

2009-2010



**Parent and Student Handbook
and
Student Code of Conduct**

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Parent and Student Handbook

PREFACE

To Students and Parents:

Welcome to school year 2009–2010! 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 TSBVI Parent and 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—REQUIRED NOTICES AND INFORMATION FOR PARENTS—with notices that TSBVI 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—INFORMATION FOR STUDENTS AND PARENTS—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 TSBVI ***Student Code of Conduct***, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. The Student Code of Conduct may be found immediately following the Parent and Student Handbook and is available in the Principal’s Office.

The Parent and 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 Parent and Student Handbook provisions will be made available to students and parents through newsletters and other communications.

In case of conflict between board policy or the ***Student Code of Conduct*** and any provisions of the Parent and Student Handbook, the provisions of board policy or the ***Student Code of Conduct*** that were most recently adopted by the board 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 Miles Fain, Principal, 512-206-9251.

Also, please complete the following required forms provided in the forms packet accompanying this handbook:

1. Parental Acknowledgment Form;
2. Student Directory Information Form;
3. Release of Information to Military Recruiters and Institutions of Higher Learning Form; and
4. Consent/Opt-Out Form.

A copy of the TSBVI policy manual is available for review in the Superintendent’s Office or online at www.tsbvi.edu/policy.

SCHOOL ADDRESS

**Texas School for the Blind and Visually Impaired
1100 West 45th Street, Austin, TX 78756
(512) 454-8631
www.tsbvi.edu**

ADMINISTRATION AND IMPORTANT NUMBERS

Bill Daugherty, Superintendent	206-9133
Miles Fain, Principal	206-9251
Susan Hauser, Assistant Principal	206-9273
Linda Locke, Assistant Principal	206-9265
Pat Stephenson, Assistant Principal.....	206-9261
Shelly Allen, Residential Director	206-9179
Garner Vogt, Residential Director	206-9115
Ken Miller, Director of School and Student Services	206-9185
Michael Clinkscales, Counselor	206-9280
Marcela Contreras, Counselor	206-9194
Roy Martz, Counselor	206-9316
Elsa Wirsching-Guimbarda, Counselor	206-9172
Marnee Loftin, School Psychologist	206-9199
Valerie Perwein, School Psychologist	206-9281
Samantha McGrath, Associate Psychologist.....	206-9424
Business Office Cashier.....	206-9215
Health Center	206-9136

BOARD OF TRUSTEES

Mary Alexander.....	Valley View
Gene Brooks.....	Austin
Caroline Daley, Secretary	Kingwood
Bobby Druessedow, Jr.....	Aledo
Cynthia Finley	Lubbock
Michael Garrett	Missouri City
Michelle Goodwin, Vice-President.....	Ft. Worth
Deborah Louder, President.....	San Angelo
Joseph Muniz.....	Harlingen

THE MISSION OF TSBVI

TSBVI will be a leading center of educational expertise for students with visual impairments in Texas. TSBVI will provide opportunities for children and youth who are visually impaired, including those with additional disabilities, to develop the skills necessary to lead vocationally, personally, and socially satisfying and productive lives.



BELL SCHEDULE

1st Period	7:50-8:40
2nd Period	8:45-9:35
3rd Period	9:40-10:30
4th Period	10:35-11:25
5th Period	11:25-12:10
6th Period	12:15-1:05
7th Period	1:10-2:00
8th Period	2:05-2:55

SECTION I: REQUIRED NOTICES AND INFORMATION FOR PARENTS

This section of the TSBVI Parent and Student Handbook includes several notices that TSBVI is required to provide to you, as well as other information on topics of particular interest to you as a parent.

STATEMENT OF NONDISCRIMINATION

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

The staff member designated to coordinate compliance with these legal requirements is:

Kenneth Miller
Director of School and Student Services
512-206-9185

Please see the Superintendent for all other concerns regarding discrimination:

William Daugherty
Superintendent
512-206-9133

PARENTAL INVOLVEMENT

Working Together – A School-Parent Compact

A child's education succeeds best when there is good communication and a strong partnership between home and school.

School Responsibilities

The School will:

- Provide high quality curriculum and instruction in a supportive and effective learning environment that enables each student to meet Texas academic achievement standards according to the expectations set by the student's Admission, Review and Dismissal (ARD) Committee.
- Hold parent-teacher conferences during the annual Parent Weekend, or at other times as requested by the parent, during which elements of this compact will be discussed as related to student achievement.
- Provide parents with reports on their child's progress each nine weeks.
- Provide parents with reasonable access to staff. Parents may contact their child's teacher, residential instructor, counselor or Principal to schedule a telephone or in-person conference.
- Provide parents opportunities to volunteer and participate in their child's class and to observe classroom activities. Parents may contact their child's teacher to schedule times to participate or observe in class. Parents may contact the Principal to discuss volunteer opportunities.

Parent Responsibilities

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. Be sure your child comes to school each day prepared, rested, and ready to learn.

- Becoming familiar with all of your child's school activities and with the academic programs offered at the School.
- Discuss with the Counselor or Principal any questions you may have about the options and opportunities available to your child. Monitor your child's academic progress and contact teachers as needed.
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, residential instructor, counselor, or Principal, please call the school office at 512-206-9167 for an appointment. A teacher will usually return your call or meet with you during his or her conference period or at a mutually convenient time before or after school.
- Monitoring your child's academic progress and contacting teachers as needed.
- Becoming a school volunteer. For further information, contact the Principal.
- Participating in campus parent organizations. For further information, contact the Principal.
- Offering to serve as a parent representative on the School's campus-level planning committee, the Instructional Planning Council, assisting in the development of educational goals and plans to improve student achievement. For further information, contact the Principal.
- Offering to serve on the School Health Advisory Council, assisting the School in ensuring community values are reflected in health education instruction.
- Attending Board meetings to learn more about School operations.

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.

“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 nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law.

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

As a parent, you have a right to provide consent before the School can display your child's artwork, special projects, photographs taken by your child, and the like on the School'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.

Granting Permission to Video or Audio Record a Student

As a parent, you may grant or deny any written request from the School 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 cocurricular 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 Texas State Board of Education, is incorporated into the School'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 School'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.

In accordance with state law, below is a summary of the School's curriculum regarding human sexuality instruction:

Following are descriptions of the two sexuality education curricula at TSBVI. These two curricula give staff the selection of topics and levels of information to ensure that all students have access to appropriate sexuality education.

Family Life and Sexual Health

The Family Life and Sexual Health curriculum is a comprehensive sexuality education curriculum. It is unique in several ways in that it:

- addresses such issues as physical development, promotion of sexual health, prevention of disease, affection, interpersonal relationships, body image, and gender roles
- spans the school-age years (including special education)
- embraces an abstinence-based approach as well as information related to the prevention of pregnancy, HIV and other sexually transmitted diseases
- rests on a foundation of positive and healthy sexuality across the life span
- ensures discussion about the wide spectrum of beliefs on sensitive issues
- values family involvement

Levels of the curriculum

- K-4
- 4/5/6
- 7/8
- 9/10
- 11/12

- Special Education - Middle and High School

Introduction

This curriculum is designed for use in special education and mainstreamed classrooms. It was based on years of practical teaching experience in this subject area and provides functional teacher tools for students with diverse learning challenges.

The primary beliefs inherent in this curriculum:

- a person's unique qualities are to be celebrated
- everyone is entitled to talk and to be taken seriously
- everyone is entitled to "pass" (not to share personal beliefs, feelings or information in class)
- the human body is precious and beautiful
- everyone needs to love and feel loved
- no one is entitled to treat another person simply as a means of selfish gratification
- coercion and manipulation are wrong
- premature sexual intimacy can hurt a person physically, emotionally, and socially
- honest communication is fundamental in all relationships
- people have a responsibility to learn as much as possible about themselves and the people they care about

Safe and Sound: A Safety Awareness Curriculum for Students Who Are Visually Impaired and Have Multiple Disabilities **California School for the Blind**

The issue of personal safety seems to inevitably come up when speaking to anyone who works with children and young adults. Common questions include:

- How can we prepare our students to deal with strangers?
- How do we teach safety skills so that each student really understands?
- How do we help students generalize their skills?
- How can we better measure their understanding of what is being taught?
- The parents and the teacher don't agree on how safe the student is. How can we get the whole team working together?

This curriculum is designed to be used by teachers, other staff and parents. While some aspects of human sexuality will be discussed, such as teaching the private body parts, the focus of this curriculum is on personal safety, rather than sexuality education.

This curriculum addresses the unique vulnerabilities and safety needs of children with visual impairments and additional disabilities. Topics covered include identifying and escaping from danger, avoiding sexual abuse, assault, and robbery.

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 School's SHAC. Please see the 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.

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 School 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.

Requesting Notices of Certain Student Misconduct

A noncustodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to your child's misconduct that may involve placement in a Disciplinary Alternative Education Program (DAEP) or expulsion.

Requesting Transfers for Your Child

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 Superintendent to have been a victim of bullying as the term is defined by Education Code 25.034.

OTHER IMPORTANT INFORMATION FOR PARENTS

Accommodations for Children of Military Families

Children of military families will be provided flexibility regarding certain School 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 School.

Services for Title I Participants

The School accepts Title I federal grant funds for improving basic programs to enable all students to meet Texas academic achievement standards according to the expectations set by each student's Admission, Review and Dismissal (ARD) Committee. The funds, authorized by Public Law 107-110, support the school in implementing a school-wide program of services that are included in TSBVI's annual School Improvement Plan and may be consolidated with funds from other federal, state and local sources. All parents will be mailed a copy of the School's Annual Report and will be invited by mail to the annual meeting of the Instructional Planning Council when School Improvement Plan progress is reviewed and plans for improvement are made.

In Texas, students may transfer to a safe public school if students are enrolled in a persistently dangerous school or are the victims of a violent criminal act.

The Parent Involvement Coordinator, who works with parents of students participating in Title I programs is Miles Fain, Principal, 512-206-9251.

Student Records

Both federal and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights. 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 right to access a student’s education records. Federal law requires that, as soon as a student becomes 18 or is emancipated by a court, 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.
- School staff members who have what federal law refers to as a “legitimate educational interest” in a student’s records. “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; or investigating or evaluating programs. Such persons would include school officials (such as board members, the Superintendent, administrators, and Principals); school staff members (such as teachers, counselors, diagnosticians, and support staff); a person or company with whom the School has contracted to provide a particular service (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on a school committee; or a parent or student assisting a school official or staff in the performance of his or her duties.
- Various governmental agencies.
- 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 subsequently enrolls.

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

Director of School and Student Services, Ken Miller, is custodian of all records for currently enrolled students at the assigned school and for students who have withdrawn or graduated.

Records may be inspected by a parent or eligible student during regular school hours. If circumstances prevent inspection during these hours, the School will either provide a copy of the records requested or make other arrangements for the parent or student to review these records. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent (or eligible student) may inspect the student’s records and request a correction if the records are considered inaccurate or otherwise in violation of the student’s privacy rights. A request to correct a student’s record should be submitted to the Director of School and Student Services. 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 School 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 TSBVI Board Policy FNG.

Copies of student records are available at a cost of ten cents per page, payable in advance. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, one copy of the record will be provided at no charge upon written request of the parent.

The School's policy regarding student records, Board Policy FL, is available from the office of the Director of School and Student Services or on the School's Web site at www.tsbvi.edu.

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 School 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, DC 20202-5901

Description and Explanation of Curriculum at TSBVI

At TSBVI students work primarily in one of following curricular approaches, but may participate in other approaches when necessary. These curricular approaches are:

1. **Academics:** for students who are functioning within two years of their grade level. Instruction is in the regular, public school curriculum and includes the TEKS (Texas Essential Knowledge and Skills)
2. **Elementary Concepts:** for students 6-12 years of age who may have additional impairments. This approach is for students who are at the readiness level for academic learning, but are not yet reading, writing or doing math on a first grade level.
3. **Practical Academics:** for students 12 years of age and older who are functioning more than two years below their chronological age, with at least Kindergarten equivalent reading, writing and math skills. Students are taught to use their academic skills in a variety of meaningful, functional tasks.
4. **Basic Skills:** for students ages 6-22 who have visual impairment combined with other disabilities, who have difficulty generalizing skills to new situations, and who learn best with the support of consistent routines and meaningful, functional activities.
5. **EXIT (Experiences in Transition):** for Practical Academic students ages 18-22 who need programming that focuses on transitioning young adults from school to adulthood, in an environment that more closely replicates the adult environment in which they will be living.
6. **Post Secondary:** for students who have a State Board of Education high school diploma and are in need of remedial academic, independent living and work-related skills. They will cultivate the skills necessary to meet the demands of competitive employment and adult living.

Forms of Assessment used to Measure Student Progress

Each curricular approach will have Performance Indicator Assessments/Evaluations that will reflect our definition of quality programming. Every student will be assessed in all of the Core and Expanded Core Curricular areas that have been identified as a need by the ARD committee.

The Core Curricular areas assessed include:

- Language Arts
- Mathematics
- Science
- Social Studies

The Expanded Core Curricular areas assessed include:

- Assistive Technology
- Career Education & Transition
- Compensatory Skills
- Independent Living Skills
- Orientation And Mobility
- Recreation And Leisure Skills
- Self Determination
- Social Interaction Skills
- Visual Efficiency Skills

The school's accreditation standard is:

65% of the students attending Texas School for the Blind and Visually Impaired will score 2.0 or higher (moderate to substantial progress) in every Core Curricular area in which they are receiving programming as determined by the ARD committee.

Determination of Progress:

1 - none to minimal progress:

- less than 10% increase in Competency in skills
- less than 10% increase in Generalized skills

2 - moderate progress:

- 10%-19% increase in Competency in skills
- 10%-19% increase in Generalized skills

3 - substantial progress:

- 20% or greater increase in Competency in skills
- 20% or greater increase in Generalized skills

For additional information about curriculum or assessments, please contact Debra Sewell, Curriculum Coordinator, at 512-206-9183.

Directory Information

The law permits the School 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.

Directory Information for School-Sponsored Purposes

The School often needs to use student information for the following school-sponsored purposes:

- student directory
- student yearbook
- School publication

For these specific school-sponsored purposes, the School would like to use your child's:

- name
- Address
- Telephone listing
- E-mail address
- Photograph
- Date and place of birth
- Degrees, honors, and awards received
- Dates of attendance
- Grade level
- Most recent school previously attended
- Participation in officially recognized activities and sports
- Weight and height, if a member of an athletic team
- Enrollment status
- Student identification numbers or identifiers that cannot be used alone to gain access to electronic education records

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 School wishes to use this information for the school-sponsored purposes listed above.

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

The School 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 School not to release their child's information without prior written consent. A form has been sent to you to complete if you do not want the School to provide this information to military recruiters or institutions of higher education.

Bacterial Meningitis

State law specifically requires the School 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/>.

SECTION II: 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 Miles Fain, Principal at 512-206-9251.

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 18 attend school unless the student is otherwise excused from attendance or legally exempt.

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

Exemptions to Compulsory Attendance

State law allows exemptions to the compulsory attendance requirements for several types of absences. 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.

In addition, a junior or senior student’s absence of up to two days related to visiting a college or university may be considered an exemption, provided the student receives approval from the Principal, follows the School 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.

If the student is over age 18, the student's parents shall not be subject to penalties as a result of their child's violation of state compulsory attendance law.

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, 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 a 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.

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 School. For a student transferring into the School after school begins, including a migrant student, only those absences after enrollment will be considered.
- 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 TSBVI Board Policy FNG.

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.

Doctor's Note After An Absence for Illness

Upon return to school, a student absent for more than five 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.

ACADEMIC PROGRAMS

The school counselor provides students and parents information regarding academic programs to prepare for higher education and career choices.

ANIMALS IN THE SCHOOL

Large personal pets, such as dogs and cats, will not be maintained in the dormitories or classrooms. Small contained animals, such as fish or hamsters, may be allowed in the classrooms or dormitories only with prior approval, respectively, from the Residential Director or the Principal.

Dog Guides

Students 16 years and older who have been approved by a dog guide school for training or who already have a dog guide must, upon referral for admission, obtain approval from the Principal for maintaining the dog on campus. The Principal will approve the maintenance of a dog guide on campus if the student is able to demonstrate an ability to manage and care for the dog independently. Students with dog guides are responsible for adhering to any procedure governing the maintenance of dog guides on campus and for costs associated with the maintenance of the dog. Failure to follow the procedure may result in loss of permission to maintain the dog guide on campus.

AWARDS AND HONORS

National Honor Society

Students who meet the minimum criteria for nomination (on an academic graduation plan; possess a cumulative GPA of 85 or above; sophomore class rank or above; at TSBVI at least one semester) will be invited to complete a Student Activity Information Form which will be used to consider them for admission to the National Honor Society. A faculty council selects students based upon the minimum criteria and information regarding character, leadership, and service, gathered from teachers and residential instructors. Members should understand fully that they are subject to dismissal if they do not maintain the standards of scholarship, leadership, service, and character that were used as a basis for their selection. The Principal appoints the faculty council and shall be a part of any appeal process for non-selection or dismissal.

End of the Year Awards Assembly

The purpose of the awards assembly is to recognize students who have displayed significant achievement in academic and extracurricular activities. The following major awards are given:

1. Kopecky-Meyers Achievement Award

These awards are given to a deserving young man and woman in the 9th, 10th, 11th or 12th grade (non-graduating) who have progressed significantly, relative to their own potential, after overcoming major and difficult obstacles.

The award winners should also have demonstrated:

- a. constructive leadership;
- b. participation in extracurricular activities;
- c. self-initiation and direction;
- d. independence in orientation and mobility, money management, leisure time, and other activities;
- e. positive interpersonal skills with adults and peers;

- f. a presentable appearance and good grooming; and
- g. maturity in taking advantage of the opportunities at TSBVI.

2. Clarence A. Jaecks Citizenship and Most Improved Citizenship Awards

The recipient of the Citizenship Award must:

- a. positively accept and seek responsibilities
- b. respect fellow students and staff
- c. cooperate with fellow students and staff
- d. respect and display an understanding of differences in others
- e. exhibit exemplary behavior on campus and in community settings.

The recipient of the Most Improved Citizenship Award must have shown considerable improvement in the above areas.

3. The Annie Gerke Technology Award

The Annie Gerke Technology Award is given to a deserving young woman or young man who is classified as a graduation senior. The award winner should have demonstrated:

- a. correct and accurate keyboarding skills or correct and accurate grade 2 braille skills
- b. self-initiation and direction in learning to use technology
- c. independence in the use of technology to complete class work and homework
- d. responsibility for care and use of technology equipment
- e. a need for technology and commitment to use it after graduation

4. Music Department Awards

The Lucille Guilmynott Award is presented to a student in instrumental or vocal music who has made consistent progress while surmounting special handicaps and who has not yet reached the proficiency required for the Spring Concert. The Louis Armstrong and the John Phillips Sousa Jazz/Band Award is presented to the outstanding jazz musician and band instrumentalist respectively.

5. Extracurricular Awards

Awards are presented by the sponsors and coaches in athletics, drama, yearbook staff, and other student activities.

BATHING, DRESSING AND TOILETING ASSISTANCE

Students who may need staff assistance when bathing, dressing and/or toileting will be accorded respect in determining whether a staff person of the same gender, or opposite gender, will provide that assistance. Sensitivity to the student's age, development, maturity and individual comfort levels of the student and staff person will be considered prior to staff assignments.

BIKE-RIDING OFF-CAMPUS

Students may ride bikes off campus with a staff member on tandem bikes only. An activity proposal must be completed and submitted for route and destination approval by the Residential Director before the activity may occur. Special permission must be obtained from the Residential Director if a student desires to ride an individual bike off campus.

BULLYING

Bullying occurs when a student or group of students directs written or verbal expressions 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 harm to himself or his property, or is so severe that it creates an intimidating, threatening or abusive educational environment.

The board has established policies and procedures to prohibit bullying and to respond to reports of bullying.

CANE USAGE AND SAFETY

Students for whom it has been determined by an orientation and mobility instructor that they should use a cane should carry a cane at all times for traveling on or off campus. Students should travel on the right hand side of hallways and passageways for the safety of all students.

CHILD SEXUAL ABUSE

The School will establish a plan for addressing child sexual abuse, which will be a part of the School Improvement Plan. We anticipate this plan will be complete as of the last day of the first semester in the 2009-10 school year. At completion, the plan will be incorporated into the School Improvement Plan, which will be reposted on the School's website.

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 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 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, the School counselor or the 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 sexual abuse:

<http://www.tea.state.tx.us/index.aspx?id=2820>

<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>).

CHURCH ATTENDANCE

Parents who would like their children to attend church services while enrolled at TSBVI need to contact the child's Residential Director.

CLASS ACTIVITIES FOR JUNIORS AND SENIORS

Members of the Junior and Senior classes have the privilege of participation in class sponsored events and activities. To take advantage of these privileges, class members must take an active role in the class by accepting certain responsibilities. Responsibilities include 1) attending all class meetings unless the student gets an excused absence in advance from the class sponsor; 2) paying class dues by the designated deadline; and 3) participating in class fund raising projects.

Each year, the junior/senior class activities will be determined by the classes. In the junior year, the student may purchase class rings. In the senior year, the students may order commencement announcements and may have their senior portraits taken.

The Principal may exclude or excuse any student from any of the class sponsored activities.

CLASS RANK / TOP TEN PERCENT / HIGHEST RANKING STUDENT

Valedictorian and Salutatorian

The students from among those taking only State Board of Education (SBOE) core academic classes who compile the highest and second highest grade point averages of the graduating seniors, who pass all components of statewide assessment testing, and who meet the minimum criteria for membership in the National Honor Society may be selected as Valedictorian and Salutatorian. These students also have demonstrated exemplary citizenship. Under certain circumstances, the Principal may restrict students' participation as Valedictorian or Salutatorian as a result of poor citizenship.

For two school years following his or her graduation, a TSBVI 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 freshmen.

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

COLLEGE CREDIT COURSES

Students in grades 9–12 may earn college credit from Austin Community College. Please contact the Principal for further information.

COMPLAINTS AND CONCERNS

Usually student or parent complaints or concerns can be addressed by a phone call or a conference with the teacher or residential instructor. For those complaints and concerns that cannot be handled so easily, the School has adopted a standard complaint policy at FNG in the School's policy manual. A copy of this policy may be obtained in the Principal's or Superintendent's office or on the School's Web site at www.tsbvi.edu.

In general, the student or parent should submit a written complaint and request a conference with the Principal. If the complaint is not resolved, a written complaint and a request for a conference should be sent to the Superintendent. If still unresolved, the School provides for the complaint to be presented to the board of trustees.

COMPUTER RESOURCES

To prepare students for an increasingly technological society, the School 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 communication using School computers is not private and will be monitored by School staff.

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 School 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.

To achieve the best possible learning environment for all students, the **Student Code of Conduct** and other campus rules will apply whenever the interest of the School is involved, whether on or off school grounds, in conjunction with classes and school-sponsored activities.

Corporal Punishment

Corporal punishment of any kind is not permitted at the School.

Disruptions

As identified by law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a School 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 School property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving School property without authorization from an administrator.
- Disruption of classes or other school activities while on School property or on public property that is within 500 feet of School 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 School.

Radios, CD Players, Other Electronic Devices and Games, and Cell Phones

Students may possess and use items such as tape recorders, radios, CD players, cameras, or other electronic devices at times that do not interfere with instruction and are approved by the student's

teacher or residential instructor. The Principal may determine that a student may not possess such items when they interfere with instruction or when they are disruptive.

The use of cell phones during the school day, during instructional times in the residential setting, after “lights- out” time on dorms, or at school events is not allowed. Students may possess cell phones that are turned off but may not use cell phones during these prohibited times.

If a student uses a cell phone during a time that is not allowed, a staff member will ask for the student’s phone and turn it in to the Principal. If the student refuses to hand the staff member the phone, the staff member will complete a student incident report. When confiscated, the student must schedule an appointment with the Principal to receive the cell phone.

Any disciplinary action will be in accordance with the ***Student Code of Conduct*** and may include confiscation of the device.

Inappropriate Use of Technology

Students are prohibited from sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal. This prohibition applies to conduct off school property if it results in a substantial disruption to the educational environment. Any person taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or photographs will be disciplined according to the *Student Code of Conduct* and may, in certain circumstances, be reported to law enforcement.

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.

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.

CORRESPONDENCE COURSES

The School permits high school students to take correspondence courses—by mail or via the Internet—for credit toward high school graduation. These students should see the Principal.

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 7 through 12 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 vocational 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.

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.

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 teacher, counselor, Principal, or attendance committee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for the course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course for excessive absences, home schooling, correspondence courses, or independent study supervised by a teacher.

The Principal will determine if a student may 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 receive credit for a course by passing an exam. A student may not use this exam, however, to regain eligibility to participate in extracurricular activities.

In all instances, the Principal will determine whether any opportunity for credit by exam will be offered.

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 no prior instruction. The passing score required to earn credit on an exam is 90.

If a student wants to take an exam, the student (or parent) should contact the Principal who will arrange for the student to take the exam. The parent will be responsible for purchasing the test from a university approved by the State Board of Education.

DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION

The School 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 School employees with courtesy and respect; to avoid behaviors known to be offensive; and to stop those behaviors when asked or told to stop. School 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.

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. 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 School's policy is available in the Principal's office and in the Superintendent's office or on the School's Web site.

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 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 School 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 of a student occurs 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.

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

against a person who is participating in an investigation of alleged discrimination or harassment is also prohibited.

Reporting Procedures

Any student who believes that he or she has experienced dating violence, discrimination, harassment, or retaliation should immediately report the problem to a counselor or Principal. The report may be made by the student's parent.

Investigation of Report

To the extent possible, the School 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 School will notify the parents of any student alleged to have experienced prohibited conduct by an adult associated with the School.

In the event prohibited conduct involves another student, the School 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 School's investigation indicates that prohibited conduct occurred, appropriate disciplinary or corrective action will be taken to address the conduct. The School 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 TSBVI Board Policy FNG.

DISPLAYS OF AFFECTION / STUDENT INTERACTIONS

Public interactions between students should reflect a respect for others' body space. However, when both students agree, examples of appropriate displays of affection in public may be holding hands and walking or sitting with arms around shoulders. Student's head may not rest on other person. (Public areas are school buildings, campus grounds, fieldtrips into the community, etc.) Examples of appropriate displays of affection in private may be hugs or kisses that are not prolonged or excessive. (Private areas of campus are inside of the Recreation Building, inside of main living areas in residential buildings, and front porches of dormitories.) "Making out," sitting on another student's lap, or any other close physical contact that appears sexually suggestive will not be permitted. Sexual contact, touching of any sexual private body parts, of other students is not allowed.

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 school yearbook is available to students. All school publications are under the supervision of a teacher, sponsor, and the Principal.

Nonschool Materials from Students

Students must obtain prior approval from the Principal before posting, circulating, or distributing 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 nonschool material must include the name of the sponsoring person or organization. The decision regarding approval will be made in two school days.

A student may appeal a Principal's decision in accordance with TSBVI Board Policy FNG. Any student who posts nonschool 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 School or by a School-affiliated school-support organization will not be sold, circulated, distributed, or posted on any School premises by any School employee or by persons or groups not associated with the School, except as permitted by policies at GKDA. To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the Principal for prior review. The Principal 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 School 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 or a noncurriculum-related student group meeting held in accordance with FNAB.

All nonschool materials distributed under these circumstances must be removed from School property immediately following the event at which the materials are distributed.

DRESS AND GROOMING

The School's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for oneself.

Staff will assist students who have questions regarding what clothing choices are appropriate and inappropriate. Individuality in clothing selection will be respected, assuming that the clothing is clean, maintained, not in poor taste, or inappropriate. Students may be excused to the dormitory to change clothing deemed inappropriate.

1. Shorts and skirts must be at least of mid-thigh length. No gym, running, or bike shorts, with the exception of during physical education classes or on recreational outings.
2. No tube tops, halter tops, crop tops, (i.e., no exposed midriffs); no shirts with the sleeves cut out or sleeveless shirts with oversized armholes.
3. Shoes must be worn at all times, except during swimming/water activities.
4. Swimwear may only be worn during swimming/water activities. If swimwear is worn to school on a day when such an activity is scheduled, it must be covered with appropriate clothing.
5. No clothing displaying inappropriate language, slogans, images, or advertisements promoting alcohol or tobacco or other topics in inappropriate for a school setting.
6. No visible tattoos depicting inappropriate images or language.

ELEVATOR USAGE

Only students who have permission from the Assistant Principal or Principal may ride the elevator.

EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

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

Eligibility for participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. The following requirements apply to all extracurricular activities:

- A student who receives at the end of a grading period a grade below 70 in any academic class, other than a class identified as honors or advanced by either the State Board of Education or by the TSBVI Board of Trustees, may not participate in extracurricular activities for at least three school weeks.
- A student 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-school competition, a maximum of five absences for post-school competition prior to state, and a maximum of two absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the Board, are subject to these restrictions.
- A student who misses a class because of participation in an activity that has not been approved will receive an unexcused absence.

Please note: Sponsors of student clubs and performing groups such as the choir, the drama club 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 TSBVI policy will apply in addition to any consequences specified by the organization's standards of behavior.

Student Offices And Elections

Student government, in the form of a Student Council, affords students the opportunity to participate in the formation of general school policies, to discuss matters of student concern, and to provide students with experience in participating in the democratic process. The Student Council is under the supervision of a faculty sponsor and the Principal.

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, may be expected to provide:

- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Fees for optional courses offered for credit that require use of facilities not available on School premises.

FOOD AND DRINK

No food or drinks should be purchased or brought into the school building without permission. Students may not access vending machines during school hours without teacher permission.

FUND-RAISING

Student groups or classes and/or parent groups may be permitted to conduct fund-raising drives for approved school purposes. An application for permission must be made to the Principal.

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 School, a gang-free zone includes a school bus and a location in, on, or within 1000 feet of any school-owned or leased property or School playground.

GRADE CLASSIFICATION

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

Credits Earned	Classification
5	Grade 10 (Sophomore)
10	Grade 11 (Junior)
15	Grade 12 (Senior)

GRADING GUIDELINES

Grading and Credit System

For students in grades 7 through 12, the following percentage grades will be used for reporting progress on report cards for all courses:

- 100 – 90 = A
- 89 - 80 = B
- 79 - 70 = C
- <70 = F (not passing)

(For all students, teachers report Individual Education Program goal progress at the end of each quarter. See section below, REPORT CARDS / PROGRESS REPORTS AND CONFERENCES.)

Course Credit

Students in grades 9 through 12 receive .5 credits for each semester of successful work. Middle school students in grades 6 through 8 receive report card grades but no credits for successful work.

GRADUATION

Graduation Programs

The School 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.

Students who entered the ninth grade during the 2006–2007 school year must meet the following credit requirements for graduation:

- Minimum Program 22 credits
- Recommended Program 24 credits
- Advanced/Distinguished Achievement Program 24 credits

Beginning with the 2007–2008 school year, a student entering the ninth grade must meet the following credit requirements for graduation:

- Minimum Program 22 credits
- Recommended Program 26 credits
- Advanced/Distinguished Achievement Program 26 credits

Graduating Under the Provisions of the Student’s IEP

Upon the recommendation of the admission, review, and dismissal (ARD) committee, a TSBVI student may be permitted to graduate under the provisions of his or her individualized education program (IEP).

If a TSBVI student has completed four years of high school, but has not met the requirements of his or her IEP, the student 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.

Certificates of Coursework Completion

A certificate of coursework completion will be issued to a senior student who successfully completes state and local credit requirements for graduation but fails to perform satisfactorily on the exit-level tests.

Certificates of Attendance

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 at TSBVI.

A student who will be returning to a local school district to attend the graduation ceremony and receive a diploma may also participate in the TSBVI graduation ceremony and receive a certificate of attendance.

HEALTH-RELATED MATTERS

Physical Activity for Students in Elementary and Middle School

The School will ensure that students in kindergarten 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.

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

School Health Advisory Council

During the preceding school year, the School's School Health Advisory Council held six meetings. Additional information regarding the School's School Health Advisory Council is available from the Principal.

Physical Fitness Assessment

Annually, the School will conduct a physical fitness assessment of students in grades 3–12. At the end of the school year, a parent may submit a written request to the Principal to obtain the results of his or her child's physical fitness assessment conducted during the school year.

Vending Machines

The School 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 see the Principal.

Other Health-Related Matters

Tobacco Prohibited

The School 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.

Asbestos Management Plan

The TSBVI Asbestos Management Plan, designed to be in compliance with state and federal regulations addressing asbestos, is available in the Office of the Director of Operations. If you have any questions, please contact

John Daude
Director of Operations
512-206-9126

Pest Management Plan

TSBVI applies only pest control products that comply with state and federal guidelines. Except in an emergency, signs will be posted 48 hours before application. Parents who want to be notified prior to pesticide application inside their child's school assignment area may contact:

John Daude
Director of Operations
512-206-9126

HOMELESS STUDENTS

For more information on services for homeless students, contact Kenneth Miller, Director of School and Student Services, 512-206-9185.

HOMEWORK

Homework is assigned by individual teachers based on subject requirements, student level, and needs.

IMMUNIZATION

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the School. 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://webds.dshs.state.tx.us/immco/affidavit.shtm>. The form must be notarized and submitted to Kenneth Miller, Director of School and Student Services (512-206-9185) 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 (polio), hepatitis A, hepatitis B, varicella (chicken pox) and meningococcal. The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by 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 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 unless the interviewer raises what the Principal considers to be a valid objection.
- The Principal ordinarily will be present unless the interviewer raises what the Principal considers to be a valid objection.

Students Taken Into Custody

State law requires the School 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 School 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 has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

LUNCH CAFETERIA RULES

1. All students must report to the cafeteria at lunchtime.
2. All students must remain in the cafeteria until the specified release time.
3. At the specified time, students may remain in the cafeteria or go to one of these alternate locations until the end of lunch: outside near the Pavilion, the Pavilion, or to the Learning Resource Center.
4. Lunchtime is the only time students may use personal tape or CD players and radios. Students must use headphones.
5. No purchases from campus vending machines may be made during lunchtime.

MAKEUP WORK

Routine and In-depth Makeup Work Assignments 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.

DAEP or In-school Suspension Makeup 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, coursework needed to fulfill the student's high school graduation requirements.

The School may provide the opportunity to complete the coursework through an alternative method, including a correspondence course, distance learning, or summer school. The School will not charge the student for any method of completion provided by the School.

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 School may provide the opportunity by any method reasonably available.

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.

MEDICAID REIMBURSEMENT

If your child is not a MEDICAID recipient, please disregard this information.

In an effort to provide the best services possible, the Texas School for the Blind and Visually Impaired has been approved as a provider for School Health and Related Services (SHARS) for participation in the Texas Medicaid program. If your child is currently covered under the Medicaid program, TSBVI will be able to obtain funding from Texas Medicaid Assistance Program (Medicaid) for providing your child with any of the following services as determined to be needed by the Admission, Review, and Dismissal (ARD) committee and stated in your child's individual education plan:

- medical services
- school health services
- speech therapy
- psychological services
- assessment
- audiology
- counseling
- occupational therapy
- physical therapy

If your child is covered by other health insurance, it is important that we know that. We cannot request Medicaid funds if any of these services are covered by other insurance. However, please be assured that the School will not take any action which will cost you anything.

As a parent, you have the right to choose a provider other than the school; however, the provider you choose must be an approved SHARS provider. An approved provider may be TSBVI, another agency, person, or organization chosen by the parent who is qualified to provide the services. Any approved provider chosen by the parent must agree to:

1. provide the specific services as listed in the individualized education program (IEP),
2. provide the service or services in the least restrictive environment as written in the (IEP), and
3. maintain and submit all records and reports required by TSBVI.

However, TSBVI will not be able to transport your child to one of these other service providers if you choose to obtain services from them instead of the staff of TSBVI.

We expect that you will want TSBVI to continue to provide such services as educational assessment, occupational and physical therapy, and any other of the related services contained in your child's IEP. This means that there would be no change for your child. The only thing different would be that TSBVI would be able to receive some Medicaid money directly from Medicaid - not from any Social Security funds that you might be receiving - in return for providing these services. If you accept TSBVI as the service provider, it means no change or cost to you, and your child's present school obtains some Medicaid money.

This information is intended to notify you that TSBVI will be seeking Medicaid funds for services provided to your child. If you wish for TSBVI to continue to provide the services that it is already providing to your child, you need to do nothing. You only need to tell us if you wish to seek another provider of these services. This only applies to the related services on your child's IEP. It does not change any Medicaid services when you take your child to a doctor or obtain medicine.

You only need to inform us if your child becomes eligible for Medicaid benefits, or if your child is removed from them. Also please advise us if your child who is eligible for Medicaid, also becomes covered under another health insurance policy.

If you have any questions concerning this information, please call Mr. Ken Miller, 512-206-9185.

MEDICINE AT SCHOOL

Students may not keep prescription or over-the-counter medicines in the dormitories, on their person, in their lockers, or any place on or off campus. All medications must be in properly labeled containers and dispensed through the Health Center. This includes aspirin, vitamins, all cough and cold medications, diet pills, and stomach and digestive medicines. Students should report to the Health Center promptly for medications at assigned times. Students will receive instruction in self-administration of medication as outlined in their IEPs.

School employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, with the following exceptions:

- Only authorized employees 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 School employee from the original, properly labeled container.
 - Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.

With the approval of the TSBVI Director of Health Services and the Principal, 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 TSBVI Director of Health Services 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, the student and parents should discuss this with the Director of Health Services.

With the permission of the Director of Health Services and the Principal and 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.

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 School 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. In addition, a TSBVI registered nurse or psychologist or the TSBVI consulting physician can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate.

MOBILITY CARD PRIVILEGES

Orientation & Mobility Instructors will recommend that student receive the privilege of obtaining a mobility card when the student has demonstrated the skills to travel safely off campus. These off campus privileges fall into the following categories:

1. GREEN CARD (full mobility privileges; may travel anywhere in Austin independently; students 16 years old and older)
2. RED CARD (limited mobility privileges; may travel with a student who has full privileges and who may serve as a sighted guide)
3. WHITE CARD (specific route privileges; may travel to specific instructor-approved routes).

Steps to obtaining mobility cards:

1. The orientation & mobility instructor and student sign the mobility permission sheet. The O&M instructor signs to indicate that the student demonstrates the necessary skills to travel safely off campus. The student signs to indicate that are applying for the card.
2. The permission sheet is mailed to parents for approval.
3. Once the signed sheet is received from parents by the O&M instructor, students must make an appointment with the Principal.

Based upon the interview with the Principal and upon information gathered from teachers and residential instructors, the Principal will decide whether the student will receive a mobility card. Student safety will be the primary concern in making the decision.

ON- AND OFF-CAMPUS ACTIVITIES

Students attending TSBVI may participate in various on and off campus activities such as: swimming, team sports, Special Olympics (requires an application), amusement parks, skating, camping, restaurant, shopping, and community-based instruction. Team sports may require out of State travel. These

activities are school sponsored and may be considered a part of a student's activity program. TSBVI is not financially responsible for medical treatment of injuries to students sustained while participating in such activities.

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. The pledge to the Texas flag is "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible." Parents may submit a written request to the Principal to excuse their child from reciting a pledge.

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.

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.

PROHIBITED OBJECTS

In addition to objects prohibited by the Student Code of Conduct, students may not possess pocketknives, slingshots, or other dangerous objects. Students may use high-powered water guns only under close supervision by staff members.

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

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the Texas Assessment of Knowledge and Skills (TAKS), if the student is enrolled in a public Texas school on any day between January 1 and April 15 and is a Texas resident during the week that the TAKS is administered the first time.

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

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

A student in grade 5—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 School, the decision of the committee must be unanimous. 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.

Certain students—some with disabilities and some with limited English proficiency—may be eligible for exemptions, accommodations, or deferred testing.

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 School as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. At TSBVI, a student's IEP will be used as the student's personal graduation plan and will identify the student's educational goals and include consideration of the parent's educational expectations for the student.

The admission, review, and dismissal (ARD) committee of a TSBVI student, including a LEP student, who does not perform satisfactorily on a designated assessment instrument, shall determine the manner in which the student will participate in an accelerated reading instruction program and whether the student will be promoted or retained.

RELEASE OF STUDENTS FROM SCHOOL

Only persons on the student's visitor list may remove a student from campus. The student must be signed out through the school or dormitory office. When parents or a visitor are returning students to school, the student must be signed in through the school or dormitory office.

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 Assistant 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 Health Center. 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

All students in grades 7 through 12 receive report card grades and a record of student absences at the end of each quarterly grading period. Report card grades from the first and second quarters are averaged to determine the first semester grade; grades from the third and fourth quarters are averaged to determine the second semester grade.

At the end of the first three weeks of a grading period, parents will be given a written progress report if their child's performance in any course is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject.

Teachers follow grading guidelines that have been approved by the Principal pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment for the grading period. 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 School's grading policy.

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 TSBVI Board Policy FNG.

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

Report cards and unsatisfactory progress reports must be signed by the parent and should be returned to the school.

RETALIATION

Student safety on campus and at school-related events is a high priority of the School. Although the School 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 other students 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 School employees who are overseeing the welfare of students.

ROLLERBLADES, ROLLERSKATES & SKATEBOARDS

Students may not bring roller blades, roller skates or skateboards into school buildings unless they are used as an educational activity under the close supervision of a staff member. Otherwise, they are for after school recreational usage only. During these times, they are allowed on the outdoor basketball court and in the parking lot behind the gym. They are not allowed on sidewalks on campus. Off campus, they are allowed on sidewalks, but not on streets. Crossing streets with them is not allowed.

RUNNING INDOORS PROHIBITED

Students should not run indoors.

SAFETY

Student safety on campus and at school-related events is a high priority of the School. Although the School 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 other students 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

A parent wishing to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child may contact TSBVI Director of School and Student Services Ken Miller, 512-206-9185.

Drills: Fire

From time to time, students, teachers, and other School 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.

Fire Alarm: Leave the Building
3 Bells: Return to Building

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 would need to have 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 admissions coordinator (512-206-9182) to update any information.

SAT, ACT, AND OTHER STANDARDIZED TESTS

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. (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]).

SCHOOL FACILITIES

Cafeteria Services

The School participates in the National School Lunch Program and offers students nutritionally balanced lunches daily. Parents may be asked for information that TSBVI will use to ensure its full participation in the program.

Library

The library is a learning laboratory with books in regular print, large print, braille, and recorded; computers; magazines; and other materials available for classroom assignments, projects, and reading or listening pleasure.

Meetings of Noncurriculum-Related Groups

Student-organized, student-led noncurriculum-related groups are permitted to meet during the hours designated by the Principal before and after school in accordance with board policy.

SEARCHES

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, School officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law.

Students' Desks, Lockers and Bedrooms

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

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

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 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 School may 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, residential areas or student belongings may also be conducted by trained dogs when students are not present. An item in a classroom, a bedroom, a locker, a vehicle or residential area to which a trained dog alerts may be searched by school officials.

SPECIAL PROGRAMS

A parent with questions about services for homeless children and youth, students with limited English proficiency, and dyslexic students may contact Ken Miller, Director of School and Student Services, 512-206-9185.

STEROIDS

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

Bodybuilding, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

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 Web site at

http://www.uil.utexas.edu/athletics/health/steroid_information.html.

STUDENT PROPERTY

Students are encouraged not to bring any item of value to the School campus. The School is not responsible for replacing or repaying students for any item that is lost or stolen from the student.

Any student who does bring anything of value will be offered the use of a footlocker that can be used with a padlock.

TAKS (TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS)

In addition to routine tests and other measures of achievement, students at certain grade levels will take state-mandated tests (such as TAKS: the Texas Assessment of Knowledge and Skills) in the following subjects:

- Mathematics, annually in grades 3–11
- Reading, annually in grades 3–9
- Writing, including spelling and grammar, in grades 4 and 7
- English language arts in grades 10 and 11
- Social studies in grades 8, 10, and 11
- Science in grades 5, 8, 10, and 11
- Any other subject and grade required by federal law

TELEPHONE USE

Students may not use telephones during the school day unless authorized.

TEXTBOOKS, ELECTRONIC TEXTBOOKS, AND TECHNOLOGICAL EQUIPMENT

State-approved textbooks are provided to students free of charge for each subject or class. Books must be 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.

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.

Buses and Other School Vehicles

Students are expected to assist School staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in School 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 nearest home.
- Keep feet, books, band 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.
- Be seated while the vehicle is moving.
- Wait for the driver's signal upon leaving the bus or van and before crossing in front of the vehicle.
- When students ride in a School van or passenger car, seat belts must be fastened at all times.

VANDALISM

The taxpayers of the State of Texas 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 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

Parents and other visitors are welcome to visit TSBVI classrooms and dormitories. All visitors must first report to the school or dormitory office. Visits to individual classrooms during instructional time are permitted only with the Assistant Principal's or Principal's approval, and such visits are not permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment.

Student Visitor List

TSBVI maintains a list of visitors who have approval from parents--or from the student, if 18 or over--to visit with the student on campus and/or to check the student off campus. The parent or adult student submits a list of approved visitors annually as a part of the registration process. Please remember that visitors for students age 13 and younger must be either a relative of the student or over age 18.

Modifying the Visitor List

The parent or adult student may modify the list at any time by notifying the Residential Instructor or Admissions Coordinator. When an adult student modifies the visitor list, the parent will be informed of the modification. When a student younger than 18 requests that the list be modified, the parent will be contacted for permission within the 24-hour period after the student requests the modification.

Authority to Restrict Visitation

A designated supervisor or administrator may determine that allowing a visitor on the approved list to visit on campus or take the student off campus is unduly disruptive to the school routine or may jeopardize the safety of the student. In this case, the Superintendent has delegated to the supervisor or administrator the authority to request that the visitor leave campus and/or to inform the visitor that the visitor may not take the student off campus.

Rules for Visitors

An on-campus visitor must wear a visitor's badge at all times while on the campus. The visitor may obtain the badge from a staff member in the area where the student resides.

While visiting on campus or taking the student off campus, the visitor must stay with the student visited.

WEEKENDS HOME PROGRAM

The School operates a "Weekends Home" program in which students attending TSBVI are required or permitted to return to their homes on selected weekends during the school year. Parents will receive a

copy of the School's Weekends Home Parent and Student Handbook. Questions about the program may be directed to the student's Residential Director.

For students who are transported in TSBVI buses and vans during the Weekends Home program, the following rules apply:

1. Students must respect the rights and privileges of other students and Weekends Home staff.
2. Students must respect the property of others.
3. Students must cooperate with or assist the Weekends Home staff in maintaining safety, order, and discipline.
4. Students must remain seated and buckled in their seats as long as the vehicle is in route.
5. All radios, CD players, and other sound-producing equipment must be used with a headset unless Weekends Home staff has given permission otherwise.
7. Students must keep all noise levels as low as possible.
8. Students may not purchase snacks or drinks at rest stops.
9. Students may not bring glass objects onto the vehicle unless they are stored in their luggage.
10. Students may not bring aerosols or sprays (such as perfumes, colognes, etc.) into the seating area of the vehicle.
11. Students must not throw or hang anything out of the window of the vehicle.

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 Health Center for health records; to the technology teacher; to the Assistant Principal; and 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.

Alternative assessment instrument, developed by the state, may be given to students in special education and students identified as limited English proficient.

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's parents are part 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***.

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; modifications to state or Schoolwide tests, 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.

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

Personal Graduation Plan (PGP) 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 School 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.

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 by an ARD committee to be eligible for special education services, appropriate regular educational services will be provided.

State-mandated tests 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 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 School-level committee and adopted by the board; 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 short for the Texas Assessment of Knowledge and Skills, the state's standardized achievement test currently given to students in certain subjects in grades 3–11.

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

Student Code of Conduct

PURPOSE

The Student Code of Conduct is the School'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 School 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 School's Board of Trustees and developed with the advice of the School's Instructional Planning Council. 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 will be available for review at the office of the Principal. Additionally, the Code will be posted on the School's web site: www.tsbvi.edu. Parents will 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 School's board of trustees it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will prevail.

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

SCHOOL AUTHORITY AND JURISDICTION

School rules and the authority of the School to administer discipline apply whenever the interest of the School is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The School has disciplinary authority over a student:

1. During the regular school day and residential hours and while the student is going to and from school on School transportation;
2. During lunch periods;
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; and
9. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081.

The School 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 School.

Reporting Crimes

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

DISCIPLINING TSBVI STUDENTS

This Code of Conduct addresses standards for student conduct, general conduct violations and removal from the educational setting, including suspension, placement in a Disciplinary Alternative Education Program (DAEP) and expulsion.

It is important to remember that, in addition to the Student Code of Conduct, the discipline of students with disabilities, including all TSBVI students, is subject to the provisions of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973. To the extent of any conflict between any provision in the Code of Conduct and the provisions of the IDEA and/or Section 504, the provisions of IDEA and Section 504 will prevail.

Because of this, all of the following information applies to disciplinary action for all TSBVI students.

FOLLOWING THE CODE OF CONDUCT

Parents will remember that, as part of your student's Admission, Review and Dismissal (ARD) meeting, the ARD committee determined whether your student a) is capable of following the Code of Conduct, b) is capable of following the Code of Conduct with modifications, or c) is not capable of following the Code of Conduct.

For a student who is not capable of following the Code of Conduct, the provisions of the TSBVI Code of Conduct do not apply at all. Information about how staff will respond to your student's behavior is contained in the Individualized Education Program (IEP) and, if one has been developed for your student, in the Behavior Intervention Plan (BIP).

For a student who is capable of following the Code of Conduct or following it with modifications, the additional provisions below apply.

REMOVALS FROM THE STUDENT'S CURRENT PLACEMENT

A "removal" includes out-of-school (OSS), removal to In-school Suspension (ISS), removal to a Disciplinary Alternative Education Program (DAEP), or expulsion.

In deciding whether to order suspension, DAEP placement, or expulsion, the School will take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

If a TSBVI student engages in bullying, harassment or making hit lists, the student may not be disciplined for this conduct until an ARD committee meeting has been held to review the conduct.

For a student who is capable of following the Code of Conduct or following it with modifications, for any violation of School rules, the student's Principal, with input, as needed, from administrators, supervisors and direct service staff members working with the student:

- may remove the student from the student's current placement for not more than 10 consecutive school days; or
- may remove the student from the student's current placement for separate periods of time less than 10 consecutive school days in the same school year for separate incidents of misconduct as long as

the removals do not constitute a pattern based on the length of time of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

School Responsibilities After Certain Removals

Manifestation Determination Review. After any of the following four events has occurred, the student's ARD Committee will conduct a manifestation determination review (MDR) to determine whether the student's behavior has a direct and substantial relationship to the student's disability(ies).

- a student removal for more than 10 consecutive school days is initiated;
- any separate removal for less than 10 days is initiated that will result in a pattern of removals exceeding 10 days in a school year;
- a removal to a DAEP for possessing a weapon or possessing or soliciting the sale of illegal drugs is initiated; or
- the total number of days a student has been removed exceeds 10 days in a school year.

No later than the tenth day the student will be removed from the educational placement, the School will convene an ARD meeting to review the relationship between the student's disability and the behavior subject to the disciplinary action. The ARD committee may determine that the behavior was not a manifestation of the student's disability only if:

- the conduct in question was the direct result of TSBVI's failure to implement the IEP; or
- the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability.

If the ARD Committee identifies any deficiencies in the student's IEP or placement or in their implementation, it must take immediate steps to remedy those deficiencies.

Responsibility When Behavior Is a Manifestation of Disability. If the ARD Committee determined that the student's behavior is a manifestation of the student's disability because the behavior was caused by, or had a direct and substantial relationship to, the student's disability, the ARD Committee will arrange for a Functional Behavior Assessment (FBA) to be conducted and a Behavior Intervention Plan (BIP) to be developed and will assign a timeline for these activities. If the student already has a BIP, the ARD Committee will arrange for the BIP to be reviewed and modified as necessary to address the behavior and will assign timelines for this activity.

As soon as practical after completing the FBA and BIP (or the modified BIP), the ARD Committee shall meet again to adopt the FBA and BIP.

Responsibility When Behavior is Not a Manifestation of Disability. If the ARD Committee determined that the student's behavior is not a manifestation of the student's disability because the behavior was not caused by, or did not have a direct and substantial relationship to, the student's disability, the ARD Committee will arrange for a Functional Behavior Assessment (FBA) to be conducted and for behavior services and modifications to be provided to address the behavior that is determined not to be a manifestation of the student's disability. The behavior services may include applying the provisions of the Code of Conduct to the student.

Responsibility for Conducting FBA and Developing BIP Related to Drug or Weapons Offenses or the Infliction of Serious Bodily Injury

When the student has committed an offense related to drugs or weapons or has inflicted serious bodily injury on another person, the student may be placed in DAEP for not more than 45 school days regardless of whether the behavior was caused by or has a substantial relationship to the student's disability. In this case, the ARD Committee will arrange for an FBA to be conducted and a BIP developed.

Provision of Services During Student Removals Greater than 10 Days

After a student has been removed from his or her current placement for more than 10 school days in the same school year, during any subsequent days of removal the School will ensure that educational services are provided to the student in accordance with the Individuals with Disabilities Education Act.

PROCEDURAL SAFEGUARDS

For information regarding an appeal of any school or ARD committee decision related to student discipline, the parent is referred to the "Notice of Procedural Safeguards; Parents of Students with Disabilities". Each parent is given a copy of these safeguards with the ARD notice for the student's annual ARD meeting.

STANDARDS FOR STUDENT CONDUCT

Students are expected to follow campus-wide rules incorporating expectations for behavior related to student safety, respectfulness, responsibility and participation and must:

1. Be Safe.
2. Be Respectful.
3. Be Responsible.
4. Be a Participant.

Each student is also 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 School standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other School staff and volunteers.
- Respect the property of others, including School 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 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 Educational Setting as detailed in that section.

The School prohibits the following:

Disregard for Authority

- Failing to comply with directives given by school personnel (insubordination).
- Leaving school grounds or school-sponsored events without permission.
- Disobeying rules for conduct on school buses.
- Refusing to accept discipline management techniques assigned by a teacher or Principal.

Mistreatment of Others

- Using profanity or vulgar language or making obscene gestures.
- Fighting or scuffling. (For assault see DAEP Placement and Expulsion)

- Threatening another student or School employee on or off school property.
- Engaging in bullying, harassment, and making hit lists. (See glossary for all three terms)
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors directed toward another student or a School employee.
- Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
- Engaging in inappropriate or indecent exposure of private body parts.
- Hazing. (See glossary)
- Causing an individual to act through the use of or threat of force (coercion).
- Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engaging in inappropriate verbal, physical, or sexual conduct directed toward another student or a School employee.
- Recording 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

- Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)
- Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Stealing from students, staff, or the school.
- Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion)

Possession of Prohibited Items

- Possessing or using:
 - 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;
 - 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

- Turning on or using cell phones or other electronic communication devices during the school day, during instructional times in the residential setting, after “lights out” time on dorms, or at school events is not allowed.

Illegal, Prescription, and Over-the-Counter Drugs

- Possessing or selling seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion)
- Possessing, using, giving, or selling paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
- Abusing the student’s own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person’s prescription drug on school property or at a school-related event.
- Having or taking prescription drugs or over-the-counter drugs at school other than as provided by School policy.

Misuse of Computers and the Internet

- Violating computer use policies, rules, or agreements signed by the student and/or agreements signed by the student’s parent.
- Attempting to access or circumvent passwords or other security-related information of the School, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempting to alter, destroy, or disable school computer equipment, school data, the data of others, or other networks connected to the School’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Using the Internet or other electronic communications to threaten students or employees or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment.
- Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

Safety Transgressions

- Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Making false accusations or perpetrating hoaxes regarding school safety.
- Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throwing objects that can cause bodily injury or property damage.
- Discharging a fire extinguisher without valid cause.

Miscellaneous Offenses

- Violating dress and grooming standards as communicated in the Parent and Student Handbook.
- Cheating or copying the work of another.
- Gambling.
- Falsifying records, passes, or other school-related documents.
- Engaging in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violating other communicated campus or classroom standards of conduct.

The School may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms and residential areas or given to the student and may or may not constitute violations of the Code.

DISCIPLINE MANAGEMENT TECHNIQUES

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques.

Discipline will 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.

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 (oral or written) correction.
- 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 and plagiarism.
- 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.
- 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.
- Out-of-school suspension, as specified in the 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 School.
- Other strategies and consequences as determined by school officials.

Notification

The Principal or appropriate administrator will 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

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher, Assistant Principal or Principal, as appropriate, and in accordance with policy FNG. A copy of the policy may be obtained from the Principal's office.

Consequences will not be deferred pending the outcome of a grievance.

REMOVAL FROM THE EDUCATIONAL SETTING

A teacher or other instructional staff member may use a variety of behavior support techniques within the instructional setting and may request additional support from a behavior specialist or Assistant Principal, as needed. The teacher or other instructional staff member and behavior specialist or Assistant Principal may also determine to remove the student from the instructional setting.

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 suspension, the School 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.

Process

State law allows a student to be suspended for no more than three school days per behavior violation subject to the provisions of the Individuals with Education Act and Section 504 of the Rehabilitation Act of 1973.

Before being suspended a student will 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 will 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 will be determined by the appropriate administrator, but will not exceed three school days.

The appropriate administrator will 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 6 and secondary classification shall be grades 7–12.

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

In deciding whether to order placement in a DAEP, the School 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 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, or secret society, or gang. (See glossary)
- Involvement in criminal street gang activity. (See glossary)
- Any criminal mischief, including 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 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.

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in 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 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:
 - The student receives deferred prosecution (see glossary),
 - A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 - The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault

If a student has been convicted of continuous sexual abuse of a young child or children or convicted or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student, and if the victim's parent or another person with the authority to act on behalf of the victim so requests, the board will transfer the offending student 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 will be made by the Principal.

Conference

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

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

Following valid attempts to require attendance, the School 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 will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

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

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

Length of Placement

The duration of a student's placement in a DAEP will be determined by the Principal.

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

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the School determines that:

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

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student in a DAEP so that the students are not assigned to the same campus.

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 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 School'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 will 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 Principal, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the Principal's office.

Disciplinary consequences will 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

The School does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

Placement Review

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the Principal at intervals not to exceed 120 days.

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 will notify the School 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 Principal will review the student's placement and schedule a review with the student's parent not later than the third day after the Principal 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 Principal 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 Principal's decision to the board. In the case of an appeal, the board will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the Principal, and confirm or reverse the decision of the Principal. The board will make a record of the proceedings.

If the board confirms the decision of the Principal, the student and the student's parent may appeal to the Commissioner of Education.

Withdrawal During Process

When a student violates the School's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the School before a placement order is completed, the School may complete the proceedings and issue a placement order. If the student then reenrolls in the School during the same or a subsequent school year, the School 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 School will decide on a case-by-case basis the placement of a student who enrolls in the School and was assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district). The School may place the student in the School's DAEP or a regular classroom setting.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, the School, by state law, will reduce the period of the placement so that the total placement does

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

Emergency Placement

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will 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 determine appropriate placement unless the court orders JJAEP placement.

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

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the School'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, an ARD committee shall convene, in accordance with state law, to review the student's placement. The ARD committee will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the ARD committee's recommendation.

Newly Enrolled Student

If a student enrolls in the district during a mandatory placement as a registered sex offender, the School 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.

Appeals

A student or the student's parent may appeal the placement by requesting a conference between the Principal, 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 Principal under this section is final and may not be appealed.

Certain Felonies

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

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

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

5. The date on which the student's conduct occurred,
6. The location at which the conduct occurred,
7. Whether the conduct occurred while the student was enrolled in the School; or
8. 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 School'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.

Newly Enrolled Students

A student who enrolls in the School 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, the School 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

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.
- 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.

At School, Within 300 Feet, or at School Event

- 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:
 - 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

- 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 A District

- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of a school district in Texas or while the student is attending a school-sponsored or school-related activity of a school in any district in Texas.

While in DAEP

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

Mandatory Expulsion: Misconduct That Requires Expulsion

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:

Federal Law

- Bringing to school a firearm, as defined by federal law. “Firearm” under federal law includes:
 - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm weapon.
 - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Texas Penal Code

- 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, or a zip gun. (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 fire arm 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 will not be expelled, but will be placed in a DAEP. A student under age six will 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 will schedule a hearing within a reasonable time. The student's parent will 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 will 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 School,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the School's witnesses.

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

The board of trustees delegates to the Principal 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 will 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 will 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 will make and communicate its decision orally at the conclusion of the presentation. Consequences will 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 will 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 will deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order will give notice of the inconsistency.

Length of Expulsion

The length of an expulsion will 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 will 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 School determines that:

1. The student is a threat to the safety of other students or to School 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 School's Code in a way that requires or permits expulsion from the School and the student withdraws from the School before the expulsion hearing takes place, the School may conduct the hearing after sending written notice to the parent and student.

If the student then reenrolls in the School during the same or subsequent school year, the School 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 School academic credit will 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 School will 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 School.

If a student expelled in another state enrolls in the School, the School 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 School with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the School.

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

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

Emergency Expulsion Procedures

When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The School 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.

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 School'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.

Dating violence is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, 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 with an 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 School 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 is 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; 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 seek 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 School 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 School).

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.

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.