal or superintendent, at 432-386-4431.

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

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

For more information on services for homeless students, contact the district's homeless education liaison, the counselor, at 432-386-4431.

[See **Students Who Are Homeless** on page 67.]

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

Homework is intended to be an extension of the classroom, offering students additional practice or enrichment. It should be meaningful and age-appropriate. Parents should contact teachers if they have concerns about any assignment.

### **Illness**

[See **Student Illness** under **Health-Related Matters** on page 62.]

## **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 age-appropriate doses or on an acceptable physician-validated history of illness required by TDSHS. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

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

As noted at **Bacterial Meningitis**, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

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

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

### ***Questioning of Students***

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

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

- The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.

### ***Students Taken into Custody***

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

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

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

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

### ***Notification of Law Violations***

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who is thought to have committed certain offenses or who has been convicted, received deferred

prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

- All appropriate district personnel regarding a student who is required to register as a sex offender.

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

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

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

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place to document parental consent:

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

an emancipated minor, the nurse will document the time of day the student was released. Under no circumstances will a student in elementary or middle school be released unaccompanied by a parent or adult authorized by the parent.

### ***During Lunch***

Students are allowed to leave campus for lunch. **Only high school students with parent permission can walk home unaccompanied by an adult for lunch.**

### ***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.

### **Letter Jackets**

**High school students who have participated in two varsity UIL activities for at least two years are eligible for a letter jacket after their sophomore year.**

### **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** on page 31.]

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***

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

##### **Grades 9–12**

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

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

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

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

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

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

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

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

- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request. **Note:** Insect repellent is considered a nonprescription medication.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

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

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

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

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

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

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

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

### ***Psychotropic Drugs***

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

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health

professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [For further information, see policy FFAC.]

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

In its efforts to promote nondiscrimination and as required by law, Marathon ISD does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law, in providing education services, activities, and programs, including CTE programs, and provides equal access to the Boy Scouts and other designated youth groups. 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: Pete Price, superintendent, 109 N. 5<sup>th</sup>, Marathon, TX 79842, 432-386-4431.
- ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Pete Price, superintendent, 109 N. 5<sup>th</sup>, Marathon, TX 79842, 432-386-4431.
- All other concerns regarding discrimination: contact Pete Price, superintendent, 109 N. 5<sup>th</sup>, Marathon, TX 79842, 432-386-4431.
- [See policies FB, FFH, and GKD.]

### **Nontraditional Academic Programs (All Grade Levels)**

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

##### ***Working Together***

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

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.

- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling** on page 41.]
- 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 432-386-4431 for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 78.]
- Becoming a school volunteer. [For further information, see policy GKG and **Volunteers** on page 90.]
- Participating in campus parent organizations. Parent organizations include: Parent-Teacher Organization.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. [For further information, see policies at BQA and BQB, and contact the superintendent.]
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction and other wellness issues. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council (SHAC)** on page 15.]
- Being aware of the school’s ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child’s emotional or mental well-being.
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

## **Physical Examinations/Health Screenings**

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

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

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

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

School-based spinal screening helps identify adolescents with abnormal spinal curvature and refer them for appropriate follow-up by their physician. Screening can detect scoliosis at an

early stage, when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities.

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

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

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

Students are required to undergo a risk assessment for Type 2 diabetes at the same time the district screens students for hearing and vision issues, or for abnormal spinal curvatures.

[See policy FFAA.]

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

Each school day, students will recite the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags** on page 76.]

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

[See policy EC for more information.]

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

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

### **Promotion and Retention**

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

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

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

In all grades, promotion is based on passing all courses and recommendations from the Grade Placement Committee.

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** on page 84.]

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.

[For information related to the development of personal graduation plans for high school students, see **Personal Graduation Plans** on page 59.]

### ***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** on page 55.]

Students will also have multiple opportunities to retake EOC assessments. [See **Graduation** on page 56 and **Standardized Testing** on page 84 for more information about EOC assessments.]

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

[See **Leaving Campus** on page 69.]

### **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 5-6 weeks.

At the end of the first three weeks of a grading period, parents will receive a progress report if their child's performance in any course is near or below 70 or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** on page 74 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the principal pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL) and **Grading Guidelines** on page 55.]

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

## **Retaliation**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

## **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.

### ***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 keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

### ***Emergency School-Closing Information***

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

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways: Remind 101 and the information will be posted on the school website and Facebook page.

[See **Communications-Automated, Emergency** on page 39 for more information.]

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

[See **Standardized Testing** on page 84.]

### **Schedule Changes (Middle / Junior High and High School Grade Levels)**

Students may request a schedule change as needed and the administration will do its best to accommodate the request.

### **School Facilities**

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

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

The following areas are open to students before school, beginning at 7:45 a.m. (weather permitting)

- Corral
- Elementary Hallways

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

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

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

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

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

Loitering or standing in the halls during class is not permitted. Students must have teacher permission to be outside of the classroom for any purpose.

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

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

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

Participating students will be offered the same meal options as their peers and will not be treated differently from their peers.

All students may participate in the School Breakfast Program free of charge.

See Coy Gonzalez to apply for free or reduced-price meal services.

**(When MISD participates in the School Lunch Program:**

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

***Library***

***(All Grade Levels)***

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use as permitted by the student’s teacher.

***Meetings of Noncurriculum-Related Groups  
(Secondary Grade Levels Only)***

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

A list of these groups is available in the superintendent’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**

***District Property***

**(All Grade Levels)**

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

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

### ***Searches in General***

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

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

District officials may conduct searches of students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion, voluntary consent, or pursuant to district policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on district property.

If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a district official may conduct a search in accordance with law and district regulations.

### ***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.

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

The district will use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

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

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

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

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

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

[See **Steroids** on page 86.]

**Sexual Harassment**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

**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 the principal.

**Standardized Testing**  
***Secondary Grade Levels***

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

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

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

**TSI (Texas Success Initiative) Assessment**

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The purpose of the TSI assessment is to assess the reading, mathematics, and writing skills that 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

Successful performance on the reading and math assessments in grades 5 and 8 is required by law for the student to be promoted to the next grade level, unless the student is enrolled in a reading or math course intended for students above the student’s current grade level.

Exceptions may apply for students enrolled in a special education program if the admission, review, and dismissal (ARD) committee concludes the student has made sufficient progress in the student’s individualized education plan (IEP). [See **Promotion and Retention** on page 76 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 (PNP).

[See **Graduation** on page 56 for additional information.]

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

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

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.

### **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 principal, who has been designated as the district's foster care liaison, at 432-386-4431 with any questions.

[See **Students in the Conservatorship of the State** on page 86 for more information.]

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

The district provides students the opportunity to introduce the following school events: Graduation, National Honor Society, Veteran's Day Program, Pep Rallies. 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** on page 56 for information related to student speakers at graduation ceremonies.]

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

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

to you. The Texas Department of State Health Services (DSHS) maintains information regarding children’s mental health and substance abuse intervention services on its website: [Mental Health and Substance Abuse](#).

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

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

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

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

Students may be required to attend summer school if they fail one or more semesters of a course(s).

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

A student who is tardy to class may be assigned to detention hall or given another appropriate consequence.

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

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

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

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

[See **Safety Transfers/Assignments** on page 23, **Bullying** on page 34, and **Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services** on page 25, for other transfer options.]

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

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

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. As approved by the principal, a coach or sponsor of an extracurricular activity may establish procedures related to making an exception to this requirement when a parent requests that the student be released to the parent or to another adult designated by the parent. [See **School-sponsored Field Trips** on page 82 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 432-386-4431.

[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)**

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

### **Video Cameras (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, 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 (or superintendent) 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**

On College and Career Days, the district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

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

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact 432-386-4431 for more information and to complete an application.

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

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

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

When a student under age 18 withdraws from school, the parent or guardian must submit a written request to the principal, specifying the reasons for withdrawal and the final day the student will be in attendance. Withdrawal forms are available from the principal's office.

A student who is age 18 or older, who is married, or who has been declared by a court to be an emancipated minor may withdraw without parental signature.

Please provide the school at least three days' notice of withdrawal so that records and documents may be prepared.

## Glossary

**Accelerated instruction** is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment.

**ACT**, or the American College Test, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

**ACT-Aspire** refers to an assessment that took the place of ACT-Plan and is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

**ARD** stands for admission, review, and dismissal. The ARD committee convenes for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and his or her parents are members of the committee.

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**CPS** stands for Child Protective Services.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

**DFPS** is the Texas Department of Family Protective Services.

**DPS** stands for the Texas Department of Public Safety.

**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 passed in December 2015.

**FERPA** refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

**IEP** stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be

measured and how the parents will be kept informed; accommodations for state or districtwide tests; whether successful completion of state-mandated assessments is required for graduation, etc.

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

**ISS** refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

**PGP** stands for personal graduation plan, which is required for high school students and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT. It also serves as the basis for the awarding of National Merit Scholarships.

**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 assist the district in ensuring that local community values and health issues are reflected in the district's health education instruction, along with providing assistance with other student and employee wellness issues.

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

**STAAR Spanish** is an alternative state-mandated assessment administered to eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Successful performance sometimes is a condition of promotion and passing the STAAR EOC assessments is a condition of graduation. Students have multiple opportunities to take the tests if necessary, for promotion or graduation.

**Student Code of Conduct** is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle. It also sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP. It outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student’s violation of one of its provisions.

**TAC** stands for the Texas Administrative Code.

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English language 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.

**Edgenuity** stands for the , which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

**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 to Student Handbook developer:** State law requires that the district’s policy on bullying be distributed in its Student Handbook(s). The following has been formatted for the district to more easily insert its FFI(LOCAL) policy here rather than in the body of the handbook.

**Note:** School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit [www.marathonisd.net](http://www.marathonisd.net). Below is the text of Marathon ISD’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 October 9, 2017

## **FFI(LOCAL) - STUDENT WELFARE: FREEDOM FROM BULLYING**

### **Table of Contents**

**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, 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 Superintendent or designee.

#### Report Format

A report may be made orally or in writing. The Superintendent or designee shall reduce any oral reports to written form.

### **Notice of Report**

When an allegation of bullying is reported, the Superintendent or designee shall notify a parent of the alleged victim on or before the third business day

after the incident is reported. The Superintendent 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 Superintendent 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 Superintendent or designee shall conduct an appropriate investigation based on the allegations in the report. The Superintendent 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 Superintendent or designee shall take additional time if necessary to complete a thorough investigation.

The Superintendent 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.

### **Notice to Parents**

If an incident of bullying is confirmed, the Superintendent 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 Superintendent or designee shall refer to FDB for transfer provisions.

### Counseling

The Superintendent 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.

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432.362.6565  
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## Proposal/Letter of Agreement

July 9, 2021

This Proposal/ Letter of Agreement is to authorize **JSA Architects Inc.**, to provide Architectural Services for the **Marathon ISD Miscellaneous Projects 2021**, located in Marathon, Texas. Projects are to include the remodel of the Boy's Locker Room, the construction of a new Storage Building and Concrete Pad for a telescope, the remodel of the Existing Shop for a new Digital Lab and the refurbishment/replacement of the existing Running Track.

### Scope of Project:

- A. **Boy's Locker Room: Remodel of existing space to provide new shower and remodeling required for accessibility requirements.**
- B. **Telescope Building: Construction of a new 8'x8' building to store the existing telescope and provide a new concrete pad for use of the telescope.**
- C. **Digital Lab: Remodel of existing space within the existing shop building for a new digital lab to house 5 computers stations, plasma cutter and 3D printer**
- D. **Running Track: Replace the existing track surface and make required repairs to existing base areas that are no longer viable. Provide for alternate pricing to replace the existing track in its entirety.**

**NOTE: Scope for items A, B and C will be produced as one Bid Package and item D will be a separate Bid Package.**

### Architectural Services:

#### A. Construction Documents Phase:

- Prepare Construction Documents for bidding, regulatory approval and construction:
  - Field verification of existing conditions.
  - Architectural Construction Drawings, Details and Specifications.

#### B. Bidding and Construction Phase:

- Assist in the Administration of the Contract between Owner and the General Contractor.
- Evaluate the Construction work periodically (contingent on contractor progress).
- Review and advise Owner regarding Contractor payment applications.

- Review and approve material submittals.
- Review work at project substantial completion and review close-out documents.

**Services not included, which may be added as Additional Services if requested by Owner:**

- Structural Engineering
- Mechanical, Plumbing and Electrical Engineering
- Environmental Analysis or remediation
- Civil Engineering
- Survey of existing site conditions

**Compensation:**

- Architectural Services Fee:
- Basic Services Fee not to exceed \$18,000 for Scope Items A, B and C. (Includes 3 trips)
- Basic Services Fee not to exceed \$12,000 for Scope Item D. (includes 3 trips)
- These Services will be invoiced as follows:
  - Construction Documents Phase: 85%
  - Bidding & Construction Phase: 15%
- Printing (3) ½ size sets for Owner & Architect - Included in Fee.
- Travel Charge: \$950 each site visit in addition to base fee. Trips will only be billed as trips are incurred.
- Reimbursable Expenses: Expenses incurred plus 10%.

**Reimbursable Expenses:**


- Reproduction or Printing - beyond printing listed above.
- Renderings, models or mock-ups

All formal communications both to and from the Architect shall be through one Owner's Designated Representative.

Termination of this Agreement will be upon the completion of this project.

Submitted by:

JSA Architects, Inc.

By:   
Cruz R. Castillo III, AIA  
President

Date: 7-9-21

Accepted by:

Marathon Independent School District

By: \_\_\_\_\_  
Judy Briones  
School Board President

Date: \_\_\_\_\_

## **Marathon ISD School Board/Superintendent Norms (DRAFT—7.28.21)**

- Be respectful of all comments and opinions
- Listen to understand
- Practice being open minded
- Disagree with ideas, not the person
- Step up, step back
- Maintain confidentiality
- Once a decision is made, we all support it
- Board members contact the superintendent immediately whenever there is a concern or question
- Stay focused on our district vision: *Marathon ISD will educate all students to their highest levels of academic achievement and personal growth, preparing productive, responsible, innovative, and compassionate life-long learners.*

Before we speak, let's all T.H.I.N.K. . .

**T** = Is it True?

**H** = Is it Helpful?

**I** = Is it Inspiring?

**N** = Is it Necessary?

**K** = Is it Kind?

# Effective Board Practices:

## An Inventory for School Boards



# Effective Board Practices:

## An Inventory for School Boards



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# Effective Board Practices: An Inventory for School Boards

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## Introduction

Every school board wants first and foremost to ensure that students in the district succeed at the highest levels possible. Every decision the board makes and all the resources it marshals for the district are ultimately intended to promote this end.

To be successful over the long haul in promoting increased student achievement, the board must govern with vision, knowledge, and consistency.

Effective boards are marked by certain characteristics:

1. *They have embraced a vision and a set of clearly defined priorities for the district that structure both the board's decision making and the work of the district staff.* Vision and goals ensure both the district and the board have a clear focus for their efforts. When well considered, a vision and goals can also energize the staff, the students, and the entire community to work together for the common good of the community's and its citizens' future.
2. *They have a clear picture of what their work entails.* That is, the board understands its job relative to the work of others and knows the tools at the board's disposal for performing the job.
3. *They have formalized their work.* That is, the board has developed and follows clearly defined procedures and schedules for doing its work.
4. *They foster, through their own practices, the free flow of information within the community.* The free flow of information ensures the community is informed about and involved in the district's efforts to make its vision a reality.

All boards embody these characteristics in some measure. But truly effective boards—those that have positioned themselves to contribute consistently to increased student achievement—have institutionalized certain practices to make sure the tasks that promote improvement are performed regularly, consistently, and effectively.

*Effective Board Practices: An Inventory for School Boards* examines how fully the board currently embraces these characteristics of effectiveness. It lists practices in four areas that are the foundations for embodying the characteristics. If the board ignores the



practices listed here or performs them only perfunctorily, its capacity for leadership and the district's capacity for sustained improvement are left to chance and haphazard action. If it embraces them fully, the board will be positioned to make a consistent and sustained contribution to increased student achievement.

The Inventory is intended in large measure as a *planning* tool for boards that want to move to a higher level of effectiveness. *Very few boards are expected to be able to check off all the items on the Inventory in their initial review.* In fact, many boards will be able to check off only a handful. Inability to check off many items on the list does not mean the board is doing a poor job. It means only that the board may not be in a position to sustain its success over the long run. By incorporating more of the practices into its standard operations, the board will be providing both the district and the community with important vehicles for continued success.

Before checking your board's practices against the Inventory, be sure to read the pages that follow. These pages provide insight into why each of the activities is important. For more information about different activities contained in the Inventory, check the TASB Web Site at [LTS.tasb.org/resources](http://LTS.tasb.org/resources). This resources section contains information about the Inventory and other information about best practices in governance and oversight.

Working as a corporate board to secure the best education for the children of the community is a far more difficult task than it may seem to the average community member. The Inventory can help your board make sure its work is structured to promote both board and district success.

# 1. Planning and Governance

The primary way a school board governs a district is by setting direction for the district—articulating the culture it wants the district to embody, establishing the outcomes the board would like the district to achieve, and expressing and supporting the aspirations of the community for the future of its children. The most efficient vehicles for doing this are a clearly articulated vision and both annual and long-term goals. The goals give staff clear direction in achieving the district vision. Without a well-formed vision and goals there can be a lack of a clear sense of purpose and direction in the district. A clear district vision and goals coordinate the decisions and focus of the district staff.

It is important that the board and superintendent ensure that a vision and goals are in place for the district and that they use them to guide their own work and the decisions they make. In doing so, the board-superintendent team expresses its commitment to the vision and goals and ensures that they are used to coordinate the efforts within the district.

## Vision

A vision statement outlines an ideal picture of what is desired for the district in the long term. It should be attainable and cause the district to reach beyond where it is currently. A well-formed vision statement is written and usually speaks to what is desired for the students, their learning environment, and the community.

A good vision statement should energize the board-superintendent team and the district staff. It should go beyond platitudes or generic statements and express the real aspirations of the community for the future of its children. Because the vision statement is really a statement of community aspirations, the board-superintendent team, which has been entrusted by the community to articulate and follow through on these aspirations, may want to solicit input from the staff and community when the vision is being developed. This will make the vision broader and will increase the support by the community and staff for its long-term attainment.

Even though a good vision statement may be useful for many years, it should be reviewed periodically and updated as needed. A good rule of thumb is to review the vision statement at least every five years. Some districts choose to review their vision statement more frequently.



## Goals

District goals are more specific than a district vision. They can be short- or long-term and are focused on the results the district's leaders would like as part of the effort in achieving the vision. The goals address the issues the board would like the district's staff to spend special time, effort, and resources on in the coming year and in the long term. The board uses these goals to assess its decision making. The administration should use the goals to set work priorities for itself and the staff.



When setting goals, it is important that the board look comprehensively at the needs of the district and choose priorities carefully. To do this, the board needs the input of the superintendent and staff when setting district goals.

In addition to goals, the board must adopt student performance objectives each year. These objectives are related to the measures tracked in the Texas Academic Performance Report (TAPR). These objectives address specific and important student achievement measures. While these student performance objectives are required by law, they may not fully reflect the board's top priorities for the district. It is common for a district to have a set of district goals (three to eight is a common number) along with performance objectives related to the TAPR. Some of those goals may pinpoint aspects of the student performance objectives the board feels deserve special attention.

For each goal that is developed, there should be specific criteria included. These criteria help clarify what is expected by those charged in achieving them. Without clear criteria for achieving goals, staff may become confused about what specifically is expected.

District goals can be developed in a number of different ways. They can be developed by the board and the superintendent with input from some other key administrators if desired. In some districts, other staff members and/or parents may be involved in the development of the district goals. In others, district goals are developed by the administration and given to the board for its consideration and adoption.

Regardless of how the goals are developed, it is important that the board be fully committed to them. To ensure that the goals consistently represent the priorities of the district, it is important that the board take some action on them annually. This can include the board's reviewing, revising, and readopting the goals.

## Achieving the Vision and Goals

The district's vision and goals should be consistently on the board's mind. The board should take no action on major items without first formally questioning what, if any, effect it will have on the district moving forward toward accomplishing its goals.

One of the ways the board can monitor the advancement of district goals is by focusing the superintendent's evaluation process on the attainment of the district goals. To do this the board will want to develop superintendent performance goals. These performance goals clearly articulate what the board wants to see the superintendent focusing his or her time on to achieve the district goals. If the board is clear in its expectations, it is more likely that the superintendent will devote significant time in ensuring the district's priorities are achieved.

As part of the process of developing superintendent performance goals, the board should request scheduled periodic reports from the superintendent. These reports are designed to give the board information on what the superintendent and staff are doing to ensure progress is being made on specific district goals. Another of the things the board must do to ensure the successful completion of district goals is to adopt a budget that adequately funds the district's priorities. The board needs to ask questions of the superintendent about the adequacy of funding for district goals when he or she presents the budget. If the goals are adequately funded, the likelihood of their being achieved is far greater than if they are underfunded.

The Planning and Governance items in the Inventory will assist the board in knowing if it has fully incorporated effective practices into its routine operations.



## 2. Oversight of Management

Clearly defining and respecting the differences between the board's and superintendent's roles are crucial to avoiding misunderstandings, inefficiency, and possible conflict between the board and superintendent. Texas statute assigns to the board the task of "overseeing the management of the district." The task of managing the district is assigned to the superintendent, who is the chief executive officer of the district. Understanding the difference between these two functions is absolutely essential.

A simple but effective way to characterize these two distinct activities is as follows:

**Management** consists of three activities:

- Putting plans, procedures, programs, and systems in place to achieve a clearly defined, desired result
- Monitoring those plans, procedures, programs, and systems against appropriate benchmarks or measures of effectiveness
- Changing the plans, procedures, etc., if they are not proving successful in achieving the desired result



**Oversight of management** consists of three related activities:

- Making sure there are clearly defined, desired results in place for the major areas under management
- Making sure the clearly defined, desired results are appropriate
- Making sure that plans, procedures, programs, or systems are in place, that they are monitored, and that they are changed if necessary

One sometimes hears about board efforts to "micromanage" the district. Micromanagement by boards, when it occurs, is usually a product of the failure of the board and superintendent to adequately and explicitly discuss and define the difference between management and oversight of management. Micromanagement by individual trustees usually occurs when the board has not fully established appropriate vehicles for the board to oversee management as a body corporate.

In essence, the superintendent is responsible for systematically managing the district by ensuring plans, systems, and procedures exist, are monitored, and adjusted as necessary. The board's oversight function is to ensure that the superintendent is systematically managing the district by doing these things.



As the manager of the district, the superintendent should ask and answer certain questions about the major areas of district operations. “What are we trying to accomplish in this area of district operations?” “How can we assess whether or not we are succeeding?” “What standard of performance are we aiming at?” Some of the areas of operations the superintendent should be asking these questions about include maintenance, transportation, food services, human resources, and curriculum development and assessment, among others. Another important part of the superintendent's job is determining how to measure and assess the effectiveness in each of these areas.

The board, in its oversight role, will want to ensure that the superintendent is clear on what the measures for success or standards are for all of the major areas of district operations. To do this, the board should be systematically briefed by the superintendent about key operational areas. These periodic briefings should include what the measures of success are in the different operational areas and how well the district is doing in meeting these measures. By understanding the standards, the board can use this information to guide its deliberations on budgets, policy, and other issues related to operations that come before the board. The briefings about the operational areas will help the board understand what areas need improvement so it can make decisions to support those areas as needed.

Systematic management by superintendents will compel better decision making and should discourage second guessing by the board. Second guessing the superintendent's individual management decisions by the board is counterproductive and does not further the cause of good management or good oversight of management over the long term.

## **Oversight and Superintendent Evaluation**

The board's annual evaluation of superintendent performance should focus foremost on the superintendent's success in meeting priority performance goals discussed in the Planning and Governance Section above. These goals should be tied to district goals, including those that address student achievement. The focus of priority performance goals should be how well the superintendent has done in moving the district forward in achieving the district's goals.

In addition, however, the board will want to evaluate the superintendent's success in systematically managing the district. Items on the evaluation document that target systematic management should focus on whether the superintendent has put plans, programs, and procedures in place to achieve desired results in the major areas of district operations; whether the standards are appropriate; how effectively the plans are monitored; and whether data from the monitoring is used to plan improvements.

This approach offers a suitable avenue for assessing oversight of management. It discourages the common tendency among boards to focus on management style in the evaluation instead of on recognizing where the superintendent is effectively performing the basic tasks of systematic management.

The Oversight of Management items in the Inventory will assist the board in knowing if it has fully defined with its superintendent the respective roles of the board and superintendent in this crucial area of district operations.



### 3. Board–Superintendent Team Operations

#### Clarifying Assumptions and Expectations

Local school boards are expected to work as a body corporate in making decisions. To do this well, the board must set clear expectations for how the group will function in this unique way. Several tools and practices exist to help clarify the work and expectations of the board–superintendent team. These include team building, a code of ethics, written board operating procedures, and a board activity calendar. These practices and tools can help clarify the work of the board–superintendent team. Working as a body corporate demands that the members agree on procedures in advance, since no one member has the authority to dictate or decide for the entire team. Personal conflicts will decrease and the possibility of the board’s success will increase as each member gains familiarity with his or her colleague’s intentions, expectations, and assumptions.



#### Self-Assessment and Team Building

Any organization that expects to operate effectively will periodically engage in some form of self-assessment. Conducting a self-assessment is an opportunity for the board to evaluate how well it has done in functioning as a body corporate. Completing a self-assessment as part of the annual team-building requirement is an opportunity for the board and superintendent team to determine what needs to be improved to function more effectively in the future. It is important that expectations and standards on how to improve the team’s practices and behaviors are clearly articulated during this process.

#### Ethics and Operating Procedures

Two good ways for a board to clarify assumptions and expectations are to adopt a code of conduct or statement of ethical principles and written board operating procedures. Statements of ethical principles help to articulate ideal behavior and are intended to guide board members’ actions. Discussion by board members about what to include in a code of conduct and in a set of operating procedures can help the members of the team further understand the expectations, priorities, and motivations among members of the board. These types of discussions can help identify possible sources of conflict in the future and reduce their likelihood.

Written board operating procedures are intended to define clearly how to carry out regular board tasks. Many people wrongly assume that the way to perform routine tasks is commonly known and understood by all members of the board. This is an incorrect assumption and often contributes to inefficiency, inconsistency in trustee actions, and failure to carry out important tasks.



New board members and new superintendents often find written operating procedures to be very helpful. They help new members of the team understand the operations of the team in an efficient and useful manner. Lack of operating procedures can cause new members to learn by trial and error.

Operating procedures should be reviewed at least once a year to make sure they are still benefiting the team. Of course, procedures can be reviewed and updated at any time the board believes it is necessary. The review needn't be extensive, but members should have an opportunity to comment on any procedures they think can be improved. Many board-superintendent teams like to review and discuss their procedures after board elections or when new board members join the team. The discussion can form part of their required orientation to the local district. A more thorough review, including development of additional, needed procedures, is one option for the annual team-building session.

It is important that all members of the board reach consensus on the language for board operating procedures and a code of ethics when they are being developed and updated. The process in reaching consensus requires discussion that further clarifies expectations and assumptions. The consensus process increases the value of these types of documents and the level of commitment to them by members of the board-superintendent team.

## Annual Board Activity Calendar

Another tool that is helpful to maintain smoother board-superintendent operations is a written board activity calendar. This calendar outlines the key tasks and commitments the board will be responsible for throughout the year. Ideally the calendar will also include details about the types of information and reports the board will receive and take action on during the year.

A written board activity calendar serves several purposes. Among them, it does the following:

- Helps the board, especially new board members, know what to expect at any given time of year
- Ensures the board does not overlook any major responsibilities
- Helps the board prepare in advance for the regular tasks an effective board performs

- Assists the board and administration in judiciously scheduling their work, including developing agendas
- Ensures the board receives the regular information on district progress and operations success

Board activity calendars can take many different forms. The bottom line is that the calendar be (1) comprehensive, (2) consulted regularly in planning the board's work, and (3) followed. The calendar should be reviewed and updated at least once a year, or whenever necessary, to ensure that it is accurate and up-to-date. One of the times to consider reviewing the calendar is after board elections or any time new members join the board-superintendent team.

The Board-Superintendent Team Operations items in the Inventory will assist the board in knowing if it has in place and appropriately used the tools that promote efficiency in its own operations.



## 4. Advocacy

The school board is entrusted with the education of the children of its community. One of the things that the board does to advance this aim is to advocate for the district within the community and beyond.

Within the community, the board should take an active role in generating support for the district. This can be done in a number of ways. First, board members need to listen to what is going on in the community. Next the board needs to ensure that the community is aware of what is happening in the district. They can do this by ensuring that the community and staff are aware of the district's vision and goals, among other things. Some boards go a step further by inviting a broad range of community and staff members to participate in the development and/or revision of the district's vision and goals.

The board makes sure that the superintendent and staff have a plan in place to keep the community and staff aware of what is happening in the district. The superintendent should keep the board informed regularly about how the community and staff are being kept aware of district issues.

### Developing Partnerships

School board-superintendent teams that wish to build partnerships with their communities have to plan for it. Partnerships must be grown in a systematic way. Therefore, it is important that the board ensure that a plan is in place to develop partnerships. In addition to relying on the superintendent and staff to implement a plan, the board will want to decide what the board itself can do to build partnerships. Whether the goals of a partnership are to share resources between the schools and a municipality, find tutors for students, or raise funds, the board as a body corporate and board members individually can be very helpful in developing these relationships. To ensure that the board is engaged in the process of building partnerships with the community, it is important that the board has a plan in place to hold itself accountable. This plan should include what the board members will do to assist in the development of partnerships. Additionally, the board will want to note on its board activity calendar when it will review progress.



## Advocacy for the District with Other Elected Officials

School boards have an important responsibility to advocate for the district with legislators and other elected officials. Since school board members are entrusted by the local community with the interests of students of their district, they need to remember that occasionally they need to promote those interests with other elected officials. The board should plan for how it will represent the district. The plan for advocating for the district should be written and should list the activities the board as whole, individual board members, and the superintendent will undertake to gain support for the district.

Since board members are elected, they often have more influence over legislators and other publically elected officials than individuals or special-interest groups. Therefore, it is important that the board is actively involved in the process of advocating for the district. Some things that board members can do to advocate effectively for their district include keeping in touch with their legislators, inviting legislators to visit their districts, and encouraging the communities to contact legislators before crucial votes.

To ensure that the board is actively involved in advocating for the district, it should consider making it a long-term commitment. It is helpful for the board to review its advocacy activity on a regular basis. The board should review this activity at least every two years and make adjustments where necessary.

The Advocacy items in the Inventory will assist the board in knowing if it is taking all the steps necessary to have an effective advocacy program for the district.

## 5. Effective Board Practices: An Inventory for School Boards

Note that in the Inventory checklist, to respond to each of the numbered and shaded statements, please review the lettered criteria first. Each criteria item should be marked “Yes,” “No,” or “Unsure.” After responding to the criteria statements, respond to the numbered main item. The “Yes” response should be marked for the main item only if all the criteria received a “Yes.” Otherwise, “No” or “Unsure” is the appropriate response.

After individual members have completed the inventory, it is important that the entire board-superintendent team discusses the results together, reaches consensus on the rating of each item, and determines the next steps the team will take in improving its performance.



### Planning and Governance

#### 1. A vision statement is in place for the district.

1.1 The vision statement meets the criteria for a well-developed vision statement listed in the supporting materials. Yes No Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. Your vision statement is written. Yes No Unsure

b. It lists or describes desired qualities for at least each of the following: students of the district, the community, and the schools in the district. Yes No Unsure

c. Staff and community input was solicited in some fashion and was considered. Yes No Unsure

d. All current members of the board and the superintendent have agreed, in a formal adoption or readoption by the board, to be guided by the vision. Yes No Unsure

1.2 The board reviews and readopts the vision through formal board action.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>			
a. The board has formally adopted or readopted its vision statement within the last five years.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
b. The board's annual calendar of activities or another written document clearly specifies when the vision statement will next be considered for review.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>

1.3 The vision is disseminated throughout the district.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>			
a. The vision statement is clearly posted in the board meeting room or copies are available at each meeting.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
b. The vision statement is available on all campuses and all staff members have been informed about it.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>

**2. A comprehensive statement of goals for the district is in place.**

2.1 The board adopts or reaffirms a comprehensive list of district goals each year through formal board action.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>			
a. The board formally adopted or reaffirmed a list of goals within the past 12 months.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
b. Workshop documents from the goal-setting process indicate the board considered a broad range of district issues and student achievement measures before limiting the goals to those included in its list.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
c. Each member of the board can state in general terms the substantive content of current goals.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
d. The board can point to specific, written criteria that will be used to assess whether the district is succeeding in reaching its goals.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>

2.2 Mechanisms for disseminating the goals for the district are clearly identified and in writing. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

a. Current goals are either posted in the board room or made available to the audience at board meetings. Yes  No  Unsure

b. The goals are available on all campuses and the district Web site, and all staff members have been informed about them. Yes  No  Unsure

2.3 The board is familiar with administration's written plans for accomplishing the goals. The plans include time lines for implementation, specific mechanisms for assessing the effectiveness of the plans, and specific times for reporting to the board on progress. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

a. The board has looked at copies of, or been formally briefed about, the administration's plans for accomplishing the current district goals. Yes  No  Unsure

b. The written plans state what results the board will see after implementation and include time lines for implementation, procedures for assessing effectiveness, and a schedule for progress reports to the board. Yes  No  Unsure

### 3. Board actions reinforce the central importance of the goals to the work of the district.

3.1 Deliberation on major items before the board routinely includes a discussion of the recommended action's impact on meeting district goals. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

a. Board agenda materials routinely summarize the impact agenda items will have on the achievement of current goals. Yes  No  Unsure

b. Board deliberations routinely include an acknowledgement of whether the given agenda item directly or indirectly supports a district goal. Yes  No  Unsure

3.2 The board’s superintendent evaluation instrument and process focus first and foremost on the superintendent’s success in addressing the board-adopted goals. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. Board agenda materials or minutes indicate the board formally adopts written priority performance goals for the superintendent at the beginning of the evaluation cycle. Yes  No  Unsure
- b. The majority of the priority performance goals for the superintendent are clearly derived from current or former district goals. Yes  No  Unsure
- c. The board’s regularly scheduled formative and summative evaluation conferences begin with reports by the superintendent on actions taken in support of the priority performance goals or with summaries of reports provided earlier. Yes  No  Unsure

3.3 The board’s budget review process specifically identifies how goals are funded in the proposed budget, whether funding is adequate, and whether funding priorities are consistent with board-adopted goals. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. Board agenda materials or minutes indicate that the board annually discusses budget priorities with the superintendent in advance of the superintendent’s budget preparation. Yes  No  Unsure
- b. Budget review materials used in adopting the current district budget clearly identify the funding associated with each district goal. Yes  No  Unsure

#### 4. The board monitors plan implementation and district success in a formal, scheduled manner.

4.1 Time lines in the plans for reporting to the board are incorporated into the board’s annual activity calendar and included on appropriate monthly agendas. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. Board agendas or minutes from the past 12 months indicate the board received and formally discussed at least one report of progress on district goals. Yes  No  Unsure
- b. The board’s calendar for the coming year lists the months in which reports on goal implementation will be provided. Yes  No  Unsure

## Oversight of Management

### 5. Goals, performance standards, and/or benchmarks have been established for major aspects of district operations.

- 5.1 The board receives information annually from the superintendent on the goals, standards, or benchmarks the administration uses to assess effectiveness for the major areas of district operations. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

- a. Board agenda materials or minutes from the past 12 months indicate the board and superintendent formally discussed goals, standards, or benchmarks the superintendent uses in assessing operational effectiveness in major areas. Yes  No  Unsure
- b. The board can point to a document or documents outlining the measures used by the administration to assess success in at least three major areas of district operations. Yes  No  Unsure

- 5.2 The board receives regular, scheduled updates on operations effectiveness as measured against standards or benchmarks. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

- a. Board agenda materials or minutes indicate that the board received a report on operations success relative to established standards or benchmarks within the last 12 months. Yes  No  Unsure

### 6. The board is familiar with the broad outlines of the systems the superintendent has put in place to manage district operations.

- 6.1 The board and superintendent have a schedule for periodic updates on major management systems in the district, including presentations on how benchmark data is used to plan improvements. Yes  No  Unsure

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

- a. Board agenda materials or minutes indicate the board received a briefing on at least one major management system within the past 12 months. Yes  No  Unsure
- b. The board can point to a document with a schedule for briefings on major management systems. Yes  No  Unsure

6.2 The board’s evaluation of the superintendent’s performance as a manager focuses on the superintendent’s establishing appropriate measures and standards of performance for major district operations, monitoring success, and using data for improvement.

Yes No Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. Items on the board’s evaluation instrument that assess management skills focus on whether appropriate performance standards are in place for major areas of district operations, whether the standards are being monitored, and whether they are being met.

Yes No Unsure

## Board–Superintendent Team Operations

### 7. The board and superintendent team regularly checks expectations and assesses board–superintendent operations.

7.1 The board and superintendent participate in an annual team-building activity.

Yes No Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. Board agenda materials or minutes indicate the board and superintendent participated together in a team-building session or self-assessment discussion during the past 12 months.

Yes No Unsure

b. Written documents or reports from the team-building session indicate the session included review of actual board practices and behaviors and resulted in agreements about future operations.

Yes No Unsure

c. Board agenda materials, board minutes, or documents related to the most recent team-building session indicate the board formally discussed continuing education needs as a part of its team-building activity.

Yes No Unsure

d. The board can point to written plans for continuing education for its members that include, at a minimum, the topics to be addressed.

Yes No Unsure

7.2 The board has adopted and annually reaffirms an ethics statement or code of conduct for board members. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. The board can point to a code of conduct or ethics statement that has been formally adopted by the board. Yes  No  Unsure
- b. Board agenda materials or minutes indicate the statement has been affirmed by all current members of the board, or the board’s calendar of activities includes reaffirmation of the ethics statement or code of conduct as an agenda item within the next six months. Yes  No  Unsure

**8. Written operating procedures for the board and superintendent are in place.**

8.1 A written annual calendar of board events, outlining major board activities by month, is in place. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. All members of the board have copies of a written, 12-month calendar on which major board responsibilities have been scheduled. Yes  No  Unsure
- b. At least 75 percent of the board tasks on the calendar for the past 12 months were performed in the months scheduled or were rescheduled on the calendar for another specific time. Yes  No  Unsure

8.2 Operating procedures are codified in a written board-superintendent procedures document; new board members are oriented to operating procedures within the first 60 days of service. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

- a. The board can point to written board operating procedures. Yes  No  Unsure
- b. The operating procedures are stated in terms of observable actions: what the board, trustee, or superintendent is actually expected to do or not do. Yes  No  Unsure
- c. Any members who have joined the board-superintendent team within the last 12 months have copies of all written board operating procedures. Yes  No  Unsure

8.3 An annual review of operating procedures is included on the board activity calendar. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. Board agenda materials, minutes, or other documents indicate the board and superintendent have formally discussed operating procedures within the past 12 months. Yes  No  Unsure

b. The review of operating procedures usually occurs in the same month each year. Yes  No  Unsure

### Advocacy

#### 9. The board is an active advocate for the district within the community.

9.1 The board has an active plan for its generating support for the district, its vision, and its goals with patrons, the business community, and other organizations in the area. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. The plan is written and reviewed each year. Yes  No  Unsure

b. The plan lists activities the board members themselves or the board as a whole will do to generate support and partnerships within the community. Yes  No  Unsure

9.2 The board reviews board and board member success in generating support for the district annually. Yes  No  Unsure

*You can check “Yes” for the above item if you check “Yes” to all the criteria below:*

a. The board’s activity calendar includes a month in which this review takes place. Yes  No  Unsure

b. Agenda materials, workshop materials, or minutes from the last 12 months indicate that board discussed the success of its plan and its efforts. Yes  No  Unsure

**10. The board is an active advocate for the district with other elected officials.**

10.1 The board has an active plan for advocating for the district's interest with legislators and other elected public officials. **Yes** **No** **Unsure**

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

a. The plan is written and reviewed at least every two years. **Yes** **No** **Unsure**

b. The plan lists activities the board members themselves or the board as a whole will do to support the district's interest before legislators and other elected public officials. **Yes** **No** **Unsure**

10.2 Every two years, the board reviews board and board member success in advocating for the district with legislators and other elected officials. **Yes** **No** **Unsure**

*You can check "Yes" for the above item if you check "Yes" to all the criteria below:*

a. The board's activity calendar includes a month in which this review takes place. **Yes** **No** **Unsure**

b. Agenda materials, workshop materials, or minutes from the last 24 months indicate that board discussed the success of its plan and its efforts. **Yes** **No** **Unsure**

