

**Devine Middle School
and
Devine High School**

**Student-Parent Handbook
2011-2012**

This book belongs to: _____

*Devine Middle School
400 Cardinal
Devine, TX 78016
830-851-0695*

*Devine High School
1225 W. Hondo
Devine, TX 78016
830-851-0895*

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DISD BOARD OF TRUSTEES

Mrs. Cindy Morales.....President
Mr. Wayde Anderson.....Vice President
Mrs.Nancy Pepper.....Secretary
Mr. Carl Brown..... Member
Mrs. Rhonda Korczynski.....Member
Mr. Henry Moreno, Jr.Member
Mrs. Paula Samudio.....Member

DISD ADMINISTRATIVE STAFF

Mrs. Linda McAnelly..... Superintendent
Mr. Scott Sostarich.....Testing/Curriculum Coordinator
Mrs. Glenda Allen..... Director of Special Programs
Mr. Ricardo Rodriguez.....Director of Special Education and 504
Mrs. Debbie McCormick..... Business Manager

Mr. Daryl Wendel.....High School Principal
Mr. Steve Anderson..... High School Assistant Principal
Mr. Tim Coyle..... Asst. Principal, Secondary Curriculum and Instruction
Mr. Roland Cadena..... High School Counselor
Mr. Chad Quisenberry..... Boys’ Athletic Director
Mrs. Terri Wells..... Girls’ Athletic Director

Mr. Roberto Munoz..... Middle School Principal
Mr. Rhonnie Lester..... Middle School Assistant Principal
Mrs. Dawn Schneider..... Middle School Counselor

Mr. Mike Wagner..... Intermediate School Principal
Mrs. Lee Davis Asst. Principal, Elementary Curriculum and Instruction
Mr. Blain Martin..... Intermediate School Counselor

Mrs. Brenda Gardner..... Elementary School Principal
Mrs. Stephanie Kohlleppe..... Elementary School Counselor

Dr. Dottie Gonzalez.....DAEP Principal

CAMPUS HOURS OF OPERATION

General Office Hours

Regular office hours are 7:30 a.m. until 4:00 p.m., Monday through Friday. An appointment before or after regular office hours may be arranged by contacting the school office at each school.

2011-2012 DHS Bell Schedule	
1st Bell	7:55 AM
1st Period	8:00 to 8:45
2nd Period	8:50 to 9:35
3rd Period	9:40 to 10:25
4th Period	10:30 to 11:25**
5th Period	11:30 to 12:15
Lunch	12:15 to 1:00
6th Period	1:05 to 1:55
7th Period	2:00 to 2:50
8th Period	2:55 to 3:40

2011-2012 Early Dismissal Schedule	
1st Bell	7:55 AM
1st Period	8:00 to 8:30
2nd Period	8:35 to 9:05
3rd Period	9:10 to 9:40
4th Period	9:45 to 10:15**
5th Period	10:20 to 10:50
6th Period	10:55 to 11:25
7th Period	11:30 to 12:00
8th Period	12:05 to 12:35
Lunch	12:35

2011-2012 DHS Pep Rally Schedule	
1st Bell	7:55 am
1st Period	8:00 to 8:40
Wake-up Call	8:40 to 8:50
2 nd Period	8:55 to 9:35
3 rd Period	9:40 to 10:20
4 th Period	10:25 to 11:10**
5 th Period	11:15 to 11:55
Lunch	12:00 to 12:40
6 th Period	12:45 to 1:25
7 th Period	1:30 to 2:10
8 th Period	2:15 to 2:55
Pep Rally	3:00 to 3:40

2011-2012 DHS Early Pep Rally Schedule	
1st Bell	7:55 am
1st Period	8:00 to 8:40
Wake-up Call	8:40 to 8:50
2 nd Period	8:55 to 9:35
3 rd Period	9:40 to 10:20
4 th Period	10:25 to 11:10**
5 th Period	11:15 to 11:55
Pep Rally	12:00 to 12:30
<i>Lunch</i>	12:30 to 1:15
6 th Period	1:20 to 2:00
7 th Period	2:05 to 2:50
8 th Period	2:55 to 3:40

Devine Middle School Daily Schedule	
First Bell	7:50 a.m.
1 st Period	7:55 - 8:45
2 nd Period	8:49 - 9:48
3 rd Period	9:52 - 10:42
4 th Period	10:46 - 11:36
5 th Period [A Lunch]	11:36 - 12:11
5 th Period [B PRIDE]	11:40 - 12:15
6 th Period [A PRIDE]	12:15 - 12:50
6 th Period [B Lunch]	12:15 - 12:50
7 th Period	12:54 - 1:44
8 th Period	1:48 - 2:38
9 th Period	2:42 - 3:32

DMS Early Dismissal Schedule	
First Bell	7:50 a.m.
1 st Period	7:55 - 8:25
2 nd Period	8:29 - 9:02
3 rd Period	9:06 - 9:36
4 th Period	9:40 - 10:10
7 th Period	10:14 - 10:44
8 th Period	10:48 - 11:18
9 th Period	11:22 - 11:52
5 th Period [A Lunch]	11:52 - 12:24
5 th Period [B Pride]	11:56 - 12:28
6 th Period [A PRIDE]	12:28 - 1:00
6 th Period [B Lunch]	12:28 - 1:00

CAMPUS TRADITIONS

The History of the Warhorse

The dictionary defines a “Warhorse” as: **A powerful horse—a charger—one who has had a stormy but successful career.**

William the Conqueror used mounted knights to invade England. The English then began to breed a large powerful WARHORSE that could carry a man wearing heavy armor. When returning from a victory in battle, the knight and his horse were given a triumphal return home. The whole city was victorious.

Ramses III of Ancient Egypt said, “A WARHORSE quivers in all his limbs, anxious to crush the foe under his hooves...” From: Encyclopedia Britannica & World Book Encyclopedia.

Since 1923, Devine High students, former students and friends have worn the name WARHORSE, rallying behind it to encourage each other to greater achievement in many situations. The great horse, known for its pride, strength and endurance among horses, and standing for many of the qualities to which groups and individuals should aspire, has given long and loyal service. The name WARHORSE has become synonymous with Devine High School; yet, there was a time when there was no DHS Warhorse.

The story behind the tradition goes back to the 1923-24 school year. It was the year of the school’s third football team. A young man named Robert Clyde Tate had come to DHS as a teacher and coach. The young coach had a nickname he had acquired during his college days—“WARHORSE.”

During the 1923 football season, fans and foes alike formed the habit of referring to the determined, hard-working coach as “Warhorse” and “Old Warhorse.”

The football team was dubbed “Warhorse’s Boys.”

Later during the year, the team was faced with the decision of selecting an official nickname for itself. A 1923 issue of *Whirlwind* (the DHS newspaper at the time) described the event, which occurred at a football banquet, in this way: “After much discussion, it was decided that in the future the Devine football team would be known as the ‘Warhorses’.”

Taken From: 1974 DHS *Corral* (Yearbook)

The History of the Arabian

The dictionary defines an “Arabian” as, “a horse known for its graceful build, speed, intelligence and spirit.”

“The Arabian is a light weight, but strong horse known for its endurance. It is a beautiful horse easily distinguished by its type and style with prominent and expressive eyes.” From: *Encyclopedia Britannica & World Book Encyclopedia.*

The “Arabian” came to Devine High School as a mascot in the early 1950’s to give the girls’ athletic teams their own identity.

Devine Middle School Mascots

Colts and Fillys

School Colors

Maroon and Gold

Alma Maters (School Songs)

Devine High School

Warhorses marching ever on, on to victory and to glory
Loud cheers ring out, hurrahs resound
To proclaim that same old story
Ever bold as of old guard her honor
On the field, never yield, win her fame
Warhorses, now be bold; maroon and gold unfold
Our heads we bow, our pledge renew
Oh, Devine, we will be true.
FIGHT! FIGHT! FIGHT!

Devine Middle School

The Colts are marching onward
To another victory.
Nothing can stop them.
Watch our boys go
Round the end and back again.
The victory is ours.
We’ll never fail.
Fight for Devine
For the game is ours.

PREFACE

To Students and Parents:

Welcome to school year 2011–2012! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Secondary Schools Student Handbook is designed to provide a resource for some of the basic information that you and your child will need during the school year. In an effort to make it easier to use, the handbook is divided into two sections:

Section I—PARENTAL RIGHTS AND RESPONSIBILITIES—with notices that the district must provide to all parents, as well as other information to assist you in responding to school-related issues. We encourage you to take some time to closely review this section of the handbook; and

Section II—OTHER IMPORTANT —organized alphabetically by topic for quick access when searching for information on a specific issue.

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

Both students and parents should become familiar with the Devine ISD *Student Code of Conduct*, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found as an attachment to this handbook, posted online at www.devineisd.org, or available in the principal’s office.

The student handbook is designed to be in harmony with board policy and the *Student Code of Conduct*. Please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year. Changes in policy or other rules that affect student handbook provisions will be made available to students and parents through newsletters or other communications.

In case of conflict between board policy (including the *Student Code of Conduct*) and any provisions of the student handbook, the current provisions of board policy or the *Student Code of Conduct* are to be followed.

After reading through the entire handbook with your child, keep it as a reference during this school year. If you or your child has questions about any of the material in this handbook, please contact the assistant principal or campus principal.

Also, please complete and return to your child’s campus the following required forms provided in the forms packet accompanying this handbook:

1. Student Handbook and Code of Conduct Acknowledgement Form;
2. Student Agreement for Participation in an Electronic Communications System Form;
3. DHS - Release of Information to Military Recruiters and Institutions of Higher Learning Form: and DMS-Volunteer/Sponsorship Opportunities Form;
4. Nurse's Office Annual Update;
5. DMS – One-Time Fieldtrip Permission Form
6. Migrant Education Program Form;
7. Free and Reduced Price Lunch Form;
8. DMS – School/Student/Parent Compact for Title I Funded Schools;
9. Directory Information and Consent/Opt-Out Forms.

[See **Obtaining Information and Protecting Student Rights** on page 3 and **Directory Information** on page 12 for more information.]

Please note that references to policy codes are included so that parents can refer to current board policy. A copy of the district's policy manual is available for review in the school office, at the central office, or online at www.devineisd.org.

SECTION I: PARENTAL RIGHTS AND RESPONSIBILITIES

This section of the Devine Secondary School Student Handbook includes information on topics of particular interest to you as a parent.

PARENTAL INVOLVEMENT

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 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 of your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements of the graduation programs with your child once your child begins enrolling in courses that earn high school credit.

- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling** on page 31 and **Academic Programs** on page 19.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office at 830.851.0695 (DMS) or 830.851.0895 (DHS) 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 73.]
- Becoming a school volunteer. [For further information, see policies at GKG and contact the school office at 830.851.0695 (DMS) or 830.851.0895 (DHS).]
- Participating in campus parent organizations. At DMS, please complete the form, “Opportunities for Parent Volunteers/Sponsorship.” At DHS, each parent organization will send out recruitment/membership information in the fall and place information in the local paper, *The Devine News*.
- 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 campus principal at 830.851.0695 (DMS) or 830.851.0895 (DHS).
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council** on page 59.]
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

Parent Involvement Coordinator

The Parent Involvement Coordinator, who works with parents of students participating in Title I programs is Glenda Allen and may be contacted at the central office.

PARENTAL RIGHTS

Obtaining Information and Protecting Student Rights

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

- Political affiliations or beliefs of the student or the student’s parent.
- Mental or psychological problems of the student or the student’s family.
- Sexual behavior or attitudes.
- Illegal, antisocial, self-incriminating, or demeaning behavior.
- Critical appraisals of individuals with whom the student has a close family relationship.

- Relationships privileged under law, such as relationships with lawyers, physicians, and ministers.
- Religious practices, affiliations, or beliefs of the student or parents.
- Income, except when the information is required by law and will be used to determine the student’s eligibility to participate in a special program or to receive financial assistance under such a program.

You will be able to inspect the survey or other instrument and any instructional materials used in connection with such a survey, analysis, or evaluation. [For further information, see policy EF (LEGAL).]

“Opting Out” of Surveys and Activities

As a parent, you have a right to receive notice of and deny permission for your child’s participation in:

- Any survey concerning the private information listed above, regardless of funding.
- School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing or selling that information.
- Any non-emergency, 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 scoliosis screenings, or any physical exam or screening permitted or required under state law. [See policies EF and FFAA.]

Inspecting Surveys

As a parent, you may inspect a survey created by a third party before the survey is administered or distributed to your child.

Requesting Professional Qualifications of Teachers and Staff

You may request information regarding the professional qualifications of your child’s teachers, including whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; whether the teacher has an emergency permit or other provisional status for which state requirements have been waived; and undergraduate and graduate degree majors, graduate certifications, and the field of study of the certification or degree. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your child.

Reviewing Instructional Materials

As a parent, you have a right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered to your child.

Displaying a Student’s Artwork and Projects

Teachers may display students’ work in classrooms or elsewhere on campus as recognition of student achievement. However, the district will seek parental consent before displaying

students' artwork, special projects, photographs taken by students, and the like on the district's Web site, in printed material, by video, or by any other method of mass communication.

Accessing Student Records

You may review your child's student 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 counselor evaluations,
- Reports of behavioral patterns, and
- State assessment instruments that have been administered to your child.

[See **Student Records** on page 10.]

Granting Permission to Video or Audio Record a Student

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

- When it is to be used for school safety;
- When it relates to classroom instruction or a co-curricular or extracurricular activity; or
- When it relates to media coverage of the school.

Granting Permission to Receive Parenting and Paternity Awareness Instruction

As a parent, if your child is under the age of 14, you must grant permission for your child to receive instruction in the district's parenting and paternity awareness program or your child will not be allowed to participate in the instruction. This program, developed by the Office of the Texas Attorney General and the State Board of Education, is incorporated into the district's health education classes.

Removing a Student Temporarily from the Classroom

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

Removing a Student from Human Sexuality Instruction

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

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

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

As a parent, you are entitled to review the curriculum materials. In addition, you may remove your child from any part of this instruction with no academic, disciplinary, or other penalties. You may also choose to become more involved with the development of curriculum used for this purpose by becoming a member of the district's SHAC. Please see the campus principal for additional information.

Excusing a Student from Reciting the Pledges to the U.S. and Texas Flags

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 69 and policy EC (LEGAL).]

Excusing a Student from Reciting a Portion of the Declaration of Independence

You may request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3–12 to recite a portion of the text of the Declaration of Independence during Celebrate Freedom Week unless (1) you provide a written statement requesting that your child be excused, (2) the district

determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the United States government extends diplomatic immunity. [See policy EHBK (LEGAL).]

Requesting Limited or No Contact with a Student through Electronic Media

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

An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests.

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

Requesting Notices of Certain Student Misconduct

A non-custodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to 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*.]

Corporal Punishment

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

Corporal punishment is permitted in order to preserve an effective educational environment, free from disruption. Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age, physical, mental, and emotional condition of the student; the type of instrument to be used; the amount of force to be used; and the part of the body to be struck shall be considered before administering any corporal punishment.

Corporal punishment shall be limited to spanking or paddling and shall be administered only in accordance with the following guidelines:

- The student is told the reason for the corporal punishment.
- Corporal punishment must be given by the principal or assistant principal.
- The instrument to be used will be approved by the principal.
- Corporal punishment will be administered in the office, in the presence of an administrator, and out of view of other students. A female witness shall be present when a female student receives corporal punishment.
- If a parent requests no corporal punishment, a note stating this must be on file in the assistant principal's office. In this case, other serious forms of discipline will be used which may include home suspension or assignment to in-school suspension for one or more days.

A disciplinary record will be maintained and will contain the name of the student, the name of the person administering the punishment, and the name(s) of witnesses present. Disciplinary records shall be made available to parents or the student, whichever is appropriate.

If you do not want corporal punishment to be administered to your child as a method of student discipline, please return the form included in this handbook OR please return the form included in the forms packet OR submit a written statement to the campus principal stating this decision. A signed statement must be provided each year.

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

School Safety Transfers

As a parent, you have a right:

- To request the transfer of your child to another classroom if your child has been determined by the board or its designee, the superintendent or campus principal, to have been a victim of bullying as the term is defined by Education Code 25.0341. See the campus principal or superintendent for information. [See policy FDB.]
[See **Bullying** on page 21 and policy FFI (LOCAL).]
- To request the transfer of your child to another campus or a neighboring district if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. [See policies FDD (LEGAL) and (LOCAL).]

Requesting Classroom Assignment for Multiple Birth Siblings

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

Parents of Students with Disabilities

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. [See policy FDB(LOCAL).]

Request for the Use of a Service Animal

A parent of a student who uses a service animal because of the student's disability must submit a request in writing to the principal at least ten district business days before bringing the service animal on campus.

Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education Services

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other 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 school districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If the evaluation is needed, the parent will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. The district must give a copy of the report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights, if they disagree with the district. The district is required to give parents the *Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities*. Additional information regarding the Individuals with Disabilities Education Act (IDEA) is available from the school district in a companion document, *A Guide to the Admission, Review, and Dismissal Process*.

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

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

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is the campus counselor at 830.851.0695 (DMS) or 830.851.0895 (DHS).

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. [See policy FDB (LOCAL).]

Parents of Students who speak 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 extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

Accommodations for Children of Military Families

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

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

In addition, absences related to a student visiting with his or her parent related to leave or deployment activities may be excused by the district. The district will permit no more than five excused absences per year for this purpose.

Additional information may be found at <http://www.tea.state.tx.us/index2.aspx?id=7995>.

The Parent Involvement Coordinator, who works with parents of students participating in Title I programs is Glenda Allen, and she may be contacted at 830.851.0795.

Student Records

Both federal and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy. Before disclosing any personally identifiable information from a student's records, the district must verify the identity of the person, including a parent or the student, requesting the information. For purposes of student records, an "eligible" student is one who is 18 or older OR who is attending an institution of postsecondary education.

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

- The parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the rights to access a student's education records.
- Federal law requires that, as soon as a student becomes 18, is emancipated by a court, or enrolls in a post-secondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, 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.
- District school officials who have what federal law refers to as a "legitimate educational interest" in a student's records. School officials would include trustees and employees, such

as the superintendent, administrators, and principals; teachers, counselors, diagnosticians, and support staff; a person or company with whom the district has contracted or allowed to provide a particular service or function (such as an attorney, consultant, auditor, medical consultant, therapist, 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; or investigating or evaluating programs.

- Various governmental agencies, including juvenile service providers.
- Individuals granted access in response to a subpoena or court order.
- A school or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.

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

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

Records may be inspected by a parent or eligible student during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent or eligible student who provides a written request and pay 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 these records. The address of the superintendent’s office is 205 W. College, Devine, TX 78016.

The address(es) of the principals’ offices are:

Devine Middle School	Devine High School
400 Cardinal	1225 W. Hwy. 173
Devine, TX 78016	Devine, TX 78016

A parent (or eligible student) may inspect the student’s records and request a correction 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 principal. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record 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 the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student’s record. Although improperly recorded grades may be challenged, contesting a student’s grade in a course is

handled through the general complaint process found in policy FNG (LOCAL). A grade issued by a classroom 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 policy. [See FINALITY OF GRADES at FN (LEGAL), **Report Cards/Progress Reports and Conferences** on page 73, and **Student or Parent Complaints and Concerns** on page 28 for an overview of the process.]

The district's policy regarding student records found at FL (LOCAL) and FL (LEGAL) is available from the principal's or superintendent's office or on the district's web site www.devineisd.org.

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

Please note:

Parents or eligible students have the right to file a complaint with the U.S. Department of Education if they believe the district is not in compliance with federal law regarding student records. The complaint may be mailed to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

Directory Information

The law permits the district to designate certain personal information about students as "directory information." This "directory information" will be released to anyone who follows procedures for requesting it.

However, release of a student's directory information may be prevented by the parent or an eligible student. This objection must be made in writing to the principal within ten school days of your child's first day of instruction for this school year. [See the "Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information" included in the forms packet.

Directory Information for School-Sponsored Purposes

The district often needs to use student information for the following school-sponsored purposes: TAKS recognition, honor roll recognition, attendance recognition, extracurricular participation or recognition, and campus/district web site, or as otherwise found in FL (LOCAL).

For these specific school-sponsored purposes, the district would like to use your child's name, grade-level, and photograph or as otherwise found in FL (LOCAL). This information will not be used for other purposes without the consent of the parent or eligible student, except as described above at Directory Information.

Unless you object to the use of your child's information for these limited purposes, the school will not need to ask your permission each time the district wishes to use this information for the school-sponsored purposes listed.

Release of Student Information to Military Recruiters and Institutions of Higher Education

The district is required by federal law to comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parents have advised the district not to release their child's information without prior written consent. A form has been attached for you to complete if you do not want the district to provide this information to military recruiters or institutions of higher education.

SECTION II: OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS

Topics in this section of the 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 conveniently organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. Should you be unable to find the information on a particular topic, please contact the campus principal's office at 830.851.0695 (DMS) or 830.851.0895 (DHS).

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 compulsory attendance, the other with attendance for course credit, are of special interest to students and parents. They are discussed below:

Compulsory Attendance

State law requires that a student between the ages of six and eighteen 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.

A student who voluntarily attends or enrolls after his or her 18th birthday is required to attend each school day until the end of the school year and is subject to compulsory attendance laws, if the student is under 21 years old. In addition, if a student 18 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]

Students enrolled in prekindergarten or kindergarten are required to attend school.

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 in grades 3–8 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 applicable subject area.

Exemptions to Compulsory Attendance

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

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Service as an election clerk; and
- Documented health-care appointments, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student’s return to campus.

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 the student receives approval from the campus principal, follows the campus procedures to verify such a visit, and makes up any work missed.

Failure to Comply with Compulsory Attendance

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

A court of law may also impose penalties against both the student and his or her parents if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student:

- Is absent from school on ten or more days or parts of days within a six-month period in the same school year, or
- Is absent on three or more days or parts of days within a four-week period.

For a student younger than 12 years of age, the student’s parent could be charged with a criminal offense based on the student’s failure to attend school.

If a student between the ages of 12 and 18 violates the compulsory attendance law, both the parent and student could be charged with a criminal offense.

If the student is age 18 or older, the student, but not the student's parents, would be subject to penalties as a result of the student's violation of state compulsory attendance law. [See policy FEA(LEGAL).]

Attendance for Credit

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

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

In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- All absences will be considered in determining whether a student has attended the required percentage of days. If makeup work is completed, absences for the reasons listed above at **Exemptions to Compulsory Attendance** will be considered days of attendance for this purpose.
- A transfer or migrant student 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 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.

The student or parent may appeal the committee's decision to the board of trustees by filing a written request with the superintendent in accordance with policy FNG (LOCAL).

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

Parent's Note after an Absence

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

Discretionary Leave, Excused and Unexcused Absences, Truancy

Discretionary leave promotes a “No Need to Lie” understanding between the parent and the school district. It allows the parent to decide when it is in the best interest of their child to be absent from school for illness without needing to go to the doctor. Likewise, it allows the parent to take their student out of school for personal/family business without feeling compelled to write a false excuse indicating illness or some other reason for the absence.

Discretionary leave requires that the parent send a written excuse for the child's absence, tardiness or early departure, but it does not place any limitations on the reason for the absence. Each student will be allowed a maximum of three discretionary leave days per semester. These three absences with parental acknowledgement will be excused regardless of the reason for the absence. (e.g. illness for which the parent chooses not to take their child to the doctor, taking an extended weekend to visit relatives out of town, taking a child to watch a sibling participate in an extracurricular event, prospective college visits, etc...).

Once a student exceeds the limit of three excused discretionary absences, tardies, or early departures in any semester, each absence, tardy or early departure thereafter will be considered unexcused unless proof of a doctor's* office visit or court appearance is established. *(medical doctor, psychological doctor, professional counselor, dentist, orthodontist, optometrist or other licensed medical professional)

Beyond the three allowable excused discretionary absences, tardiness, and early departures, all other absences require proof of doctor's office visit, court appearance, or approval by the campus principal for extenuating circumstances in order to be excused. Without a written, signed note from a parent for discretionary leave or official documentation, all missed time is considered unexcused. **Students who do not return to school with a note will be issued an unexcused absence until the proper documentation is submitted. Failure to do so within three days of the absence will result in the absence being permanently recorded as unexcused.**

An unexcused absence will also be given to a student who leaves school without permission, or who is truant. A student is truant when he/she misses a class or part of a class without parents and/or school having been informed in advance. In cases of suspected truancy, the principal may refuse to accept a parent's note as allowable discretionary leave, and the student's absence may be recorded as unexcused. He/she may also face disciplinary sanctions for truancy according to local policy.

Doctor's Note Following Absence for Illness

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

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.
[See policy FEC(LOCAL).]

When a student has attended a doctor's appointment, written verification from the doctor's office will be needed in order for the absence to be excused. A parent's note stating that the child had a doctor's appointment will be considered "discretionary leave" and count towards the three-day limit.

Parents should attempt to schedule all appointments after school hours whenever possible. When it is not possible and in the case of routine check-ups, procedures, or illnesses which are not contagious to other students, it is recommended that students attend school prior to their doctor's appointment and/or return to school following the appointment.

The campus principal or his/her designee shall have the final word in determining whether or not an absence is excused or unexcused when there are extenuating or unusual circumstances surrounding the absence. The Campus Attendance Committee may grant excused absences in which extenuating or unusual circumstances extend beyond the three-day limit of discretionary leave in any semester, and for which proof of a doctor's office visit is not available.

Driver's License Attendance Verification

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.

DMS students, regardless of age, are not allowed to bring a vehicle on campus and will not be provided attendance verification unless extenuating circumstances exist and are approved by the campus principal.

Admit Slips

Students are expected to obtain their admit slip before school or during lunch, and may be assigned campus detention for not getting their slip on time or not bringing an excuse. 7th grade athletes will come to the office to get their admit slips at the end of 1st period athletics.

Tardies and Late Arrival to School

A student who is tardy to first period by more than twenty minutes will be marked absent for that class period. When the student arrives at school, he/she must first come by the office, sign in,

and be issued an admit slip before reporting to class. The student should make every effort to bring his/her parent-signed note with him/her on that same day.

If a student is tardy to classes subsequent to first period, he/she will go directly to class, and the teacher will record the tardy. Teachers will mark students tardy on the official attendance records. There is no differentiation for tardies as there are for absences. All tardies appearing on attendance records are considered unexcused. If a student has an acceptable excuse for being late, the tardy is not recorded.

A DMS student who is tardy to class will be disciplined by the teacher on the first two occasions and will be sent to the office for all repeated violations during the same semester.

DHS Tardy Policy

The tardy policy is for each individual class period, and the administration of the policy is per Six-Weeks grading period.

- 1st Tardy: No consequence
- 2nd Tardy: Detention Hall
- 3rd Tardy: In-school Suspension (Half Day)
- 4th Tardy: In-school Suspension (All Day)
- 5th Tardy: In-school Suspension (All Day)
- 6th Tardy: In-school Suspension (Three Days)
- 7th Tardy: Possible placement to DAEP

DAEP is the District's Alternative Education Program.

After School Detention Rules

After school detention will start promptly at 3:45 p.m. Students can only do one of two things during detention: work independently on classroom assignments or sit perfectly quiet with their heads off the table. If a student is told to leave because he or she is disrupting the detention, they will automatically be placed in ISS the following day.

Competition Days

Students must attend school at least four hours on game or competition days, unless the student's athletic director or UIL director, principal, or designee approves extenuating circumstances.

College Days

Juniors and Seniors may choose to visit prospective colleges during school days. Absences for college days beyond the two allotted will be considered discretionary leave, and students are reminded that a parent's written excuse is required as with all other absences upon the return to school. This absence will be excused and will not count against exemptions as long as proper paperwork is turned in for college day credit.

ACADEMIC PROGRAMS

The school counselor provides students and their parents information regarding academic programs to prepare for higher education and career choices. [For more information, see Academic Counseling on page 31.

AWARDS AND HONORS

Honor Rolls

Both DMS and DHS students are rewarded at the end of the year by being named to the “All A’s Honor Roll,” for which students must have all A’s (90 or above) on their report cards in all subjects all year. Students may also be named to the “A-B Honor Roll,” for which students may have up to two B’s (85 or above) and the rest A’s in all subjects all year. In addition, students at Devine Middle School may also be named to the “Above Average Honor Roll” for having all report card grades above 85 all year.

A’s and B’s Because I Try (ABBIT) Society - DMS

Devine Middle School offers academic recognition through the ABBIT Society, “A’s and B’s Because I Try.” Students with at least two A’s (90 or above) and all other grades of B (80 or above) or higher will be recognized at the end of each grading period, first through the fifth six weeks.

Local businesses are recruited as sponsors each year, and various prizes and “freebies” are awarded to students who make the ABBIT List. Parents who know businesses that might like to be included in recognizing students’ achievements should contact the middle school office, 830.851.0695, with the name of the business and person to be contacted.

Best Attendance and Grades (In the BAG Club) - DHS

Devine High School offers academic and attendance recognition through the “In the BAG Club.” Students with grades of at least two course averages above 85 and the rest above 90 and/or those with perfect attendance during a six-week grading period will receive an “In the BAG Club” card.

Local businesses are recruited as sponsors each year, and various prizes and “freebies” are awarded to students who make the BAG List. Parents who know businesses that might like to be included in recognizing students’ achievements should contact the high school office, 830.851.0895, with the name of the business and person to be contacted.

National Honor Society (NHS) and National Junior Honor Society (NJHS)

Eleventh and twelfth graders in high school (NHS) and seventh and eighth graders in middle school (NJHS) are invited by a faculty committee to apply for membership based upon cumulative grade point average requirements and standards set by the national society. The applications are reviewed by the faculty committee and congratulatory invitations to join the society are issued to those selected. Selection criteria considered by the committee include:

- Scholarship

- Service
- Leadership
- Character
- Citizenship

An induction ceremony for family and friends is held to honor those selected for society membership. For more information, contact the campus sponsor: Neva Sessions at DHS or Kandi Darnell at DMS.

Extracurricular, Organizational and Teachers' Awards

At the end of each school year, each teacher is allowed to select two students to receive awards or special recognition in the course(s) or subject(s) they teach. At DMS, a Most Improved Student and a Most Outstanding Student are selected. In addition, teachers may choose to recognize each student earning all A's in a subject area. An awards assembly is scheduled during the school day, usually within the last two weeks of school, to recognize these students.

All students who participate in the various clubs, organizations, and other extracurricular and school-sponsored activities are eligible for awards presented by those organizations. The criteria for these awards are determined by the respective organizations. At DHS, the staff also presents students with various regional, state-wide, and national recognition/awards.

Presidential Award for Academic Excellence

- From 8th through 12th grade, students who qualify for the Presidential Award for Academic Excellence are honored at their awards assembly (for 8th graders, at the promotion ceremony) each year. To qualify for this award, the student must meet nationally pre-determined standards regarding their grade point averages as well as standardized test scores.

Junior and Senior Superlatives - DHS

To be eligible for a Superlative Award, a student must have been a member of his/her class for at least two full years and not have a record of discipline problems with campus administration which may include disciplinary referrals, poor attendance, excessive tardies, or various other teacher referrals. Students will be automatically withdrawn from superlative voting for referrals that result in a DAEP, ISS or Home Suspension placement.

The following Superlative Awards will be awarded at Devine High School:

Juniors (nominated and elected by a popular vote of the junior class):

Jivin' Junior Boy and Girl

Seniors (nominated and elected by a popular vote of the senior class with the exception* of Mr. and Miss DHS):

Mr. and Miss DHS

Boy and Girl Most Likely to Succeed

Most Handsome and Most Beautiful

Most Athletic Boy and Girl

Most Friendly Boy and Girl

*Mr. and Miss DHS will be seniors nominated by the senior class and voted on by the DHS student body. A senior may receive only one superlative and may receive Mr. or Miss DHS also.

BULLYING

Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct against another student and the behavior:

- results in harm to the student or the student's property,
- places a student in fear of physical harm or of damage to the student's property, or
- is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment.

Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, assault, demands for money, confinement, destruction of property, theft of valued possessions, name-calling, rumor-spreading, and ostracism. In some cases, bullying can occur through electronic methods, called "cyberbullying."

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal, or another district employee as soon as possible. The administration will investigate any allegations of bullying and will take appropriate disciplinary action if an investigation indicates that bullying has occurred. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.

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

[Also see **School Safety Transfers** on page 7, Hazing on page 56, and policy FFI(LOCAL).]

CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS

Devine ISD offers career and technical education programs in Agriculture, Food and Natural Resources, Architecture and Construction, Arts, A/V Technology and Communications, Business Management and Administration, Education and Training, and Science, Technology, Engineering, and Mathematics. Admission to these programs is open to all students.

It is the policy of Devine ISD 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.

Devine ISD will take steps to assure that lack of English language skills will not be a barrier to admission and participation in all educational and CTE programs. [Also see **Nondiscrimination Statement** on page 2 for additional information regarding the district's efforts regarding participation in these programs.]

For information about your rights or grievance procedures, contact the Title IX Coordinator, Mrs. Glenda Allen, at 205 W. College, Devine, Texas 78013, 830-851-0795, and/or the Section 504 Coordinator, Mr. Ricky Rodriguez, at 1225 W. Hwy 173, 830-851-0881.

CHILD SEXUAL ABUSE

The district has established a plan for addressing child sexual abuse and other maltreatment of children, which may be accessed at Central Office in the District Improvement Plan. 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. 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.

As a parent, if your child is a victim of sexual abuse or other maltreatment, the campus 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 (TDFPS) also manages early intervention counseling programs. To find out what services may be available in your county, see http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp.

The following Web sites might help you become more aware of child abuse and neglect:
<http://www.childwelfare.gov/pubs/factsheets/signs.cfm>
<http://sapn.nonprofitoffice.com/>
<http://www.taasa.org/member/materials2.php>
http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml
http://www.oag.state.tx.us/AG_Publications/txts/childabuse2.shtml

Reports may be made to:

The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1 800-252-5400 or on the Web at <http://www.txabusehotline.org>).

CLASS RANK/ HIGHEST RANKING STUDENT-DHS

1. Class ranking shall be determined by accumulated grade points divided by the number of courses for which final grades were given. Class ranking and grade point averages shall include all course work in grades 9-12, except correspondence courses, credit by exam (with or without prior instruction), summer school credit (except for acceleration), dual college credit taken off campus, credit for which only a pass fail grade was given, middle school credit, credit for courses not recognized by TEA, and credit awarded in a non-accredited instructional setting. In addition, no credit earned as teacher aide, office aide, library aide, computer aide, PE, band, and athletics shall be included in the computation. In order to determine final ranking and to prepare for commencement, it is necessary to average senior grades at the end of the fifth six weeks-grading period.

2. Upon successful completion of any of the following advanced courses, points for each semester will be added to the cumulative grade point average. Pre-AP and Honors classes, AP, and Dual Credit classes taken at Devine High School will be weighted in the numerical GPA. Pre-AP, AP and Honors courses will receive 5 points to be added at the end of each semester. Students in AP courses will earn an additional 5 points if they successfully score a 3 or higher on the AP exam. Dual-Credit courses taken at Devine High School will receive 10 points to be added at the end of each semester (if the student meets all class requirements). Points added are for ranking purposes and will be shown only in the numerical grade point average.

English I Pre-AP	U.S. Government-Dual Credit	Economics-Dual Credit
Calculus AP	Geometry Pre-AP	Pre-Calculus Pre-AP
English II Pre-AP	U.S. History-Dual Credit	Biology I Pre-AP
Chemistry Pre-AP	English III-Dual Credit	Algebra II Pre-AP
Biology AP	English IV-Dual Credit	Spanish III-Pre-AP
Spanish I Honors	Spanish II Honors	

3. Should a student be struggling in an advanced class at the end of the first six weeks of the first semester, the student may, with parent permission, drop the course to return to an on-level class. In such a case, the student will receive only regular course credit. Pre-AP and AP students and their parents are required to sign a contract of expectations.

4. Students transferring into the District shall receive the numerical grade that was earned in courses at another school. Letter grades shall be recorded as follows:

A+.....98	B+.....88	C+.....79	D+.....74	F.....65
A.....95	B.....85	C.....77	D.....73	
A-.....91	B-.....81	C-.....75	D-.....71	

5. A three-year graduate must have been a member of the graduating class for two years prior to graduation and is not eligible for valedictorian or salutatorian. A student who completes the high school program requirements in fewer than four years shall be ranked in the class with which he or she actually graduates. The three-year and early graduation plans must be approved by the principal and assistant principal for curriculum and instruction. To be eligible to graduate early, a student shall complete all coursework and exit level testing required of the ninth grade class in which he or she begins high school.
6. The valedictorian and salutatorian shall be the eligible students with the highest and second highest ranking as determined by the District's class ranking procedure described in the policy and who complete the Recommended Program or the Distinguished Achievement Program.
7. To be eligible for valedictorian or salutatorian honors, a student must have been continuously enrolled at Devine High School for the past four semesters (junior and senior year) preceding graduation. To qualify to give the valedictorian or salutatorian speech, a student shall not have engaged in any serious misconduct violation of the Student Code of Conduct, including removal to a DAEP, a three-day suspension, or expulsion during his or her last four semesters.
8. The valedictorian and salutatorian are responsible for addressing the graduation audience. The class president and vice-president are responsible for the welcome and invocation. In the event that the valedictorian or salutatorian and the class president and vice-president are the same person (s), then the welcome and/or invocation will be given by the next highest ranking graduate.
9. Honor graduates-To be recognized for scholastic honors, students shall be required to maintain a numerical average of 92 or above, excluding the last six weeks of the senior year and be on the Recommended or Distinguished Achievement Program. Students shall be enrolled in at least one advanced placement or dual credit course during each of their last two years.
10. Individual graduating seniors may request and obtain their class rank and average from the counseling office with reasonable notice.

For two school years following his or her graduation, a district student who graduates in the top ten 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 Recommended or Advanced/Distinguished Achievement Program; or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

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 of Texas at Austin during the summer or fall 2011 term, the University will be admitting the top eight percent of the high school's graduating class who

meet the above requirements. Additional applicants will be considered by the University through an independent review process.

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

[For further information, see policies at EIC.]

CLASS SCHEDULES

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.

Teachers, counselors, and administrators work closely with students each spring to select an appropriate schedule of courses for the following year. Students are required to have their parents review course selections and sign the course request sheet signifying their approval. When schedules are created, the school counselor and administration work hard to balance sections and student loads. *For these reasons, schedule changes are strictly limited during the school year.*

Students may only request changes during the first two weeks of the fall semester. After that, schedule changes will only be teacher-/administration-initiated. Students must request spring schedule changes **before** the Christmas break and must have permission from the parent and the assistant principal for curriculum and instruction or counselor. The administration reserves the right to change a student's schedule if deemed necessary. Unless a schedule is administratively initiated, a parent must request a schedule change for his/her child in writing.

Policy EEC provides additional information for the granting of schedule change requests.

Advisories at DHS

Advisory groups are one effective means to achieve personalized learning by building supportive relationships between students and teachers. An advisory program is an arrangement whereby one adult and a small group of students have an opportunity to interact on a scheduled basis in order to provide a caring environment for academic guidance and support, everyday administrative details, recognition, and activities to promote student success.

Purpose

There are many different purposes an advisory program can be designed to meet and therefore no two advisory programs will look alike. The over-arching purposes of the DHS Advisory Program are as follows:

- To advise students about academic decisions and monitor academic achievement
- To foster communication between the home and school and among members of the school community
- To prepare students for life transitions including career development and post-secondary opportunities
- To explore the process of group development and have fun
- To provide time for completion of class/homework and receive assistance from a certified teacher if needed
- To conduct campus business such as announcements, assemblies, fundraising, service projects, club meetings, and pep rallies without otherwise interrupting scheduled instruction

Explanation of the *P.R.I.D.E.* Course – DMS

The purpose of the Devine Middle School P.R.I.D.E. program (Purpose, Respect, Integrity, Discipline, and Excellence) is to 1) provide students with the time and opportunity for basic skills mastery in their identified areas of academic weakness; 2) to provide time for completion of class/homework and receive assistance from a certified teacher if needed; 3) to allow practice time for academic UIL competitions; and 4) to conduct campus business such as announcements, assemblies, fundraising, service projects, club meetings, and pep rallies without otherwise interrupting scheduled instruction.

Students are required to always have with them a library book or other school projects to work on during P.R.I.D.E. in the event they have no assignments to complete. A conduct grade will be issued for the class period.

Parents are asked to encourage their student to utilize P.R.I.D.E. class time to the fullest extent possible. Fifty percent or more of a student's six weeks average is determined by grades earned on class/homework. When a student receives a failing grade, it is very often due to not completing assignments and turning them in on time. This problem can often be avoided when students fully utilize the time and resources made available through the P.R.I.D.E. class.

COLLEGE AND UNIVERSITY ADMISSIONS

For two school years following his or her 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 Recommended or Advanced/Distinguished Achievement Program; or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

In addition, the student must submit a completed application for admission in accordance with the deadline established by the college or university.

The 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 of Texas at Austin during the summer or fall 2012 term, the University will be admitting the top nine percent of the high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through an independent review process.

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.

Students and parents should contact the counselor or Roland Cadena @ 830.851.0895 for further information about automatic admissions, the application process, and deadlines.

[See also **Class Rank/Highest Ranking Student** on page 23 for information specifically related to how the district calculates a student's rank in class].

COLLEGE CREDIT COURSES – DHS

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), or International Baccalaureate (IB);
- Enrollment in an AP or dual credit course through the Texas Virtual School Network;
- Enrollment in courses taught in conjunction and in partnership with Southwest Texas Junior College; and
- Certain CTE courses.

All of these methods have eligibility requirements and must be approved prior to enrollment in the course. Please see the counselor for more information.

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.

COMPLAINTS AND CONCERNS

Usually student or parent complaints or concerns can be addressed by a phone call or a conference with the teacher or administrator. For those complaints and concerns that cannot be handled so easily, the district has adopted a standard complaint policy at FNG (LOCAL) in the district's policy manual. A copy of this policy may be obtained in the principal's or superintendent's office or on the district's web site at www.devineisd.org.

In general, the student or parent should first discuss the complaint or concern with the appropriate teacher. If the teacher's decision is not satisfactory, the parent may submit a written complaint and request a conference with the appropriate administrator. 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.

COMPUTER RESOURCES

To prepare students for an increasingly technological society, the district has made an investment in computer technology for instructional purposes. Use of these computer resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these resources; violations of this agreement may result in withdrawal of privileges and other disciplinary action.

Students and their parents should be aware that e-mail and other electronic communications using district computers is not private and will be monitored by district staff. [For additional information, see policies at CQ.]

CONDUCT

In order for students to take advantage of available learning opportunities and to be productive members of our campus community, 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 or campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of other students, teachers, and other District staff.
- Respect the property of others, including District property and facilities.
- Cooperate with or assist the school staff in maintaining safety, order, and discipline.
- Avoid violations of the Student Code of Conduct.

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—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.

Assemblies

Students are required to conduct themselves in assemblies as they do in class. Students who are tardy or who do not abide by school conduct rules during an assembly will be subject to disciplinary action. The following general expectations apply to all school assemblies:

- No booing or catcalls.
- Give your best courtesy and attention to every speaker and performer.
- Enter and leave the assembly in an orderly and quiet manner.
- Do not leave your seat during performance unless absolutely necessary.

Cheating/Plagiarism/Academic Dishonesty

Plagiarism is the use of another person's original ideas or writing as one's own without giving credit to the true author. Plagiarism will be considered cheating, and the student will be subject to academic disciplinary action that may include loss of credit for the work in question.

Teachers who have reason to believe a student has engaged in cheating or other academic dishonesty will determine the academic penalty to be assessed, and will document the occurrence on a disciplinary referral to be acted upon by the assistant principal. The use of academic penalties is not governed by the policies pertaining to student discipline, but students and parents may appeal the teacher's decision, using the student complaint policy.

Disruptions of School Operations

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

- 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.

Fieldtrips

Field Trips are a privilege to be earned through good behavior and dependability by individuals and the class as a whole. Only those students who demonstrate responsible behavior during the year will be eligible to attend.

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.

At DMS, dances, parties, and/or socials are for DMS students only. Guests are not permitted. Parents are welcome to attend as chaperones. If a student needs to leave early before an event has ended, a parent must come into the school to pick up the student. If the student needs to leave early with anyone other than a parent, the student must have a signed note from the parent stating who has permission to do so. This includes older siblings or family members other than the parents. After the event has ended, the student may leave with someone other than their parents, and a permission slip is not required (such as being picked up from an athletic event or practice, etc...).

CONTAGIOUS DISEASES/CONDITIONS

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. If a parent suspects that his or her child has a contagious disease, the parent should contact the school nurse or principal so that other students who might have been exposed to the disease can be alerted.

The school nurse or the principal's office can provide information from the Department of State Health Services regarding these diseases.

COUNSELING

Academic Counseling

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 spring, students in grades 5 through 11 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.

To plan for the future, each student should work closely with the counselor in order to enroll in the high school courses that best prepare him or her for attendance at a college, university, or training school, or for pursuit of some other type of advanced education. The counselor can also provide information about entrance exams and application deadlines, as well as information about automatic admission to state colleges and universities, financial aid, housing, and scholarships.

Personal Counseling

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. The counselor may also make available information about community resources to address these concerns. A student who wishes to meet with the counselor should obtain a pass to visit his/her office, or schedule an appointment with the counselor or office secretary.

Psychological Exams, Tests, or Treatment

The school will not conduct a psychological examination, test, or treatment without first obtaining the parent's written consent. Parental consent is not necessary when a psychological examination, test, or treatment is required by state or federal law for special education purposes or by the Texas Education Agency for child abuse investigations and reports. [For more information, refer to policies EHBA (LEGAL), FFE (LEGAL), and FFG (EXHIBIT).]

COURSE CREDIT

A student in grades 9–12 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 EXAM—If a Student Has Taken the Course

A student who has previously taken a course or subject—but did not receive credit for it—may, in circumstances determined by the principal or attendance committee be permitted to earn credit by passing an exam 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, home-schooling, or coursework by a student transferring from a nonaccredited school.

The counselor or principal would determine if the student could take an exam for this purpose. If approval is granted, the student must score at least 70 on the exam 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 exam.

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

CREDIT BY EXAM—If a Student Has Not Taken the Course

A student will be permitted to take an exam to earn credit for an academic course for which the student has had no prior instruction or to accelerate to the next grade level. The counselor and assistant principal for curriculum and instruction will select a day in December and a day in June on which exams will be scheduled for the 2011–2012 school year.

A student will earn course credit with a passing score of at least 90 on the exam. A student in elementary school will be eligible to accelerate to the next grade level if the student scores at least 90 on each exam in the subject areas of language arts, mathematics, science, and social studies.

If a student plans to take an exam, the student (or parent) must register with the counselor no later than 30 days prior to the scheduled testing date. The district will not honor a request by a parent to administer a test on a date other than the set dates in December and June. If the district agrees to administer a test other than the one chosen by the district, the student's parent will be responsible for the cost of the exam. [For further information, see policy EHDC (LOCAL).]

DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION

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

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. [See policy FFH]

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating

relationship with the person committing the offense. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

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

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law, that it 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. A copy of the district's policy is available in the principal's office and in the superintendent's office or on the district's web site <http://www.devineisd.org>.

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

Sexual Harassment

Sexual harassment of a student by an employee, volunteer, or another student is prohibited. 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. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

Examples of prohibited 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.

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.

Retaliation against a student might occur when a student receives threats from another student or an employee or when an employee imposes an unjustified punishment or unwarranted grade reduction. Retaliation does not include petty slights and annoyances from other students or negative comments from a teacher that are justified by a student's poor academic performance in the classroom.

Reporting Procedures

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

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. The district will notify the parents of any student alleged to have experienced prohibited conduct by an adult associated with the district.

In the event prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy.

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

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 32-34.]

DISTANCE LEARNING

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

The Texas Virtual School Network (TxVSN) has been established as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation. In limited circumstances, a student in grade 8 may also be eligible to enroll in a course through the TxVSN.

Depending on the TxVSN course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [Also see **Extracurricular Activities, Clubs, and Organizations** on page 42.]

If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the counselor.

Additional distance learning opportunities may be available to district students through Dual Credit.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the TxVSN in order to earn credit in a course or subject, the student must receive permission from the principal prior to enrolling in the course or subject. If the student does not receive prior approval, the district will not recognize and apply the course or subject toward graduation requirements or subject mastery.

DISTRIBUTION OF PUBLISHED MATERIALS OR DOCUMENTS

School Materials

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

The high school newspaper, *The Maroon Messenger*, and the yearbooks, the *DHS Lariat* or the *DMS Corral*, are available to students. All school publications are under the supervision of a teacher, sponsor, and the principal. [See **Directory Information for School-Sponsored Purposes** on page 12.]

Nonschool Materials...from Students

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

The high school principal has designated the front hall bulletin board as the location for approved non-school materials to be placed for voluntary viewing by students. The middle school principal has designated the front office windows as the approved location. [See policies at FNAA.]

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

Nonschool Materials...from Others

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by 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 campus principal or assistant principal for prior review. The campus administration 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, FNG, or GF.]

Prior review will not be required for:

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

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

DRESS AND GROOMING

The district's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards. Devine ISD expects its students to maintain a high standard of dress and hygiene. Students should take pride in their appearance and be dressed in a manner that is clean and neat and that will not cause distraction or be a health or safety hazard to themselves or others. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with all the Devine ISD Standard Uniform Mode of Dress and in the case of "out-of-uniform" days, the General Dress and Grooming Code.

The school recognizes that there will be instances in which students are in attendance at school functions, representing our school at off-campus activities, and special dress days on campus. For this reason, a general dress and grooming code remains in this handbook in addition to the standard uniform mode of dress. **The general code also addresses requirements for grooming hair, jewelry and accessories, as well as footwear—all of which apply on a daily basis along with the uniform code.**

If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school. If not corrected, the student will 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.

Enforcement of Standards for Dress and Grooming

Any style of dress or fad that draws undue attention to the students—boy or girl—or considered in poor taste, are handled on an individual basis when possible. Students who persist in not following the rules and regulations pertaining to dress will subject themselves to disciplinary procedures and possible suspension.

If the campus administration determines that a student's dress or grooming is in violation of the established code, the student shall be given an opportunity to correct the problem at school or phone a parent to bring an acceptable change of clothing to school. If not corrected, the student shall be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated offenses may result in more serious disciplinary action. Appropriate discipline procedures shall be followed in all cases.

DHS/DMS Shaving Policy: In the event a student is sent to the office to shave, the student will be charged \$0.50 (50 cents) to shave. On the 2nd and 3rd offenses, students will be allowed to shave and will also be assigned to detention. Upon the 4th and subsequent offenses, the student will be placed in ISS.

Please note: The principal, in cooperation with the sponsor or coach in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate these standards may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action.

General Dress and Grooming Code

[*Applies while in uniform as well]

Hair*	Must be kept clean, neat, and cut in a reasonable and non-distracting style; must be of natural color; no feathers will be allowed; no facial hair [see next section]. Sideburns must not extend below the ear or extend toward the mouth. Boy’s hair length is not to extend past the bottom of the collar in the back, past the eyebrows in the front, nor past the earlobes on the side. Ponytails are not permitted for boys.
Facial Hair*	Boys are expected to be clean shaven at all times.
Jewelry/ Accessories*	No body piercing accessories—exception: female students may wear earring. (Piercing accessories include studs used in the place of nose or tongue rings, etc.) No spiked jewelry or accessories nor any other jewelry or accessories with real or fake weapon-like features. No visible tattoos are allowed.
Headgear*	No hats, caps, headbands, bandanas, other headgear or head coverings unless approved in advance by the principal. Hats and caps may not be worn in school buildings, including the gym and shop areas, during the school day, 7:30 a.m.-3:45 p.m. When hats and caps are allowed, including during after school/extracurricular activities, they must be worn facing forward at all times (no sideways slants or bills to the back).
Decoration/ Embellishment	No pictures, emblems, or writings that are lewd, offensive, vulgar, obscene, or that advertise or depict violence, tobacco products, alcoholic beverages, drugs, or any other substance prohibited under policy FNCF(L).
Footwear*	Shoes must be worn at all times; socks or hosiery must be worn with all types of shoes except sandals; sandals may only be worn in appropriate weather and must substantially cover the top of the foot; “flip-flops”/shower shoes/athletic slides/thongs, house shoes, steel-toed boots, and shoes with metal taps or spikes are not acceptable; tennis shoes that leave black scuff marks on the floor should not be worn; backless shoes must securely hold the foot in the shoe and not “flop”—and for safety reasons, not have small straps but cover a substantial part of the top of the foot. Flip-flops are any shoe with a strap between the toes.
Shirts*	Must remain neatly and fully tucked in at all times; must be buttoned with no more than the top two buttons open; no low necklines, bare backs, bare midriffs, braless blouses, halter tops, spaghetti straps, tank tops, sleeveless or see-through blouses.
Pants*	No excessively tight or baggy pants; no low-rise/“hip-huggers” or “low-riders;” must fit in the waist, seat, and legs; must be hemmed and should be an appropriate length and not drag the ground.
Shorts, Skirts, Skorts*	No excessively tight or baggy shorts, skirts, or skorts; must be “walking short”/knee-length that is not shorter than approximately three inches above the knee; must be hemmed or cuffed.
Dresses	No low necklines, bare backs, bare midriffs, braless tops, halter tops, spaghetti straps, tank tops, sleeveless or see-through tops; must be knee-length and not shorter than approximately three inches above the knee (including slits); may not be excessively tight.
Additional Standards	May be imposed by classroom teachers, with the principal’s guidance, in classes where safety in the use of power machinery, lab equipment, or sanitary conditions in food preparation is mandatory. No trench coats or dusters.

Please note: If there is a question about the appropriateness of apparel, the student is advised to check with a campus administrator. The code, as stated above may not be all-inclusive; the school reserves the right to determine acceptable and unacceptable dress and grooming and amend the code as necessary.

Devine ISD Standard Uniform Mode of Dress: Grades 3-12 (Intermediate, Middle & High Schools)

	STYLE	COLOR	LENGTH	FIT	COLD WEATHER ONLY Or OTHERWISE NOTED EXCEPTIONS	SOME EXAMPLES OF POPULAR FASHION <u>NOT</u> ACCEPTABLE (List is not all-inclusive)
SHIRTS	POLO STYLE ONLY; (NO BUTTON UP OR DRESS SHIRTS); must have collar and buttons	Solid maroon or solid white and without embellishments (ex: no oversized company trademarks or logos, no striped collars, and no embroidered designs, no sheer/see through, etc...); logos QUARTER-SIZED or smaller are acceptable	<u>Sleeve length:</u> short, 3/4, or full length (no sleeveless, strapless, or spaghetti straps of any kind); <u>Overall length:</u> long enough that the mid-drift is not exposed, even when stretching	Must be appropriately sized (in other words, no excessively tight, baggy, long, short, or otherwise improperly sized shirts); not more than top two buttons open	<u>Layering under uniform shirt:</u> SOLID UNDERSHIRTS ONLY (any color and appropriately sized) <u>NO LAYERING OVER UNIFORM SHIRT.</u> See allowable jackets at bottom of this chart.	NONE— POLO SHIRTS ONLY
The tucking in of shirts is left up to the discretion of each campus.						
PANTS	NO EXCESSIVE FLARE; ONLY STANDARD, FLAT WAIST, HIP, AND LEG POCKETS ARE ACCEPTABLE ; NO EXPANDABLE POCKETS	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, no stripes no embroidered designs, no net pockets, no oversized zippers or pulls, etc...); logos WALLET-PHOTO SIZED (like a Wrangler or Levi’s tag) or smaller are acceptable	Hemmed bottom edge (no ripped seams or frayed edges); may not touch ground; capri length are acceptable as long as they conform to standards of fit.	Must fit at the waist; may not be excessively tight or baggy	None noted	Cargo WITH EXPANDABLE POCKETS, EXCESSIVE flared leg, drawstring, overalls, warm-up/parachute, stretch/spandex, peg-leg/roll-ups, etc...
SHORTS	NO EXCESSIVE FLARE; WAIST, HIP, AND LEG POCKETS ARE ACCEPTABLE ; NO EXPANDABLE POCKETS	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, no stripes, no embroidered designs, no net pockets, no oversized zippers or pulls, etc...); logos WALLET-PHOTO SIZED (like a Wrangler or Levi’s tag) or smaller are acceptable	Not shorter than three inches (3”) above knee regardless of student height; hemmed bottom edge (no ripped seams or frayed edges)	Must fit at the waist; may not be excessively tight or baggy	Knee socks or tights must be solid beige/khaki, maroon, white or black	Cargo WITH EXPANDABLE POCKETS, drawstring, short alls, warm up/ parachute, stretch/spandex, peg-leg/roll-ups, etc...
SKIRTS, SKORTS AND JUMPERS	No particular style is standard; all must conform to color, length, and fit requirements as specified; only standard, flat pockets are acceptable	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, stripes, embroidered designs, net pockets, oversized zippers or pulls, etc...)	Not shorter than three inches (3”) above knee, including slits in skirts; hemmed bottom edge (no ripped seams or frayed edges)	Shorts and skirts must fit at the waist; both jumper straps must remain hooked at all times	Knee socks or tights must be solid beige/khaki, maroon, white or black	Cargo WITH EXPANDABLE POCKETS, drawstring, warm-up/parachute, stretch/spandex, zip-off bottoms, etc...
JACKETS	<ul style="list-style-type: none"> Jackets and padded shirt jackets are acceptable, but if worn in the building must remain open with the uniform visible AND MUST REMAIN UNZIPPED OR UNBUTTONED FROM TOP TO BOTTOM. NO TRENCHCOATS OR DUSTERS 	Wearing of hooded sweatshirts (hoodies) is left up to the discretion of each campus.				
SHOES	FOOTWEAR MUST BE APPROPRIATE FOR ALL CLASSROOM ENVIRONMENTS. NO FLIP-FLOPS (See Student-Parent Handbook- <i>General Dress and Grooming Code</i> on the preceding page.)					

ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES

Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones

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

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

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

- First offense: Parent may pick up the device from the principal's office.
- Second offense and all subsequent offenses: Only a parent may pick up the confiscated telecommunications device from the principal's office for a fee of \$15.
- All offenses are subject to campus disciplinary consequences.

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** on page 79 and policy FNF.]

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

Possession and Use of Other Personal Electronic Devices

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

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 79 and policy FNF.]

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

Instructional Use of Personal Telecommunications and Other Electronic Devices

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

Acceptable Use of District Technology Resources

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to 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 according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement.

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 **Course Credit** on page 31, **Grading Guidelines** on page 46, **Graduation** on page 50, and **Standardized Testing** on page 81.

DEVINE ISD CRIMINAL HISTORY CHECK PROCEDURES

Parent volunteers and those supervising children (i.e., field trips) must go through a criminal history check. This **does not** include those that eat lunch in the cafeteria with their child or attend a class party since they are under guidance of the school staff. Forms are available in the campus office. Parent/adults need only to fill out **one form**, but must be sure to include the names of all children/grade/teacher/ and relation to the child **per campus**.

If the background check does not clear, the central office will send a notification letter. It is important to note that all applications need to be turned in at least **14 days prior to the date of a field trip**.

CLOSED CAMPUS – DHS

All freshmen and sophomores are to remain on the campus during the entire day, including the lunch period. **Once on school grounds, a student may not leave during the school day under any circumstances without written permission from the campus administration.** If a student knows in advance that he or she will need to leave the campus during school hours, the student shall present a written request from the parent to the principal that morning. If the request is for permission to be off campus for only part of the day, the time should be on the written request. The permit that the student is issued will serve as a pass to leave and to return to the campus. When the student returns to the campus, he or she shall first report to the office for a readmission slip to class.

Unauthorized removal of underclassmen (freshmen and sophomores) by upperclassmen (juniors and seniors) is prohibited and will result in disciplinary action. Closed campus may also be used as a disciplinary tool for upperclassmen (juniors and seniors).

Students allowed to leave campus during lunch may bring back food or drink items but must consume them in the designated lunch areas. Absolutely no drink cups will be allowed outside of designated lunch areas.

EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

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

Eligibility for initial and continuing participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. . If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. [See <http://www.uil.utexas.edu> for additional information.]

The following requirements apply to all extracurricular activities:

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

Standards of Behavior

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the *Student Code of Conduct* or by local policy will apply in addition to any consequences specified by the organization's standards of behavior. [For further information, see policies at FM and FO. For student-organized, student-led groups, see **Meetings of Noncurriculum-Related Groups** on page 79.]

DHS Senior Activities

Seniors must be in good standing in order to participate in the senior activities. Good standing includes attendance, discipline, and maintaining a passing GPA in all subjects needed for graduation.

Offices and Elections

Class/Club Officers and Positions of Honor

In order to obtain the best possible student leadership and to prevent interference with scholastic achievement, all students must have the approval of the appropriate faculty member before consideration by the students for election or appointment to a student office or position of honor.

The areas suggested to the teachers for consideration and approvals are:

1. Scholarship
2. Citizenship
3. Dependability
4. Cooperation
5. Conduct

Students must confer with class/club sponsors for specific qualifications of candidates and election guidelines. These may include payment of dues, attendance, etc...

Causes for Disqualification

Students seeking or holding class, student council or club office, or honorary positions may be disqualified or removed from holding office or the position of honor for the following reasons:

- Suspension from school
- Failure to comply with rules and regulations of the school
- Lack of interest in fulfilling duties of the office
- Lack of cooperation with sponsor
- Failure to maintain the grade average required by the organization
- Conduct/discipline or attendance problems

Removal from office may be subject to administrative review.

FEES

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.

- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- 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 because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

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

FUND-RAISING

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes. An application for permission must be made to the campus principal at least fourteen days before the event. [For further information, see policies at FJ and GE.]

GANG-FREE ZONES

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a

school bus and a location in, on, or within 1000 feet of any district-owned or leased property or campus playground.

GRADE CLASSIFICATION

Devine High School

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

	<u>Credits Earned</u>	<u>Classification</u>
5	including Eng. I and Alg. I	Grade 10 (Sophomore)
10	including Eng. I & II and 2 Math	Grade 11 (Junior)
15	including Eng. I-III and 2 Math	Grade 12 (Senior)

Devine Middle School

DMS students are classified according to promotion and retention standards found on page 70 of this handbook.

Grading Guidelines

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed by each applicable curriculum department and have been approved by the campus principal. These guidelines establish the minimum number 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.

State law requires a student's score on an end-of-course (EOC) assessment to count as 15 percent of the student's final grade for the course.

Also see **Report Cards/Progress Reports and Conferences** on page 73 for additional information on grading guidelines. See **Graduation** below, **Course Credit** on page 31, and **Standardized Testing** on page 81 for additional information regarding EOC assessments.

In grades 6–12, achievement is reported to parents numerically as:

- 90-100 Excellent, Above Average **A**
- 80-89 Mid-to-High Average **B**
- 75-79 Average **C**
- 70-74 Below Average **D**
- Below 70 Failure **F**
- **I*** Incomplete

Students and/or parents should confer with the teacher, counselor, assistant principal for curriculum and instruction, or principal for further information.

To arrive at a six weeks grade, teachers will take into consideration students' efforts on daily work, class participation, homework, major and minor tests and six weeks examinations. A student should feel assured that he/she will have ample opportunities to demonstrate his/her knowledge of a subject.

The semester grade will be an average of the three six weeks' grades and the semester exam. Equally weighted long-term projects may also be included in determination of semester grades.

Teachers are not required to give a minimum grade on an assignment; additionally, grades below 50, including zeroes, are allowed for **six weeks tests and semester exams**. However, Devine ISD has a policy of a minimum grade of 50 for a six weeks' average.

*The "I" indicates work must be immediately turned in; the grade will change to a passing or failing grade one week after the grading period ends.

Any suspected abuse of the grading policy by students or teachers should be discussed with the principal. A grade lower than 50 may be recorded if policy abuse on the part of the student is determined.

Grades

- Every instructor shall have a minimum of twelve daily grades, including participation grades, each six weeks' grading period. The instructor shall also have a minimum of four major grades, of which one may be a six weeks cumulative test and/or project/demonstration of skills mastery. Every instructor (with the exception of athletics and limited other electives as approved by the principal) shall administer a six weeks' assessment. This assessment will include at least one test and/or project (can be a combination of the two).
- Averaging formulas will be as follows:
 - If a cumulative test/project is given: 40% - 60% Daily; 20% - 40% Major; 20% Six Weeks Test/Project
 - If no cumulative test/project is given: 40% - 60% Daily; 40% - 60% Major
- Every instructor (with the exception of athletics and limited other electives as approved by the principal) will give a semester exam on the date and time designated on fall and spring semester test schedules. Semester exams will count as 25% of the student's cumulative semester average, with each six-week grading period being equally weighted at 25% as well.
- A student's semester average can be raised or lowered by the semester test grade earned. The student may fail for the semester and thus lose semester/course credit as a result of the exam grade.

Coursework

Every junior will be required to take a math and a science class due to the TAKS exit level exams, regardless of credits needed for graduation under different graduation plans.

Late Work

Late work will be addressed by each instructor according to campus policy. The expectation will be explained and made clear to the students and be posted in the classroom and/or included in the syllabus handed out at the beginning of the year and/or each semester.

Testing/Retests

Grading guidelines 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.

Students in Extracurricular Activities

Students' grades will not be penalized because they are participating in an extracurricular activity. Students who will be leaving campus on the day an assignment is due are responsible for turning in that work before they leave or the work will not be accepted for full credit. Work that will be missed while participating in an extracurricular activity should be obtained prior to leaving and should be completed either upon return to class or on the date issued by the instructor, which is not to exceed one extra day per day missed for the activity.

Exemptions from Semester Exams

Students may earn exemptions from semester exams depending upon attendance, grades and behavior. Sixth through eleventh grade students may not exempt a subject area exam more than once in a school year (for instance, if a student exempts English II the fall semester he/she may meet all the exemption criteria in the spring semester but will not be allowed exemption for that class). Seniors may take any exemption for which they qualify in both semesters. Students will be disqualified from exemptions if any of the following occur:

- Any unexcused absence in that class
- More than two excused absences in that class
- More than three tardies in that class
- Listed on a campus obligation list
- ISS for one or more class periods at any time during the semester
- Home suspension for one or more class periods at any time during the semester
- Assigned to DAEP at any time during the semester

In order to earn exemptions, students must meet certain criteria for attendance and grades. Exemptions will be earned on an individual class basis. Each class period stands alone, and the classroom teacher will be responsible for determining who is and is not qualified. If an attendance or grade discrepancy exists, then the official record in the school office will stand as the final determination. School administration will provide a

master list for teachers of students who are disqualified due to the campus obligation and disciplinary criteria listed above.

Exemption(s) may be granted as follows*:

<u>Attendance</u>	<u>Minimum Avg.</u>	<u># Eligible Classes</u>
Perfect attendance during semester	75 +	All Classes
One excused absence during semester	80 +	All Classes
Two excused absences during semester	85 +	All Classes

Please Note: In *upper level courses** (such as Dual Credit, AP and Pre-AP, as well as high school credit classes taken by 8th graders), according to the course description, and at the teacher’s discretion, exemptions may or may not be offered.

* *DHS Upper-level courses include all AP and Pre-AP courses as well as:*

English III and IV--regular and DC	Yearbook II, III, IV
Literary Genres	Newspaper II, III, IV
BIMM	Algebra II
Accounting	Pre-Calculus
Calculus	Public Speaking II, III, IV
Math Models with Applications	Debate II, III, IV
Chemistry	Web-technology
Physics	Computer Science
BCIS II	Digital Interactive Media
Physiology and Anatomy	Spanish II, III
Government/Economics—regular and DC	US History—regular and DC
Medical Microbiology/Pathophysiology	Engineering

* *DMS Upper-level courses include:*

- Algebra I
- Spanish I
- BCIS
- All Horizons Level Courses, grades 6-8

TAKS & STAAR Benchmarks

Each TAKS & STAAR benchmark test given will be scored and may be counted as a major grade or portion of the six-week test grade for the grading period in which the test occurs.

The average of the two benchmarks may also be counted as a grade for the fifth six weeks grading period according to department standards. Students may be allowed to make corrections to the benchmark tests according to the same policy that is explained under testing.

TAKS & STAAR Scores

The TAKS & STAAR scores may be scaled and counted as a major grade in the last six week's grading period or as a portion of the semester exam grade in the core areas which are tested at the sixth through eleventh grades. Each core area department (math, English language arts, science, and social studies) may develop a policy concerning how the scores will count and communicate that to students and their parents.

Syllabus – DHS

A course syllabus will be given to each student during the first week of class. Teachers may distribute one syllabus for the entire school year/course, or a syllabus may be given at the beginning of each six-week grading period. The syllabus shall have a portion which the student and parent will be asked to sign, date, and return to the teacher. It will include a section for parent contact information, including home, work, and cell phone numbers, mailing address, and email address. This portion, when returned, may count as extra credit points at teacher discretion.

An instructor's syllabus will include information such as:

- Grading policies, including late work, retesting, percentages/weights
- Clear and concise expectations of students
- Contact information for the instructor
- Classroom procedures, including discipline, tardies, tutorials, etc.
- An outline of the course, including major projects.

Citizenship Grades

Citizenship grades are recorded in each class every six weeks. This grade is not meant to reflect isolated incidents of misconduct; rather, it is intended as a report to both student and parent on the overall conduct during the past grading period.

Citizenship grades are determined according to the following scale:

- **E** Excellent citizenship displayed in class.
- **S** Satisfactory citizenship displayed in class.
- **N** Non-satisfactory—citizenship needs to be improved.
- **U** Unsatisfactory citizenship displayed in class.

[For further information, refer to **Report Cards, Progress Reports, and Conferences** on page 73.]

GRADUATION – DHS

Requirements for a Diploma

To receive a high school diploma from the district, a student must successfully:

- Complete the required number of credits;
- Complete any locally required courses in addition to the courses mandated by the state;

- Pass a statewide exit-level exam; and
- Depending on the year in which the student is scheduled to graduate, pass a statewide exit-level exam or achieve the required cumulative scores on end-of-course (EOC) assessments.

The exit-level test, currently required for students in grade 11, covers English language arts, mathematics, science, and social studies and requires knowledge of Algebra I and Geometry; Biology and Integrated Chemistry and Physics; English III; and early American and United States History, World History, and World Geography. Students in grades 10 and 11 during the 2011–2012 school year must pass the exit-level test to graduate. A student in grade 12 who has not passed the exit-level test will have opportunities to retake it.

Also see **Standardized Testing** on page 81 for more information.

Beginning with students who enter grade 9 in the 2011–2012 school year, EOC assessments will be administered for the following courses and will replace the exit-level test as mentioned above: English I, English II, English III, Algebra I, Geometry, Algebra II, Biology, Chemistry, Physics, World Geography, World History, and United States History. Students graduating under the Minimum Program must take EOC assessments only for courses in which they are enrolled and for which there is an EOC assessment. Each student will be required to achieve certain scores on the applicable EOC assessments to graduate, depending on the graduation program in which the student is enrolled. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments.

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.

Also see **Grading Guidelines** above and **Standardized Testing** on page 81 for more information.

Graduation Programs

The district offers the graduation programs listed below. All students entering grade 9 are required to enroll in the Recommended High School Program or Advanced/Distinguished Achievement Program. Permission to enroll in the Minimum Graduation Program will be granted only if a written agreement is reached among the student, the student’s parent or person standing in parental relation, and the counselor or appropriate administrator. In order for a student to take courses under the Minimum Program, the student must be at least 16 years of age; have completed at least two credits each in English language arts, math, science, and social studies courses that are required for graduation; or have failed grade 9 one or more times.

[See policy EIF (LEGAL).]

Effective with ninth graders in the 2011–2012 school year, in addition to the credit and course requirements for each program, performance on EOC assessments will be linked to a student’s eligible graduation program. To graduate, a student must meet a minimum cumulative score set by the Texas Education Agency (TEA) for each content area: English, mathematics, science, and social studies. To determine whether the student meets the cumulative score, the student’s EOC assessment scores in each content area will be added together. If the student’s total score on the assessments within the content area is not equal to or greater than the cumulative score set by TEA, the student may retake any of the assessments in that content area until the student achieves the cumulative score. A student who does not make the minimum required score on any individual assessment will be required to retake that assessment.

To graduate on the Recommended Program, a student must perform satisfactorily on the Algebra II and English III EOC assessments, in addition to meeting the cumulative score requirements described above. To graduate on the Advanced/Distinguished Achievement Program, a student must demonstrate advanced academic performance on the Algebra II and English III EOC assessments, commonly referred to as college and career readiness standards, in addition to successfully meeting performance standards on the other EOC assessments. If this standard is not met, the student will graduate under the Recommended Program, regardless of whether the student has met all other requirements for graduation under the Advanced/Distinguished Achievement Program.

Courses	Number of credits Minimum Program	Number of credits Recommended Program	Number of credits Advanced/Distinguishe d Achievement Program
English/Language Arts	4	4	4
Mathematics	3	4	4
Science	2	4	4
Social Studies	2.5	3.5	3.5
Economics	0.5	0.5	0.5
Physical Education*	1	1	1
Speech	0.5	0.5	0.5
Language other than English		2	3
Fine Arts	1 (effective for grade 9 in 2010-2011 school year and thereafter)	1	1
Locally required courses			
Electives	11.5 credits (prior to 2010-2011) & 10.5 credits	5.5 credits	4.5 credits

	(2010-2011 and thereafter)		
Miscellaneous			Completion of 4 Advanced Measures**
Total	26	26	26

* 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, or social studies 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.

**A student graduating under the Advanced/Distinguished Achievement Program must also achieve a combination of four of the following advanced measures:

1. An original research project or other project that is related to the required curriculum. These projects must be judged by a panel of professionals or conducted under the direction of a mentor and reported to an appropriate audience. Please note that no more than two of the four advanced measures may be received from this option.
2. Test data where a student receives:
 - a. A score of three or above on an Advanced Placement (AP) exam;
 - b. A score of four or above on an International Baccalaureate (IB) exam; or
 - c. A score on the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) that qualifies the student for recognition as a commended scholar or higher by the College Board and National Merit Scholarship Corporation, as part of the National Hispanic Recognition Program (NHRP) of the College Board, or as part of the National Achievement Scholarship Program of the National Merit Scholarship Corporation. The PSAT/NMSQT score will count as only one advanced measure regardless of the number of honors received by the student.
3. College academic courses, including those taken for dual credit, and advanced technical courses, including locally articulated courses, provided the student scores the equivalent of a 3.0 or higher.

Information regarding specific courses required or offered in each curriculum area, along with a description of advanced measures available to students in the Advanced/Distinguished Achievement Program from the options listed above, will be distributed to students each spring in order to enroll in courses for the upcoming school year.

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 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 CTE, the district will offer the course for the following year either by teleconference or at the school from which the transfers were requested.

Early Graduation

Three-year graduate applications must be filed with the principal before the first day of July prior to their junior year. Students needing to make up credits have the responsibility to see the assistant principal for curriculum and instruction/counselor concerning options such as summer school, credit by exam and/or advanced placement. Students taking advanced courses may take the College Board advanced placement tests. These tests are administered in May and are at the students' expense. Those who perform well enough may receive course credit from the college or university of their choice. For more information contact the school counselor.

Certificates of Coursework Completion

A certificate of coursework completion will be issued to a senior student who has successfully completed state and local credit requirements for graduation but has not yet demonstrated satisfactorily 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 disabilities who receives special education services may be permitted to graduate under the provisions of his or her IEP.

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).]

Please also be aware that if an ARD committee places a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum Program, in accordance with state rules.

If a student receiving special education services is scheduled to graduate under the Minimum Program or in accordance with the provisions of his or her IEP, the student's ARD committee will determine whether the general EOC assessment is an accurate measure of the student's achievement and progress or whether an alternative assessment is more appropriate. STAAR Modified and STAAR Alternate are the alternative assessments currently allowed by the state. [See **STANDARDIZED TESTING** for additional information.] If a student takes the STAAR Modified or STAAR Alternate

assessment, the student's ARD committee will determine whether the score on an EOC assessment will count as 15 percent of a student's final grade, as well as whether successful performance and a cumulative score on the EOC assessments will be required for graduation.

Graduation Activities

Graduation activities will include:

- Current Events Club Senior Ice Cream Social
- First Baptist Church Hobo Party
- St. Joseph Catholic Church Senior Party
- Scholarship Awards Ceremony
- Baccalaureate sponsored by the Devine Ministerial Alliance
- Senior Sock Hop
- Senior Trip
- Around the World Party
- Graduation Rehearsal
- Graduation and Summer Graduation

Graduation Speakers

Graduating students will be given an opportunity to provide opening and closing remarks during the graduation ceremony. Only those students who are class officers of the graduating class, and the three highest academically ranked graduates will be eligible to give these remarks; however, if the student was assigned to disciplinary placement at any time during the spring semester, he or she will not be eligible to speak at graduation. Students eligible to give the opening and closing remarks will be notified by the principal and given an opportunity to volunteer. In the event there are more eligible students volunteering than there are speaking roles at the graduation ceremony, the names of all eligible students who volunteered will be randomly drawn. The student whose name is drawn first will give the opening remarks and the student whose name is drawn second will give the closing remarks. In addition to the opening and closing remarks, the valedictorian and the salutatorian may also have speaking roles at the graduation ceremony.

[For student speakers at other school events, see **Student Speakers** on page 84.]

[See FNA(LOCAL).]

Graduation Expenses

Because students and parents will incur expenses in order to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both 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.

Graduation Ceremony Dress Code

Because the graduation ceremony reflects a milestone in students' academic careers and is a community-wide celebration of the students' success, dress for the occasion will fit the decorum of the evening. Graduates are required to follow dress code specified by campus administration:

- Boys must wear dress slacks, such as Dockers; jeans are not permitted. Belts must be worn and shirts tucked in.
- Boys must wear a light-colored dress shirt with a collar. A tie must also be worn.
- Girls must wear a dress, skirt and blouse, or dress slacks and blouse. Halter dresses/blouses, sundresses, spaghetti straps, and backless garments are not allowed.
- Girls may wear earrings. No other body piercings are allowed. Male students will have NO body piercings. (See jewelry/accessories section of the general dress and grooming code.)
- Dress shoes, such as loafers and boots, or sandals (for girls) are types of acceptable footwear. Tennis shoes, flip-flops, shower shoes, or house shoes will not be permitted.

Scholarships and Grants

- Students who have a financial need according to federal criteria and who complete the Recommended High School Program or Distinguished Achievement Program (Advanced) may be eligible under the T.E.X.A.S. Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.
- Contact the counselor for information about other scholarships and grants available to students.

HARASSMENT

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 32-34.]

HAZING

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.

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.

[Also see **Bullying** on page 21 and policies FFI and FNCC.]

HEALTH-RELATED MATTERS

Bacterial Meningitis

State law specifically requires the district to provide the following information:

- 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 most common and the least serious. Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

- 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 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. 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. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing, sharing drinking containers, utensils, or cigarettes).

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?

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85–90 percent). It 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 Web sites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Department of State Health Services, <http://www.dshs.state.tx.us/>.

Food Allergies

The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening 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.

Physical Activity for Students in Middle School

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

Students in middle or junior high school shall engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters OR at least 225 minutes of

moderate or vigorous physical activity within a two-week period for at least four semesters.

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

School Health Advisory Council (SHAC)

During the preceding school year, the district's School Health Advisory Council held two meetings. Additional information regarding the district's School Health Advisory Council is available from the school nurse, Lucrecia Vinton-Lopez, 830.851.0806. [See also policies at BDF and EHAA.]

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing school health services, counseling services, a safe and healthy school environment, recess recommendations, and employee wellness. See policies at BDF and EHAA.

[See **Removing a Student from Human Sexuality Instruction** on page 6 for additional information.]

Other Health-Related Matters

Physical Fitness Assessment

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

Vending Machines

The district has adopted policies and implemented procedures to comply with state and federal food service guidelines for restricting student access to vending machines. For more information regarding these policies and guidelines contact the Food Services Director, Pam Patteson, 830.851.0413. [See policies at CO and FFA.]

Foods of Minimal Nutritional Value (FMNV) Policy

Middle School

Middle school campuses may not serve or provide access for students to FMNV and all other forms of candy at any time anywhere on school premises until after the end of the last scheduled class.

Such foods and beverages may not be sold or given away to students on school premises by school administrators or staff (principals, coaches, teachers, etc...), students or student

groups, parents or parent groups, guest speakers or any other person, company or organization. For exemptions and listing of foods and beverages restricted by the FMVN, please contact the Food Services Director, Pam Patteson, 830.851.0413.

This policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide FMNV or candy items for their own child's consumption, but they **may not** provide restricted items to other children at school.

Middle schools may not serve competitive foods (or provide access to them through direct or indirect sales) to students anywhere on school premises from 30 minutes before to 30 minutes after meal period. This does not pertain to food items made available by the school food service department.

High School

High schools may not serve or provide access to FMNV during meal periods, in areas where reimbursable meals are served and/or consumed. For exemptions and listing of foods and beverages restricted by the FMVN, please contact the Food Services Director, Pam Patteson, 830.851.0413.

This policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide FMNV or candy items for their own child's consumption, but they **may not** provide restricted items to other children at school.

High schools may not serve competitive foods (or provide access to them through direct or indirect sales) to students during meal periods in areas where reimbursable meals are served and/or consumed. This does not pertain to food items made available by the school food service department.

Tobacco Prohibited

The district and its staff strictly enforce prohibitions against the use of tobacco products by students and others on school property and at school-sponsored and school-related activities. [See the *Student Code of Conduct* and policies at FNCD and GKA.]

Asbestos Management Plan

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact Marshall Davis, the district's designated asbestos coordinator, at 830.851.0750.

Pest Management Plan

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, pesticide

use is sometimes necessary to maintain adequate pest control and ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact David Cardenas, the district's IPM coordinator, at 830.851.0750.

HOME-BASED INSTRUCTION

Devine ISD offers home-based instruction only to those students who cannot attend school because of serious physical or emotional problems. This instruction is offered for a limited time. All students taking home-based instruction must have a medical form completed and signed by a physician. The form is available in the counseling office. Coursework may be limited to the four core areas of study. The school will try to accommodate a full schedule, but is not required to do so by law. Home-based students may not be in band, athletics or PE. The minimum time out of school to qualify for home-based services is four weeks.

HOMELESS STUDENTS

For more information on services for homeless students, contact the district's Liaison for Homeless Children and Youths, Glenda Allen, at 830.851.0795.

HOMEWORK

Homework may be given at the discretion of each teacher for either daily or major grades (such as projects). Due dates will be specified at the time the assignment is given. Grading policies regarding homework can be found in the section entitled, "Grading Guidelines" beginning on page 42. The section entitled, "Absences/Attendance" beginning on page 13 also gives information regarding campus policies for make-up work to be completed as homework.

IMMUNIZATIONS

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, 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 <https://webs.dshs.state.tx.us/immco/affidavit.shtm>. 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, rubeola (measles), rubella (German measles), mumps, tetanus, pertussis, poliomyelitis, 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 the Department of State Health Services. 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. licensed physician stating that, in the doctor's opinion, the immunization required poses a significant risk to the health and well-being of the student or member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long condition. [For further information, see policy FFAB (LEGAL) and the Department of State Health Services Web site: <http://www.dshs.state.tx.us/immunize/school/default.shtm>.]

LAW ENFORCEMENT AGENCIES

Questioning of Students

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, 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 that an interview has taken place unless the interviewer raises what the principal considers to be a valid objection.
- The principal or assistant 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 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, Texas Department of Family and Protective Services, 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 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 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 required to register as a sex offender or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

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

LIMITED ENGLISH PROFICIENT STUDENTS

A student with limited English proficiency (LEP) 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 a LEP student.

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR-L, as mentioned at Standardized Testing, below, may be administered to a LEP student. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to LEP students who qualify for services.

If a student is considered LEP and receives special education services because of a qualifying disability, the student's ARD committee will make these decisions.

MAKE-UP WORK

Make-up Work Because of Absence

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 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 time lines approved by the principal and previously communicated to students.

Make-up tests will be taken as assigned by the teacher. Make-up time may be scheduled during morning tutorials/detention, lunch, after school tutorials/detention, or Saturday detention.

Extracurricular activities are school-sponsored, scheduled events, and students are not counted absent. Make-up work policy is the same as for an excused absence.

No grade penalty shall be assigned to a student who has been suspended home, but all make-up work policies apply.

[For further information, see policies at EHBC, EIA, FDC, and FDD.]

DAEP Make-up Work

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

In-school Suspension (ISS) Makeup Work

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).]

Students and their parents are encouraged to discuss options with the teacher or counselor to ensure the student completes all work required for the course or grade level.

Make-up Hours for Attendance and Course Credit

At the secondary level, grades 6-12, the Campus Attendance Committee may require the successful completion of summer school in order to receive course credit, or as appropriate, the committee may require attendance at Saturday School, special detentions, summer TAKS Camps, or tutorials. Participation may also be required in after-school, supervised school-service activities. All make-up hours necessary for attendance purposes must be completed under the direct supervision of Devine ISD personnel.

Students will lose credit in the courses in which they were absent over the allowed limit. Each semester stands on its own. The deadline for making up hours for the fall semester is March 26, 2011. Eighth grade and twelfth grade students will not be allowed to participate in promotion or graduation exercises if service hours are not completed prior to the date of the ceremony. For all other students, the deadline for completing service hours will be the final day of summer school for hours incurred during the spring semester. Students who do not complete their hours by the deadline will be denied academic credit in all applicable courses and risk retention in grades 6-8 or be required to repeat the course for credit in grades 9-12.

MEDICINE AT SCHOOL

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 policies at 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.
- 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.

In certain emergency situations, the district will maintain and administer to a student nonprescription medication, but only:

- In accordance with the guidelines developed with the district's medical advisor; and
- When the parent has previously provided written consent to emergency treatment on the district's form.

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 policies at FFAC.]

MOVIES/AUDIOVISUALS

The use of any movie during the scheduled school day must be based on educational value and content. Its use should implement or enrich the curriculum and the academic standards, where applicable. Only in rare instances will a full-length movie be a justified use of instructional time. The principal or his/her designee must approve the use of full-length movies during the scheduled school day.

Clips from PG, PG-13, and R-rated movies may be shown to secondary school students only if they implement or enrich DISD's academic standards and curriculum, their rationale and use are documented in lesson plans, and strong discretion is exercised in the

selection of the clips. Clips must be age and grade-level appropriate and must be the best available material to meet the desired educational objective.

In accordance with general district policies relating to instruction, clips must

- Not promote a particular religion or denomination and
- Not contain unfair, inaccurate, or vicious treatment of a particular race, sex, ethnic group, age group, religion, etc. unless a legitimate educational purpose exists.

Parental permission is not required for clips that do not contain profane, violent or sexual content. However, administrative approval *and* parental permission are required if clips contain profane, violent, or sexual material that is content-appropriate (not gratuitous).

When parental permission is required, teachers will use the district-approved permission form. In addition, parents will be provided the opportunity to preview such clips to the extent practical and have the option of requesting an alternate assignment.

No R-rated movie will be shown in its entirety. Written consent for secondary school students to view PG or PG-13 rated full-length movies must be obtained from the parent/guardian. Parents will be provided the opportunity to preview such films to the extent practical.

While television programs do not have a “rating system,” the use or assignment of original or videotaped television programs will be consistent with the preceding criteria to the extent possible.

Please Note: Copyright laws generally prohibit the use of feature entertainment movies for classroom use. This applies to most movies that can be rented or purchased. These are often approved for home use only. Copies may not be used unless permission is obtained from copyright sources.

NONDISCRIMINATION STATEMENT

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

The following district staff members have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender: Glenda Allen, 830.851.0795.
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Ricardo Rodriguez, 830.851.0880.
- All other concerns regarding discrimination: see the superintendent Linda McAnelly, 830.851.0795.

NONTRADITIONAL ACADEMIC PROGRAMS

[See **Requirements for a Diploma** on page 50.]

To be eligible for the General Educational Development certificate (GED) program, a student must be at risk of dropping out of school. Eligibility for GED testing is established by the Texas Education Code, Section 7.111, which states that a resident of the state who has not graduated from high school is eligible to take the high school equivalency test in accordance with rules promulgated by the State Board of Education.

In order to take the GED tests, an applicant must:

- Be 18 years of age;
- Be a resident of the state; and
- Not be enrolled in school and not be a high school graduate.

An applicant 17 years of age may test if:

- The applicant is a resident of the state;
- The applicant is not enrolled in school and is not a high school graduate; and
- The applicant has parental/guardian permission.

An applicant 16 years of age may test if:

- The applicant is a resident of the state;
- The applicant is not enrolled in school and is not a high school graduate; and
- A public agency providing supervision of the person or having custody of the person under a court order recommends that the person take the examination.

Please note: Enrollment in an approved in-school preparation program does not establish eligibility to take the GED test for a person under age 17 and no one under the age of 16 is eligible to test. Although the revised age for compulsory attendance is eighteen, the Office of Legal Services advises that the revised age for compulsory attendance does not affect the eligibility of school-aged candidates for GED testing.

PHYSICAL EXAMINATIONS/HEALTH SCREENINGS

Students participating in UIL athletic activities will need to have a physical examination each year conducted by a physician. The exam results must be turned in to the coach prior to participation in practice or competition. The school nurse will conduct hearing and vision screenings during the school year.

PHYSICAL RESTRAINT

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

- Protect a person, including the person using physical restraint, from physical injury;
- Obtain possession of a weapon, other dangerous object, or controlled substance;
- Protect property from serious damage;

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

PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Excusing a Student from Reciting the Pledges to the U.S. and Texas Flags** on page 6.]

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

PRAYER

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

PRE-AP/AP GUIDELINES

AP[®] Access and Equity Policy Statement

The College Board and the Advanced Placement Program[®] encourage teachers, AP Coordinators, and school administrators to make **equitable access** a guiding principle for their AP programs.

The College Board is committed to the principle that **all students deserve an opportunity to participate in rigorous and academically challenging courses and programs**. We believe:

- All students who are prepared and willing to accept the challenge of a rigorous academic curriculum should be considered for admission to AP courses.
- Barriers that restrict access to AP courses should be eliminated for students from ethnic, racial, and socioeconomic groups that have been traditionally underrepresented in the AP Program.
- Schools should make every effort to ensure that their AP classes reflect the diversity of their student population.

1. A student enrolled in one or more Pre-AP/AP classes must take at least one or more of the College Board exams which include the PSAT, ACT, and/or SAT. Freshmen,

sophomores, and juniors should take the PSAT and/or the SAT or ACT. Seniors should take the SAT and/or ACT. See the counseling office for registration information and all applicable deadlines or go to www.collegeboard.com for SAT and www.act.org for ACT test information.

2. A student who successfully scores a 3 or higher on an AP exam for the class in which he/she is enrolled will earn an additional 5 points to be counted towards GPA ranking. Costs for the exam run from \$9.00 to \$57.00.

3. Pre-AP/AP work is more complex, abstract and demanding. Students should be prepared to be challenged.

G/T (Gifted and Talented) Program

The term G/T is an abbreviation for Gifted and Talented and is a program to provide gifted students with differentiated and challenging curricula and experiences. Because G/T or gifted and talented students demonstrate excellence in achievement, DISD developed broad-based G/T identification procedures to reflect the District's commitment to educate all students, recognizing that some students consistently excel in various ways. This program will offer our gifted and talented students an enriched curriculum with opportunities to explore areas of special interest.

The Devine ISD Gifted and Talented Program is designed to allow G/T children to excel on the four-core academic areas: math, language arts, science and social studies. Since G/T children possess abilities and interests that consistently surpass those of other students in the school, these G/T students need and will profit from specially planned educational services beyond those provided by the standard school program.

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

See the campus-specific sections that follow which explain promotion standards for each grade level. [For more information, refer to EIE (LOCAL).]

In grades 6 – 8 (middle school), promotion is based on the demonstrated proficiency of the grade-level subject matter, based on the TEKS, meeting minimum state and/or local standards on the reading, writing, mathematics, science, and social studies TAKS or District-developed grade-level TEKS-based assessments, and meeting attendance requirements.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student

is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.*

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

* Because the 2011–2012 school year is the first year of implementation of the STAAR, students will not be required by state law to perform satisfactorily on the grade 5 or 8 STAARs for this one year only in order to be promoted to the next grade level.

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 or in a course intended for students above the student's current grade level in which the student will be administered a state mandated assessment, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. However, the student's score on the EOC assessment will be used in determining whether the student meets the minimum cumulative score required for graduation.

If a student 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 only be required to take an applicable state mandated assessment for the course in which he or she is enrolled.

[See **Standardized Testing** on page 81.]

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

With the exception of the 2011-2012 school year, a student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional instruction before beginning the next school year. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policies at EIE.]

Certain students—some with disabilities and some with limited English proficiency—may be eligible for exemptions, accommodations, or deferred testing. For more information, see the principal, counselor, or special education director.

A Personal Graduation Plan (PGP) will be prepared for any student in a middle school or beyond 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 guidance 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 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.

Middle School Promotion Standards

Middle school students must meet the following promotion standards:

- The student must meet the 90% state attendance requirement.
- The student must earn four out of six possible credits for the school year.
 - At least three of the earned credits must be in core subject areas: English language arts, math, science, and social studies. (In other words, the student must pass three out of four core subjects and at least one elective for promotion.)
 - Failing (overall average below 70) two or three core classes will result in mandatory summer school for a chance to regain credit in up to two classes. At the end of summer school, the student must have earned at least three core credits to be promoted.
 - Failing all four core classes will result in automatic retention. Summer school will not be an option.
- The student must pass **all** STAAR tests given at the appropriate grade level; or summer school attendance will be mandatory. For all tests given in 6th and 7th grade, and for 8th grade social studies and science tests, **IF** the student passed the class but failed STAAR, it is possible to exempt summer school. Exemption information will be provided in hand-out form to students and parents during the school year. Class grades, attendance, and benchmark performance are the chief considerations.
 - 6th graders take STAAR tests in math and reading.
 - 7th graders take STAAR tests in math, reading, and writing.
 - 8th graders take STAAR tests in math, reading, science and social studies.

Please note: Failing one or more STAAR tests may result in the student losing one or more elective choices from his/her schedule during the following school year to make room in their schedule for additional remediation or core subject area related courses.

Middle School Promotion Ceremony

Eighth-grade students at Devine Middle School participate in a promotion ceremony to recognize students' achievements and formally promote them to senior high school. The same manner of dress will be expected of middle school students at their ceremony as is expected of high school students for their graduation [see page 56 for dress code details].

In order to receive a certificate of promotion, 8th graders must meet academic requirements, compulsory attendance requirements, and state test passing standards set by the district.

Summer school students who are only attending due to STAAR scores may participate in the ceremony, but will not receive their actual certificate of promotion until completion of summer school.

Summer school students attending due to academic credit recovery (year end grades less than 70 in core classes) may NOT participate in the ceremony or receive the certificate until all criteria have been fully met.

RELEASE OF STUDENTS FROM SCHOOL

Because class time is important, doctor's appointments should be scheduled, if possible, at times when the student will not miss instructional time.

A student who will need to leave school during the day must bring a note from his or her parent that morning and follow the campus sign-out procedures before leaving the campus. Otherwise, a student will not be released from school at times other than at the end of the school day. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the instructional day.

If a student becomes ill during the school day, the student should receive permission from the teacher before reporting to the school nurse. The nurse will decide whether or not the student should be sent home and will notify the student's parent.

REPORT CARDS/PROGRESS REPORTS AND CONFERENCES

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

At the end of the first three weeks of each six-week grading period, parents will be given a written progress report of their child's performance in each class. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent should consider requesting to schedule a conference with the teacher of that class or subject. [See **Working Together** on page 2 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the campus 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).] [For a description of **Grading Guidelines**, see page 46.]

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.

At DMS, all report cards and progress reports must be signed by the parent and returned to the school within five days. At DHS, teachers may require the student to bring back signed report cards and progress reports.

RETALIATION

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on pages 32-34.]

SAFETY

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

- 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, 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.

Campus Crime Stoppers

Campus Crime Stoppers is a unique program to get students, staff, and community members involved in keeping their schools safe. If at any time you have information on a crime that has been or will be committed at a school or in the community, call the Campus Crime Stoppers number, **830-851-0TIP (0847)** or fill out the online tip form linked to the High School website. If your anonymous tip leads to solving the crime, you will receive a cash reward. For more information, go to <http://www.devineisd.org/highschool/crime>.

No Backpack Policy – DMS

Because of safety concerns, backpacks are not permitted on the middle school campus. Attempts to carry books in oversized purses, shoulder bags, satchels, or other sorts of book bags will not be allowed. P.E. students and student athletes may carry their equipment and/or clothes in a small gym bag but must leave the bag in the athletic facilities and not carry it with them throughout the school day. Locker rooms are open from 7:45 a.m. until the first bell to drop bags off for storage and again from 3:30 to 3:45 p.m. for pick-up.

Drills: Fire, Tornado, and Other Emergencies

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

The PA system will be used to announce fire and tornado drills. The PA will be operated by the principal or his/her designee.

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 written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, parents are asked each year to complete an emergency care consent form. Parents should keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

Emergency School-Closing Information

If it becomes necessary for the Devine Independent School District to close or alter the schedule of its schools because of weather-related or other safety conditions, the information will be released by the superintendent's office to radio and television stations as soon as the decision is made. The primary factor to be considered in making a decision to close or alter the schedule of our schools will be the safety of our students. An existing or predicted hazardous road condition that is most likely to involve the safety of our students will normally be the cause for schools to be closed.

When weather conditions warrant, school personnel will use all the information resources available, including a personal inspection of roadways, to determine if it is advisable to close our schools.

Closing or altering the schedule of schools will normally take one of three forms:

- The school may be closed all day or until further notice;
- The school day may begin later; or
- While in session, school may be dismissed and closed earlier in the day than the normal dismissal time.

Parents are reminded that if road conditions in their area are unsafe, the school principal may excuse an absence although school has not been officially closed. In this event, the parent should call the school principal's office on the day of the absence and submit a written explanation of the reason for the absence on the next day the student attends school. Likewise, school personnel will be excused from duty if road conditions prohibit them from reporting to work, but they must call in to their principal or supervisor so that a substitute can be obtained.

All Texas schools have two days built into their school calendars, which are to be used as holidays or to make up days missed in the event of the emergency closing of their schools.

Listed below are several radio and television stations that will be contacted by school officials:

- | <u>Radio Stations</u> | | | <u>Television Stations</u> | |
|-----------------------|------|----------|----------------------------|---------|
| • | KTSA | AM 550 | • | KENS 5 |
| • | KONO | FM 101.1 | • | KSAT 12 |
| • | KTFM | FM 101.9 | • | WOAI 4 |
| | | | • | FOX 29 |

SAT, ACT, AND OTHER STANDARDIZED TESTS – DHS

See **Standardized Testing** on page 81.

SCHOOL FACILITIES

Use by Students Before and After School

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

The following areas are open to high school students before school, beginning at 7:30 a.m.:

- Multi-purpose room,
- Outside area, back of DHS, and

- Outside area, side of gym under the awning

Unless riding a bus or attending a scheduled practice or tutorial, middle school students should not be dropped off prior to 7:30 a.m. when all common areas are under staff supervision. The following areas are open to middle school students before school, beginning at 7:30 a.m.:

- Cafeteria,
- Playground, and
- Classrooms—for teacher-supervised tutorials only.

Unless the teacher or sponsor overseeing the activity gives permission, a student will not be permitted to go to another area of the building or campus.

After dismissal of school in the afternoon, and unless involved in an activity under the supervision of a teacher, students must leave campus immediately.

Conduct Before and After School

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

Loitering or standing in the halls during class is not permitted. During class time, a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the *Student Code of Conduct*. At DHS, the primary hall pass will be a blue or yellow “tag” which will have the teacher’s room number on it. Administrators may, at times, issue a written pass when students have been in the office on official business. AT DMS, the primary hall pass will be a grade level colored hall pass which will have the teacher’s name and room number on it. Failure to have this grade level pass will result in lunch detention. Administrators may, at times, issue a written pass when students have been in the office on official business.

Cafeteria Services

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily. Free and reduced-price meals are available based on financial need. Information about a student’s participation is confidential. See any staff member in the school office to apply. **Please note:** Many funding sources for educational programs in our district are based on the district’s financial need. Most formulas to calculate the district’s financial status include an indicator based on the percentage of students in our district who qualify for the free and reduced-price meal program **All parents are encouraged to complete the necessary**

forms to apply for this program regardless of whether their student intends to utilize the meal program or not.

Breakfast is served from approximately 7:20 a.m. to 8:00 a.m. each morning.

Students may set up a prepaid account in the cafeteria so that it is not necessary to bring meal money every day. Parents may make checks, in any amount, payable to Devine ISD, and students can give the check to the cashier in the cafeteria to establish their account. Students will use their student ID cards to access their account.

The district follows the federal and state guidelines regarding foods of minimal nutritional value being served or sold on school premises during the school day. [For more information, see policy CO (LEGAL) and the **FMNV** policy found on page 59.]

Lunches from Home – DMS

Students wishing to bring a lunch from home may store that lunch in the cabinet provided near the service line entry. It is recommended that students bring their lunches in labeled, disposable bags instead of lunch boxes because the cabinet remains unlocked during the day and also the student won't need to remember to pick up his/her lunch box from the cabinet to take home at the end of the day.

Meal Charge Policy

Devine Child Nutrition Programs Department (CNP) shall allow a student to charge no more than two consecutive charges. If he/ she request to charge a third meal, he/she will receive an alternative meal, at a minimal cost. Students will not be allowed to have more than 2 consecutive alternative meals. A charge is expected to be paid the next school day. The CNP shall maintain a list of students who have charged a meal.

Extenuating circumstances should be discussed with the child nutrition programs director.

Library

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 with a teacher permit throughout the school day. Each campus library also maintains before- and after-school hours which may vary by day but are posted in each library.

Meetings of Non-Curriculum-Related Groups

Student-organized, student-led non-curriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB (LOCAL).

A list of these groups is available in the principal's office.

Parking

DHS students and staff are required to have parking permits to park on campus. Proof of insurance, an official driver's license, and a valid vehicle inspection sticker must be possessed as well.

At DMS, only staff has parking privileges. Students are not allowed to drive on campus regardless of age.

Students and staff that drive motorcycles must see an administrator regarding parking locations and parking permits. No oversized vehicles are allowed on campus unless prior approval is arranged. This includes semi-trucks, tractors, trailers, and other vehicles so deemed by administration.

SEARCHES

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law. School officials may search the student, desk, locker, vehicle, or repository, such as any book bag, gym basket, vehicle, purse, supply packets, telecommunication devices, or anything that contains the student's personal effects by establishing reasonable suspicion or securing the student's voluntary consent.

Students' Desks and Lockers

Students' desks and lockers are school property and remain under the control and jurisdiction of the school even when assigned to an individual student.

Students are fully responsible for the security and contents of their assigned desks and lockers. Students must be certain that their lockers are locked, and that the combinations are not available to others.

Searches of desks or lockers may be conducted at any time there is reasonable cause to believe that they contain articles or materials prohibited by policy, whether or not a student is present.

The parent will be notified if any prohibited items are found in the student's desk or locker.

Electronic Devices

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

Any searches of personal telecommunications or other personal electronic devices will be conducted in accordance with law, and the device may be confiscated in order 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) for more information.]

Vehicles on Campus

Vehicles parked on school property are under the jurisdiction of the school. School officials may search **any vehicle any time there is reasonable cause to do so, with or without the permission of the student**. A student has full responsibility for the security and content of his or her vehicle and must make certain that it is locked and that the keys are not given to others. [See also the *Student Code of Conduct*.]

Trained Dogs

The district will use trained dogs to alert school officials to the presence of prohibited or illegal items, including drugs and alcohol. At any time, trained dogs may be used around lockers and the areas around vehicles parked on school property. Searches of classrooms, common areas, or student belongings may also be conducted by trained dogs when students are not present. An item in a classroom, a locker, or a vehicle to which a trained dog alerts may be searched by school officials.

Drug-Testing – DHS

All students in grades 9-12 who intend to participate in competitive extracurricular activities and/or obtain/maintain a permit to park on campus during the course of the school year are subject to random drug testing. Before a student may be allowed to participate in competitive extracurricular activities and/or obtain/maintain a permit to park on campus, the student and the parent/guardian must present written consent to the testing.

Competitive extracurricular activities for which testing is required includes all UIL activities and other activities approved by the district as extracurricular. Competitive extracurricular activities are those that are school-sponsored, school-related, competitive activity, including elective offices, and participation in clubs, teams, or organizations. This pool of students shall be subject to random testing at a frequency and at a rate to be determined by the school administration. Students shall not receive prior notice of the testing date or time.

Consequences of positive test results shall be cumulative throughout the student's enrollment in the district and subject to consequences outlined in FNF (LOCAL). A copy of this policy is available in the principal's office or found online at www.devineisd.org. [For further information, see policy FNF (LOCAL). Also, see **Steroids**, on page 73.]

Voluntary Drug Testing

With prior written parental consent, a student in grades 7 through 12 may participate in the random drug-testing program at any time with prior payment by the parent. Students participating voluntarily shall be included in the same pool for random testing under the same procedures as students participating in the mandatory program, but may withdraw from the voluntary drug-testing program at any time upon presentation of a completed written withdrawal form signed by the parent or legal guardian.

Test results for voluntary participants shall be provided directly to parents or guardians by the testing entity and the district shall not be informed of the test results for individual voluntary participants. *(Note: If the student is already a part of the random student drug testing for participation in competitive extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus; sanctions for positive results will remain.)*

Parents must complete the appropriate forms along with prepayment in order for their child to be placed in the voluntary pool. Contact the campus office for more details.

SPECIAL PROGRAMS

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency, dyslexic students, 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 school counselor.

STANDARDIZED TESTING

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

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year.

The ACT or SAT may be available at no cost to students. In addition, students in grades 8 and 10 may have the opportunity to take the corresponding preparation assessments at no charge. Please check with the counselor for details.

STAAR (State of Texas Assessments of Academic Readiness)

Grades 3–8

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

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- 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 in order for the student to be promoted to the next grade level. For the

2011–2012 school year only, this requirement will be waived. See **Promotion and Retention** on page 70 for additional information.

STAAR Modified and STAAR Alternate, for students receiving special education services, will be available for eligible students, as determined by the student’s ARD committee.

STAAR-L is a linguistically accommodated assessment that is available for certain limited English proficient (LEP) students, as determined by the student’s Language Proficiency Assessment Committee (LPAC).

End-of-Course (EOC) Assessments for Students in Grades 9–12

Beginning with ninth graders in the 2011–2012 school year, end-of-course (EOC) assessments will be administered for the following courses:

- Algebra I, Geometry, and Algebra II
- English I, English II, and English III
- Biology, Chemistry, and Physics
- World Geography, World History, and United States History

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

Normally, there will be 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. For the 2011–2012 school year, however, there will be only the spring and summer administrations of the EOC assessments.

In each content area (English language arts, mathematics, science, and social studies), a student must achieve a cumulative score. To determine whether the student meets the cumulative score, the student’s EOC assessment scores in each content area will be added together. If the student’s total score on the assessments within the content area is not equal to or greater than the cumulative score set by TEA, the student may retake any of the assessments in that content area until the student achieves the cumulative score. A student who does not achieve the minimum required score on any individual assessment will be required to retake that assessment.

A student may choose to retake an EOC assessment in situations other than those listed above as well.

STAAR Modified and STAAR Alternate, for students receiving special education services, will be available for eligible students, as determined by the student’s ARD committee. These particular EOC assessments may have different testing windows than the general assessments, and the ARD committee will determine whether successful performance on the assessments will be required for graduation.

STAAR-L, which is a linguistically accommodated assessment, will be available for students who have been determined to be limited English proficient (LEP) and who require this type of testing accommodation.

Additional information will be provided to students and parents prior to the spring 2012 administrations.

Also see **Course Credit** on page 31, **Grading Guidelines** on page 46, and **Graduation** on page 50 for additional information.

TAKS (Texas Assessment of Knowledge and Skills)

TAKS is a state-mandated assessment currently being transitioned to the STAAR program. However, depending on the grade level of the student, TAKS may still be administered to a student.

For a student in grade 10 or 11 during the 2011–2012 school year, the student will be assessed with TAKS in the subject areas of mathematics, English/language arts, social studies, and science. The test at grade 11 is called “exit-level” TAKS, and satisfactory performance on this test is required for graduation.

Also see **Graduation** on page 50 for more information.

THEA (Texas Higher Education Assessment)

Prior to enrollment in a Texas public college or university, most students must take a standardized test, such as the Texas Higher Education Assessment [THEA]. The purpose of the THEA 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 test may be required before a student enrolls in a dual-credit course offered through the district as well.

STERIODS

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 participating in UIL athletic competition may be subject to random steroid testing. More information on the UIL testing program may be found on the UIL website at http://www.uil.utexas.edu/athletics/health/steriod_information.html.

STUDENTS IN PROTECTIVE CUSTODY OF THE STATE

The district strives to assist any student who has been placed in either temporary or permanent conservatorship (custody) of the state of Texas with the enrollment and

registration process, as well as other educational services throughout the student's enrollment in the district.

Please contact Scott Sostarich, who has been designated as the district's liaison for children in the conservatorship of the state, at Central Office 830.851.0795 with any questions.

STUDENT SPEAKERS

The district provides students the opportunity to introduce the following school event(s): *varsity football games and other events deemed appropriate by administration.*

Eligibility criteria for student speakers to introduce these events can be found in district policy, FNA (LOCAL).

A student who is eligible and wishes to introduce one of the school events listed above should submit his or her name to the principal during the first week of the fall semester and/or spring semester. The names of all students who volunteered will be randomly drawn and matched to the event for which the student will give the introduction. If the selected student speaker declines or becomes ineligible, then no student introduction will be made at that event. The selection of students to introduce school events will occur at the beginning of each semester.

As determined by the principal, students who have been selected for special honors, such as captain of an athletic team, student council officers, leaders of school-sponsored organizations, homecoming king or queen, or prom king or queen may also address school audiences at designated events. [See FNA].

SUICIDE AWARENESS

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access the following Web sites or contact the school counselor for more information related to suicide prevention and to find mental health services available in your area:

- www.texassuicideprevention.org
- <http://www.dshs.state.tx.us/mhservices-search/>

SUMMER SCHOOL

Optional Flexible Year Program (FLEX YEAR)

Devine ISD has adopted the Texas Education Agency's Optional Flexible Year Program for the 2011-2012 school year. The OFYP class schedule will operate differently from the regular school schedule and will be tailored for each campus by the administration and teachers. Each campus will choose specific types of remediation. The district will continue to provide transportation and cafeteria services throughout the ten day period. All teachers, teacher aides, and support staff will be on duty during the flex days.

Students who did not meet the passing standards of their grade-level STAAR **OR** did not get promoted to the next grade **OR** did not meet the district's 90% attendance requirement* (**any one of these**) – this student **must attend** the required days of remediation and additional instruction (May 22, 2012 – June 1, 2012) at their campus. Only students that did not meet the FLEX YEAR standards/qualifications will be allowed to attend school during the Flex Year Program.

TAKS (TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS)

See **Standardized Testing** on page 81.

TARDINESS

A student who is tardy to class without acceptable excuse will be assigned to detention hall. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the *Student Code of Conduct*. [see page 95 of the **Absences/Attendance** section for more information regarding tardies.]

TEXTBOOKS, ELECTRONIC TEXTBOOKS, AND TECHNOLOGICAL EQUIPMENT

State-approved textbooks are provided to students free of charge for each subject or class. 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 paid for by the parent; however, the student will be provided textbooks and equipment for use at school during the school day.

Additional Textbook Information – DMS

Each teacher has a classroom set of textbooks to use in his/her classes. Subject textbooks may be checked out from teachers overnight when a student has fallen behind in class or needs to complete work missed during an absence.

For students with special needs, textbooks may be checked out for extended periods of time. If a parent feels that his/her child has a special need for additional texts at home, he/she may contact the school office at 830.851.0695 to make their request. The request will be forwarded to the student's grade level academic team who will decide which, if any, additional books should be provided and then phone the parent to make arrangements for the books to be picked up. The books will be checked out in the student's name, and the parent must sign the issuance card upon receiving the books.

Teacher Detentions, Cafeteria Clean-Up Duty, and Other Detentions

Teacher Detentions and Mandatory Tutorials

For minor infractions in the classroom or to catch up on missing or late work, teachers may detain students at lunch or after school. Before assigning the student to detention, the teacher will inform the student of the alleged misconduct, and the student shall be given an opportunity to explain his/her actions or version of the incident.

When a teacher intends to hold a student after school, one day's notice shall be given so that the student may arrange for transportation.

Cafeteria Clean-Up Duty

For minor infractions in the classroom, hallways, or elsewhere on campus, teachers may request that the assistant principal assign cafeteria clean-up duty. DMS students assigned to this duty must eat at an assigned cafeteria table, and may not go outside during lunch or participate in intramurals. They will spend the final 15-20 minutes of their lunch period picking up chairs, cleaning cafeteria tables, sweeping the lunchroom floor, as well as taking out the lunchroom garbage. DHS students may also be assigned cafeteria duty at the discretion of school administration.

Failure to follow the rules or report to duty will result in assignment of extra day(s) duty, corporal punishment, lunch detention, after school custodial duty, after school detention, or ISS. A copy of the rules is provided to each student upon duty assignment, and can be obtained from the assistant principal for parental review.

Lunch Detention

For repeated minor infractions or more serious infractions in the classroom, hallways, or elsewhere on campus, the assistant principal may assign lunch detention. Middle school students assigned to this detention spend their entire lunch period in an isolated detention where they are required to work on class assignments or read. They are allowed to eat their lunch during the last 20 minutes of the lunch period, and eat in the detention room. The time and place for high school lunch detention is variable and assigned on an as needed basis by campus administration.

Failure to follow the rules or report to detention will result in assignment of extra day(s) detention, corporal punishment, after school detention, or ISS. A copy of the rules is provided to each student upon detention assignment, and can be obtained from the assistant principal for parental review.

Morning/After School and Saturday Detention

Morning, after school, and Saturday detentions may also be assigned at the discretion of campus administration. Morning detentions may begin as early as 6:30 a.m. and after school detentions may last as late as 5:30 p.m. Saturday detentions are held in the ISS classroom between DHS and DMS and last from 8:00 a.m. to 12:00 p.m.

Failure to follow the rules or report to detention will result in assignment of extra day(s) detention, corporal punishment, after school detention, ISS, or possible assignment to alternative school. A copy of the rules is provided to each student upon detention assignment, and can be obtained from the assistant principal for parental review.

TUTORIALS

Students with a grade less than 70 in any subject are encouraged to attend tutorials in that subject area. Students and/or their parents may make tutorial arrangements directly with the teacher. Call the school office to schedule a conference or request that the teacher call you back to make arrangements.

Students participating in extracurricular activities may be required to attend tutorial programs as necessary to better their chances of eligibility. The District does not provide transportation for students attending tutorials.

TRANSFERS

[See **School Safety Transfers**, on page 7, and **Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education**, on page 9, for other transfer options.]

TRANSPORTATION

School-Sponsored Trips

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. The principal, however, may make an exception if the parent makes a written request that the student be released to the parent or to another adult designated by the parent.

Many trips are arranged for students during the school year, either curricular or extracurricular. Students making a school trip are expected to travel by bus or school transportation. Students should be aware that fieldtrips and extracurricular activities are school-sponsored and therefore are subject to the same rules as being on campus.

When fieldtrips are scheduled, students not wishing to participate will attend regular classes but not be excused from school attendance.

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 any subsequent changes are posted at the school and on the district's Web site.

A parent may also designate a child-care facility or grandparent’s residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact the district transportation office at 830.851.0750 or 0754.

See the *Student Code of Conduct* for provisions regarding transportation to the disciplinary alternative education program (DAEP).

Students are expected to assist district staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in district vehicles, 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 bus or van in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the bus, van, 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 bus or van.
- Not possess or use any form of tobacco on school buses.
- 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 bus or van and before crossing in front of the vehicle.

Misconduct as documented by the driver on the bus referral form will be punished in accordance with the *Student Code of Conduct*; bus-riding privileges may be suspended. Questions regarding issues of bus misconduct should be addressed to the transportation director, Mrs. Mary Aaron, at 830.851.0750 or 0754.

VANDALISM

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

VIDEO CAMERAS

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

The principal or his/her designee will review the video/audio recordings routinely and document student misconduct. Discipline will be in accordance with the *Student Code of Conduct*.

VISITORS TO THE SCHOOL

General Visitors

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the principal's office and must comply with all applicable district policies and procedures.

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

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior as well as inappropriate dress and grooming will not be tolerated. Visitors will not be permitted to walk around campus without principal or designee's approval.

Student Visitors

Student visitors from other schools are generally discouraged and not permitted on campus without prior principal approval. Students allowed to visit during lunchtime must remain in the cafeteria throughout the lunch period.

Visitors Participating in Special Programs for Students

During *College-Go Get It Week*, the district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

WITHDRAWING FROM SCHOOL

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent at least three days in advance so that records and documents may be prepared. The parent may obtain a withdrawal form from the principal's office.

On the student's last day, the withdrawal form must be presented to each teacher for current grade averages and book and equipment clearance; to the librarian to ensure a clear library record; to the clinic for health records; to the counselor for the last report card and course clearance; and finally, to the principal. A copy of the withdrawal form will be given to the student, and a copy will be placed in the student's permanent record.

A student who is 18 or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

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 refers to one of the two most frequently used college or university admissions exams: the American College Test. The test may be a requirement for admission to certain colleges or universities.

ARD is the admission, review, and dismissal committee convened 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 sometimes responsible for reviewing a student's absences when the student's attendance drops below 90 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 lost because of absences.

DAEP stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the *Student Code of Conduct*.

EOC assessments are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments will be required for graduation beginning with students in grade 9 during the 2011–2012 school year. These exams will be given in English I, English II, English III, Algebra I, Geometry, Algebra II, Biology, Chemistry, Physics, World Geography, World History, and United States History.

FERPA refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

IEP is the written record of the Individualized Education Program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed;

accommodations for state or district-wide tests; whether successful completion of state-mandated assessments is required for graduation, etc.

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.

LAT stands for Linguistically Accommodated Testing, which is an assessment process for recent immigrant English language learners who are required to be assessed in certain grades and subjects under the NCLB Act.

NCLB Act is the federal No Child Left Behind Act of 2001.

PGP stands for Personal Graduation Plan, which is recommended for all students entering grade 9 and is required by state law for any student in middle school or higher 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.

SAT refers to one of the two most frequently used college or university admissions exams: the Scholastic Aptitude Test. The test may be a requirement 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.

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, effective beginning with certain students for the 2011–2012 school year.

STAAR Alternate 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 Modified is an alternative state-mandated assessment based on modified achievement standards that is administered to eligible students receiving special education services, as determined by the student's ARD committee.

STAAR Linguistically Accommodated (STAAR L) is an alternative state-mandated assessment with linguistic accommodations designed for certain recent immigrant English language learners.

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 grade 11 exit-level test or end-of-course assessments, when applicable, 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: it identifies the circumstances, consistent with law, when a student may be removed from the classroom or campus. 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.

TAKS is the Texas Assessment of Knowledge and Skills, the state's standardized achievement test currently given to students in certain subjects in grades 10 and 11 and is required for graduation for students at these grade levels.

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.

TxVSN is the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

UIL refers to the University Interscholastic League, the statewide voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

Devine ISD

Student Code of
Conduct

2011-2012

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STUDENT CODE OF CONDUCT

Purpose

The Student Code of Conduct is the district’s response to the requirements of Chapter 37 of the Texas Education Code.

The 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), or expulsion from school.

This Student Code of Conduct has been adopted by the Devine 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.

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 posted on the district’s Web site. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

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.

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Student Code of Conduct

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

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

The district has the right to search a student's locker or desk when there is reasonable cause to believe it contains articles or materials prohibited by the district.

Reporting Crimes

School administrators 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.

Revoking Transfers

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

Speaking at Graduation

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

School District Authority and Jurisdiction

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

See DAEP—Restrictions during Placement on page 17, 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 and all school-related activities, but the list does not include the most serious offenses. In the subsequent sections on Out-of-School Suspension, DAEP Placement, Placement and/or Expulsion for Certain Serious Offenses, and Expulsion, severe offenses that require or permit specific consequences are listed. Any offense, however, may be serious enough to result in Removal from the Regular Educational Setting as detailed in that section.

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, harassment, or making hit lists. (See glossary for all three terms.)
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Engage in conduct that constitutes dating violence. (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 individuals 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 or Expulsion.)
- Deface or damage school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means. 13
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion.)

Possession of Prohibited Items

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;
- An air gun or BB gun;
- Ammunition;
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products;
- 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 Expulsion.)

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Display, turn on, or use a telecommunications device, including a cellular telephone, or other electronic device on school property during the school day.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion.)
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess or sell look-alike drugs or attempt to pass items off as drugs or contraband. Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See glossary for “abuse.”)
- Abuse over-the-counter drugs. (See glossary for “abuse.”) Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See glossary for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the Internet or other electronic communications to threaten district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Send, post, 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.
- Use e-mail or Web sites 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.

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. Discipline shall be correlated to 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.

Because of these factors, discipline for a particular offense, unless otherwise specified by law, may bring into consideration varying techniques and responses.

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, state and/or federal law shall prevail.

In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, 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 or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention.
- 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.

Discipline Management Techniques

- 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.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Notification

The principal or appropriate administrator shall notify a student's parent by phone or in writing of any violation that may result in an out-of-school suspension, placement in a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: www.devineisd.org. Consequences shall not be deferred pending the outcome of a grievance.

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 principal's office as a discipline management technique. The principal may then employ additional techniques.

Formal Removal

A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. 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.

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator shall schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator shall inform the student of the misconduct for which he or she is charged and the consequences. The administrator shall give the student an opportunity to give his or her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

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

Returning Student to Classroom

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

Removal from the Regular Educational Setting

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.

In deciding whether to order out-of-school suspension, the district shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The number of days of a student's suspension shall be determined by the appropriate administrator, but shall not exceed three school days.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

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.

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

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

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

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:

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

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

Disciplinary Alternative Education Program (DAEP) Placement

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - a. The student receives deferred prosecution (see glossary),
 - b. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 - c. 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.

Emergencies

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

Process

Removals to a DAEP shall be made by the principal or the appropriate administrator.

Disciplinary Alternative Education Program (DAEP) Placement

Conference

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

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

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.

Placement Order

After the conference, if the student is placed in the DAEP, the appropriate administrator shall write a placement order. A copy of the DAEP placement order 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 coursework 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 duration of a student's placement in a DAEP shall be determined by the principal or the appropriate administrator

The duration of a student's placement shall be determined on a case-by-case basis. DAEP placement shall be correlated to 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.

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:

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

Disciplinary Alternative Education Program (DAEP) Placement

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 principal or the appropriate administrator must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration. Appeals regarding the decision to place a student in a DAEP should be addressed to the campus administrator in accordance with policy FOC(LEGAL). All other appeals regarding a 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 or the central administration office or through Policy On Line at the following address: www.devineisd.org.

Disciplinary consequences shall not be deferred 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. In addition, the district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

Disciplinary Alternative Education Program (DAEP) Placement

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 principal or the appropriate administrator at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

The office of the prosecuting attorney shall notify the district if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or.
2. The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and

Disciplinary Alternative Education Program (DAEP) Placement

receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

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

Withdrawal during Process

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

Newly Enrolled Students

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

A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, 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 occurs, 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.

Placement and/or Expulsion for Certain Serious Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a

Placement and/or Expulsion for Certain Serious Offenses

student may be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement and/or Expulsion for Certain Serious Offenses

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 district will take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Any Location

A student **may** be expelled for:

- Engaging in the following, no matter where it takes place:
 - 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, without regard to where the conduct occurs:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
 - Breach of computer security.
- 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. (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.
- Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

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 serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.

Mandatory Expulsion: Misconduct That Requires Expulsion

Federal Law

A student **must** be expelled for bringing to school a firearm, as defined by federal law, when the offense occurs on school property or while attending a school-sponsored or school-related activity on or off school property. "Firearm" under federal law includes:

- Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

- The frame or receiver of any such weapon.
- Any firearm muffler or firearm weapon.
- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Texas Penal Code

A student **must** be expelled 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:

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
 - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility 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.
 - An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
 - A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
 - A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, a zip gun, or a tire deflation device. (See glossary.)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, 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, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

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.

Emergency

In an emergency, the principal or the principal's designee **may** order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis.

Process

If a student is believed to have committed an expellable offense, the principal 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 principal may place the student in:

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

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the district's witnesses.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the superintendent or designee authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion 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 will 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

After the due process hearing, 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 principal or appropriate administrator 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 correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year except as provided below.

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

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

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent or other appropriate administrator 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 reenrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the appropriate administrator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions during Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

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:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

When an emergency expulsion occurs, 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.

Glossary

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

Abuse is improper or excessive use.

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

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

Armor-piercing ammunition is handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damages or destroys a building belonging to another, or
 - b. Recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.

Bullying is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:

1. To 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; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

Chemical dispensing device is a device designed, made, or adapted for the purpose 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 an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

Criminal street gang is three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is the use of any electronic communication device to engage in bullying or intimidation.

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 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.

Explosive weapon is 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 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

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

2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm silencer means any device designed, made, or adapted to muffle the report of a firearm.

Graffiti are 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.

Harassment is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH (LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

Hazing is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

Hit list is 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.

Knuckles are 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.

Machine gun is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

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

Possession means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any other school property used by the student, including but not limited to a locker or desk.

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 a determination made by the superintendent or designee using all available information, including the information furnished 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 offenses include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.
- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is 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.

Switchblade is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

Terroristic threat is a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;

3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by Section 46.01 of the Penal Code 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 offenses are those that involve injury to a person and include murder; kidnapping; assault; aggravated assault; sexual assault; aggravated sexual assault; unlawful restraint; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [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 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.