

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First Reading of LOCAL Policies in Update 83

SUBMITTED BY: Gloria Rendon **OF:** Asst. to the Superintendent

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: September 17, 2008

RECOMMENDATION: It is recommended that the United ISD Board of Trustees approve LOCAL Policies in Update 83.

DAA (LOCAL): EMPLOYMENT OBJECTIVES - EQUAL EMPLOYMENT OPPORTUNITY - **DELETE**

DEA (LOCAL): COMPENSATION AND BENEFITS - SALARIES AND WAGES

DIA (LOCAL): EMPLOYEE WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

EHAC (LOCAL): BASIC INSTRUCTIONAL PROGRAM - REQUIRED INSTRUCTION (SECONDARY) - **DELETE**

FB (LOCAL): EQUAL EDUCATIONAL OPPORTUNITY

FD (LOCAL): ADMISSIONS

FFH (LOCAL): STUDENT WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFI (LOCAL): STUDENT WELFARE - FREEDOM FROM BULLYING

FL (LOCAL): STUDENT RECORDS

FM (LOCAL): STUDENT ACTIVITIES

FNC (LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT CONDUCT

FO (LOCAL): STUDENT DISCIPLINE

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

United ISD
240903

delete

EMPLOYMENT OBJECTIVES
EQUAL EMPLOYMENT OPPORTUNITY

DAA
(LOCAL)

The Superintendent shall serve as coordinator for purposes of District compliance with antidiscrimination laws, except as provided below.

TITLE IX
COORDINATOR

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Rita Garner
Position: Director of Employee Relations
Address: 201 Lindenwood Drive, Laredo, TX 78045
Telephone: (956) 473-6284

ADA / SECTION 504
COORDINATOR

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973:

Name: Guadalupe Gorordo
Position: Executive Director of Instructional Accountability
Address: 4410 State Hwy. 359, Laredo, TX 78043
Telephone: (956) 473-2000

COMPLAINTS

Allegations of unlawful discrimination shall be directed to the appropriate coordinator and shall be heard through DGBA (LOCAL). Reports regarding prohibited harassment, including sexual harassment, shall be made according to DIA(LOCAL).

RECORDS
RETENTION

Copies of reports alleging discrimination or prohibited harassment, including sexual harassment; investigation reports; and related records shall be maintained by the District for a period of at least three years.

COMPENSATION AND BENEFITS:
SALARIES, WAGES, AND STIPENDS

DEA
(LOCAL)

The Superintendent shall recommend to the Board for approval compensation plans for all District employees. Compensation plans may include wage and salary structures, stipends, benefits, and incentives.

PAY ADMINISTRATION

The Superintendent shall administer the compensation plans consistent with the budget approved by the Board. The Superintendent or designee shall classify each job title within the compensation plans based on the qualifications and duties of the position. Within these classifications, the Superintendent or designee shall determine appropriate pay for new employees and employees reassigned to different positions.

ANNUAL PAY

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget.

MID-YEAR PAY
INCREASES

A contract employee's pay shall not be increased after performance on the contract has begun unless there is a change in the employee's job assignment or duties that warrants additional compensation. Any such changes in pay during the term of the contract shall require Board approval.

CONTRACT
EMPLOYEES

NONCONTRACT
EMPLOYEES

The Superintendent may grant a pay increase to a noncontract employee after duties have begun only when there is a change in the employee's job assignment or duties, or when an adjustment in the market value of the job warrants additional compensation. The Superintendent shall report any such pay increases to the Board.

CLASSIFICATION OF
POSITIONS

The Superintendent or designee shall determine the classification of positions or employees as "exempt" or "nonexempt" for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

EXEMPT

The District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District's attention, through the District's complaint policy. [See DGBA] If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the FLSA, as

COMPENSATION AND BENEFITS:
SALARIES, WAGES, AND STIPENDS

DEA
(LOCAL)

needed. [See DK(LOCAL)] The employee shall be compensated for these assignments according to the District's compensation plans.

NONEXEMPT

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

WORKWEEK
DEFINED

For purposes of FLSA compliance, the workweek for District employees shall be 12:01a.m. Monday until 11:59 p.m. Sunday.

COMPENSATORY
TIME
ACCRUAL

At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to use compensatory time or, at the District's option, will receive overtime pay.

USE

An employee shall use compensatory time within the duty year in which it is earned. If an employee has any unused compensatory time remaining at the end of a fiscal year, the employee shall receive overtime pay.

~~Compensatory time may be used at either the employee's or the District's option. An employee may use compensatory time in accordance with the District's leave policies and if such use does not unduly disrupt the operations of the District. [See DEC (LOCAL)] The District may require an employee to use compensatory time when in the best interest of the District.~~ **Compensatory time shall be used by the employee prior to the use of any other paid leave to which he or she is entitled.**

DATE ISSUED: 06/07/2006
UPDATE 78
DEA (LOCAL)-A

ANNUALIZED SALARY **The District shall pay all salaried employees over 12 months, regardless of the number of months employed during the school year. A salaried employee shall receive his or her salary in equal monthly or bimonthly payments, beginning with the first pay period of the school year.**

**EARLY
SEPARATION**

If a salaried employee separates from service before the last day of instruction, the employees shall receive in his or her final paycheck the unpaid amount he employee has actually earned from the beginning of the 12-month pay period until the date of separation. For purposes of this policy, "separation from service" shall be as defined in IRS regulation 26 CFR 1.49A-1(h).

A salaried employee who separates from service on or after the last day of instruction shall be paid as follows:

- 1. An employee who is retiring under the Texas Teacher Retirement System shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of he 12-month pay period until the date of separation. If the employee is eligible and elects to continue enrollment in the District's group health coverage for one or more months of the summer, the employee's share of premiums shall be withheld from the final paycheck.**
- 2. All other employees shall be paid according to the annualized salary provisions above.**

[For provision on continuation of coverage after resignation , see CRD (LEGAL).]

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

Note: This policy addresses discrimination, harassment of and retaliation involving District employees. In this policy, the term "employees" includes former employees and applicants for employment. For discrimination, harassment of, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

STATEMENT OF
NONDISCRIMINATION

The District prohibits ~~sexual~~ discrimination, including harassment and harassment based on a person's, against any employee on the basis of race, color, religion, gender, national origin, age, disability, religion, or age any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

~~Employees shall not tolerate harassment of others and shall make reports as required at reporting procedures, below.~~

SEXUAL
DISCRIMINATION

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

HARASSMENT

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

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment or employment opportunities.

EXAMPLES

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

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

SEXUAL
HARASSMENT

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

EXAMPLES

Examples of sexual harassment may include, but are not limited to, sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

OTHER PROHIBITED
HARASSMENT

~~Harassment of a District employee on the basis of the employee's race, color, gender, national origin, disability, religion, or age includes physical, verbal, or nonverbal conduct related to these characteristics when the conduct is so severe, persistent, or pervasive that the conduct:~~

- ~~1. Has the purpose or effect of unreasonably interfering with the employee's work performance;~~
- ~~2. Creates an intimidating, threatening, hostile, or offensive work environment; or~~
- ~~3. Otherwise adversely affects the employee's employment opportunities.~~

EXAMPLES

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

RETALIATION

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

<u>EXAMPLES</u>	<p><u>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.</u></p> <p><u>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</u></p>
<u>PROHIBITED CONDUCT</u>	<p><u>In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</u></p>
<u>REPORTING PROCEDURES</u>	<p><u>An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.</u></p> <p><u>Any District employee with supervisory authority who receives notice that conduct or believes that another employee has or may have experienced prohibited harassment is required to conduct should immediately report the alleged acts and take whatever other steps are required by this policy. The employee may report the alleged acts to his or her supervisor or campus principal.</u></p> <p><u>Any other person who knows or believes that a District employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.</u></p> <p><u>Alternatively, the employee may report the alleged acts to one of the District officials below.</u></p>
<u>DEFINITION OF DISTRICT OFFICIALS</u>	<p><u>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</u></p>
<u>TITLE IX COORDINATOR</u>	<p><u>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</u></p> <p>Name: <u>Rita Garner</u></p> <p>Position: <u>Director of Employee Relations</u></p> <p>Address: <u>201 Lindenwood Drive, Laredo, TX 78045</u></p> <p>Telephone: <u>(956) 473-6284</u></p>
<u>ADA / SECTION 504 COORDINATOR</u>	<p><u>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Ameri-</u></p>

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

cans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973:

Name: Guadalupe Gorordo

Position: Executive Director of Instructional Accountability

Address: 4410 State Hwy. 359, Laredo, TX 78043

Telephone: (956) 473-2000

SUPERINTENDENT

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

ALTERNATIVE
REPORTING
PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of harassment prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment prohibited conduct.

ANOTICE OF REPORT

Any District employee may report harassment to his or her supervisor or campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents who receives a person from reporting harassment directly to one of the District officials below:

DISTRICT
OFFICIALS

1. For sexual harassment, the Title IX coordinator. [See DAA(LOCAL)]
2. For all other prohibited harassment, the Superintendent.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

NOTIFICATION OF
REPORT

Upon receipt of a report of harassment, a supervisor or principal prohibited conduct shall immediately notify the appropriate District official listed above.

CONFIDENTIALITY

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed,

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

INVESTIGATION OF
THE REPORT

~~and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.~~ take any other steps required by this policy.

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or ~~notification~~ notice of a report, the District official shall determine whether the allegations, if proven, would constitute ~~sexual harassment or other prohibited harassment~~ conduct as defined by ~~District~~ this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent ~~harassment or prohibited conduct~~ during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

~~The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.~~

CONCLUDING THE
INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

DISTRICT ACTION

If the results of an investigation indicate that prohibited ~~harassment~~ conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the ~~harassment~~ conduct.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

	<p>The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy or unlawful conduct.</p>
<u>CONFIDENTIALITY</u>	<p><u>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</u></p>
APPEAL	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</p>
	<p>The complainant shall be informed of his or her may have a right to file a complaint with the Texas Workforce Commission Civil Rights Division, the Equal Employment Opportunity Commission, or the United States Department of Education Office for Civil Rights.</p>
RETALIATION PROHIBITED	<p>Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline-state or federal agencies.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with DAA(LOCAL). Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]</p>
ACCESS TO POLICY	<p>This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.</p>

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delete

**BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (SECONDARY)**

**EHAC
(LOCAL)**

**PHYSICAL ACTIVITY IN
MIDDLE SCHOOL**

Students enrolled in middle school may fulfill the District's requirement, if any, for physical activity by:

1. Taking a TEKS-based physical education class or a substitute approved by the District; or
2. Participating in a TEKS-based structured extracurricular activity.

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240903

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

TITLE IX
COORDINATOR

~~The Superintendent shall serve as coordinator for purposes of District compliance with antidiscrimination laws, except as provided below.~~

The District designates the following employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Rita Garner
Position: Director of Employee Relations
Address: 201 Lindenwood Dr., Laredo, TX 78045
Telephone: (956) 473-6284

SECTION 504
COORDINATOR

The District designates the following employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Guadalupe Gorordo
Position: Executive Director of Instructional Accountability
Address: ~~101 Del Mar Boulevard~~ 4410 State Hwy. 359, Laredo, TX ~~78044~~ 78043
Telephone: (956) 473-2000

SUPERINTENDENT

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

COMPLAINTS

~~Allegations of unlawful discrimination shall be directed to the appropriate coordinator and shall be heard through FNG(LOCAL). Reports regarding prohibited harassment, including sexual harassment, or retaliation shall be made according to FFH(LOCAL).~~

RECORDS
RETENTION

Copies of reports alleging discrimination ~~or~~ prohibited harassment, including sexual harassment, and retaliation; investigation reports; and related records shall be maintained by the District for a period of at least three years. If the person alleged to have experienced discrimination ~~or~~ prohibited harassment, or retaliation was a minor, the records shall be maintained until the person reaches the age of 21.

SECTION 504
COMMITTEE

The Section 504 coordinator and members of the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services to those students who have disabilities, but who are not in need of special education in accordance with the Individuals with Disabilities Education Act (IDEA). [See EHBA]

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

	<p>The Section 504 committee shall be composed of at least two persons, including persons knowledgeable about the student, the meaning of the evaluation data, the placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.</p>
REFERRALS	<p>A student may be referred by parents, teachers, counselors, administrators, or any other District employee for evaluation to determine if the student has disabilities and is in need of special instruction or services.</p>
PARENTAL CONSENT	<p>The Section 504 coordinator shall notify parents prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the student. Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.</p>
NOTICE TO PARENTS	<p>Parents shall be given written notice of the District's refusal to evaluate a student or to provide specific aids and services the parents have requested.</p>
PREPLACEMENT EVALUATION	<p>The results of the evaluation shall be considered before any action is taken to place a student with disabilities or make a significant change in placement in an instructional program. The evaluation shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual meets the standards of personal independence and social responsibility expected of his or her age and cultural group.</p>
IMPARTIAL HEARING	<p>Parents shall be given written notice of their due process right to an impartial hearing if they have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with disabilities. The impartial hearing shall be conducted by a person who is knowledgeable about the issues involved in Section 504 and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney.</p>
STATE-MANDATED ASSESSMENTS	<p>Modifications in taking the state-mandated assessments may be made for a Section 504 student when the modifications have been determined not to destroy the validity of the test, are necessary for the student to take the test, are consistent with modifications provided the student in the classroom, and are approved by TEA. [See EKB]</p>

In fairness to taxpayers and as required or excepted in policy and law [see FDA(LOCAL)], nonresidents shall not be permitted to attend school in the District. The Board makes every effort to distinguish between residents and nonresidents and encourages patrons to report suspected violations.

FALSE INFORMATION

The District shall include on its registration forms notice, in both English and Spanish, of criminal and civil penalties and liabilities for intentionally or knowingly falsifying information on the form. A person who knowingly falsifies information on a form required for a student's enrollment in the District shall be liable to the District if the student is not eligible for enrollment, but is enrolled on the basis of false information. For the period during which the ineligible student is enrolled, the person is liable for the maximum tuition fee the District may charge or the amount the District has budgeted per student as maintenance and operating expense, whichever is greater.

PERSONS AGE 21
AND OVER

The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

REGISTRATION
FORMS

Appropriate registration forms shall be completed annually and signed by the student's parent, legal guardian, or other person having lawful control under a court order. Students who have reached age 18 shall be permitted to complete and sign these forms themselves.

BIRTH CERTIFICATE

All students entering District schools for the first time shall submit a birth certificate or its equivalent.

STUDENT
RECORDS

The minimum student records data that must be submitted within 30 days includes the following:

1. Student enrollment information — District ID, statewide student ID (social security number or state-assigned alternative number), local student ID, course credits, promotions, discipline-expelled students, attendance, enrollment and withdrawal dates.
2. Student demographic information — first, middle, and last name, sex, ethnicity, date of birth, special education handicapping condition, special education instructional setting, home language, migrant information.
3. Student achievement information — exit-level TAKS, most recent TAKS scores.
4. Student immunization/health information.

ADMISSIONS

FD
(LOCAL)

	<p>Based on the above criteria and other factual inquiries, the principal or designee shall make an initial determination of residence and of whether or not the applicant's presence in the District is for the primary purpose of participation in extracurricular activities, and thereafter advise. The District may verify residence prior to enrollment.</p>
PROOF OF RESIDENCY	<p>Proof of residency within the District attendance boundaries shall be presented prior to a student being enrolled. [See FD(EXHIBIT) for a list of acceptable documents]</p>
AUTHORITY OF SUPERINTENDENT	<p>The Board delegates to the Superintendent or designee the authority to develop and modify regulations, forms, and processes for determining student residency as required to carry out the intent of this policy.</p>
AUTHORITIES AND SOURCES	<p>The determination of residence is a question of fact and law. In determining residence, the District shall consider information furnished by the applicant and may consider all relevant information, including, but not limited to, that provided by the administration and its agents, statements of third parties, court decisions, Commissioner's decisions, Attorney General opinions, Board policy, laws, and regulations.</p>
HOST FAMILY	<p>When the child's parent(s) together with the child reside on a full-time permanent basis [see FD(EXHIBIT), Exhibit B] within the District in the home of another family, the parent(s) shall provide documentation of the "host family" to include the following:</p> <ol style="list-style-type: none">1. Host family affidavit form.2. Host family documents that confirm residency. <p>-"Host family" status is valid only for the current school year and must therefore be renewed on an annual basis. As deemed necessary by the principal, the "host family" status shall be reviewed and confirmed.</p>
MINOR LIVING APART PERSON STANDING IN PARENTAL RELATION	<p>A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney assigning responsibility for the student in all school-related matters to an adult resident of the District.</p>
MISCONDUCT	<p>Any such student who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school. [See FD(LEGAL)]</p>

ADMISSIONS

FD
(LOCAL)

EXCEPTIONS	Based on the individual student's circumstance, the Superintendent or designee shall have authority to grant exceptions to the power of attorney requirement and to the exclusion for misconduct.
RESIDENCY REVIEW	The Superintendent or Superintendent's designee shall determine whether a minor student residing in the District separate and apart from a parent, guardian, or other person having lawful control under a court order is present in the District for the primary purpose of participating in extracurricular activities.
NONRESIDENT STUDENT IN GRANDPARENT'S AFTER-SCHOOL CARE	<p>The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent's designee the following forms:</p> <ol style="list-style-type: none">1. A notarized copy of the District's Grandparent Care affidavit form; and2. Acceptable documentation confirming the residency of the nonresident student's grandparent. <p>The Superintendent's designee shall have authority to approve or deny admissions requests in accordance with criteria approved by the Board, including consideration of the availability of space and instructional staff.</p>
SUBSTANTIAL AFTER-SCHOOL CARE	<p>For the purpose of admission under this provision, a substantial amount of after-school care consists of at least four hours per school day for five days during the regular school week.</p> <p>The District shall only provide transportation at the end of the school day for a nonresident student admitted under this provision. The grandparent must reside in an area already designated for transportation services. No new transportation routes shall be created.</p> <p>District attendance officers shall verify the after-school care provided by grandparents of nonresident students.</p>
APPEALS INITIAL DECISION	<p>If the applicant, parent, guardian, or other person having lawful control of the applicant under court order, or the person(s) with whom the applicant resides in this District disagrees with the initial determination of residence by the principal or designee, an appeal of that decision may be taken to the Superintendent's designee by making a written request within ten school days of the decision. The Superintendent's designee shall take one of the following actions:</p> <ol style="list-style-type: none">1. Affirm the initial decision of the principal.2. Send the matter back to the principal for further factual inquiry.

3. Reverse the initial decision and make an independent finding of residence that the applicant's presence in the District is not for the primary purpose of participation in extracurricular activities and, therefore, the applicant may be admitted as a student of the District.

SUBSEQUENT
DECISION

If the applicant, parent, guardian, or other person having lawful control of the applicant under court order, or the person(s) with whom the applicant resides in this District, disagrees with the determination of residence by the Superintendent or designee, an appeal of that decision may be taken to the Board by making a written request within ten school days of the decision.

BOARD REVIEW

The initial appeal and related action shall be reviewed by a student admissions committee selected by the Board President. The committee shall report its determination and recommendation to the full Board at the next regular meeting of the Board.

BOARD ACTION

The Board shall take one of the following actions:

1. Affirm the decision of the Superintendent or designee.
2. Send the matter back to the Superintendent or designee for further factual inquiry.
3. Reverse the initial decision and make an independent finding of residence that the applicant's presence in the District is not for the primary purpose of participation in extracurricular activities and, therefore, the applicant may be admitted as a student of the District.

ADMISSION PENDING

Pending a decision from the Board, the student who is the subject of an appeal shall attend school in his or her attendance area.

~~PROHIBITION ON
DUAL ENROLLMENT
STUDENTS NOT
ENROLLED~~

~~Students enrolled in private schools or charter schools, including homeschooled, are shall not be eligible for concurrent enrollment in schools of the District schools nor for participation in curricular or extracurricular activities, except as required by law.~~

~~NONENROLLED
STUDENTS~~

~~Only students currently enrolled in the District shall be allowed to participate in the academic or extracurricular programs of the District, with the exception of special education programs as provided by current law or State Board rules, following circumstances:~~

1. Special education students participating in extracurricular activities.
2. Special education students and students identified under Title I, Part A, NCLBA participating in academic programs.

ADMISSIONS

FD
(LOCAL)

PLACEMENT
ACCREDITED
SCHOOLS

Students entering a District school from accredited public, private, or parochial schools after grade 1 shall provide evidence of prior schooling outside the District. They shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

STUDENTS
UNDER AGE SIX

Students who are not six years old at the beginning of the current school year are eligible for the first grade if the student has completed kindergarten in an accredited educational institute.

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the Commissioner of Education.

NONACCREDITED
SCHOOLS

Students entering a District school from nonaccredited public, private, or parochial schools, including homeschools, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

TRANSFER
CREDIT

The District shall validate high school credit for courses of transfer students from nonaccredited public, private, or parochial schools by testing or by other evidence that the courses meet State Board requirements and standards.

CREDIT
VALIDATION

If a student transferring into a District high school from an accredited school has successfully completed the second and/or third year of a foreign language course that is in a sequence of courses, but there is no record of completion of the first course in the sequence, credit shall be awarded for the first and/or second course based on the successful completion of the second and/or third course in the sequence. Credit shall be awarded but no grade posted.

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ADMISSIONS

FD
(LOCAL)

WITHDRAWAL

Prior to withdrawal from school, the student and parent/guardian must meet with the school principal or designee to complete the proper withdrawal documentation.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL)]

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Note: This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. For provisions regarding bullying, see FFI.

STATEMENT OF
NONDISCRIMINATION

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

DISCRIMINATION

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

PROHIBITED
HARASSMENT

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

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

Prohibited harassment includes dating violence as defined by this policy.

EXAMPLES

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

SEXUAL
HARASSMENT
BY AN EMPLOYEE

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

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

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

BY OTHERS

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

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

EXAMPLES

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

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

DATING VIOLENCE Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Examples of dating violence against a student may include 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.

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

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

RETALIATION The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.

EXAMPLES Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.

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

REPORTING PROCEDURES Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced pro-

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

hibited conduct should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Alternatively, a student may report prohibited conduct directly to one of the District officials below:

DEFINITION OF
DISTRICT
OFFICIALS

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

TITLE IX
COORDINATOR

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Rita Garner

Position: Director of Employee Relations

Address: 201 Lindenwood Dr., Laredo, TX 78045

Telephone: (956) 473-6284

SECTION 504
COORDINATOR

Reports of discrimination based on disability may be directed to the Section 504 coordinator. The District designates the following employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Guadalupe Gorordo

Position: Executive Director of Instructional Accountability

Address: 4410 State Hwy. 359, Laredo, TX 78043

Telephone: (956) 473-2000

SUPERINTENDENT

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

ALTERNATIVE
REPORTING
PROCEDURES

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

NOTICE OF REPORT	Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.
NOTICE TO PARENTS	The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p> <p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p> <p>If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p> <p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

- The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.
- CONFIDENTIALITY** To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
- APPEAL** A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
- RECORDS RETENTION** Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).
- ACCESS TO POLICY** Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

Note: This policy addresses bullying of District students. For provisions regarding discrimination, harassment, and retaliation involving District students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

BULLYING
PROHIBITED

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

DEFINITION

Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct that:

1. Will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

EXAMPLES

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

TIMELY REPORTING

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

REPORTING
PROCEDURES

Any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee. A report may be made orally or in writing.

NOTICE OF REPORT

Any District employee who receives notice that a student has or may have experienced bullying shall immediately notify the campus principal or designee.

INVESTIGATION OF
REPORT

If a report is made orally, the campus principal or designee shall reduce the report to written form.

The campus principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, and if so proceed under that policy instead.

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

	<p>The campus principal or designee shall conduct an appropriate investigation based on the allegations in the report. The campus principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the campus principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The campus principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred, and send a copy to the Superintendent or designee.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the District's Student Code of Conduct. [For information on student transfers due to bullying, see FDB.]</p> <p>The District may take action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of bullying under this policy.</p>
CONFIDENTIALITY	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
APPEAL	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with CPC(LOCAL).</p>
ACCESS TO POLICY	<p>Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.</p>

STUDENT RECORDS

FL
(LOCAL)

COMPREHENSIVE
SYSTEM

The Superintendent or designee shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.

CUMULATIVE RECORD

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for nonenrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See GBA]

CUSTODIAN OF
RECORDS

The principal is custodian of all records for currently enrolled students. The records manager is the custodian of records for students who have withdrawn or graduated. The student handbook made available to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

TYPES AND
LOCATIONS OF
EDUCATION
RECORDS

The record custodian shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any documentation of discussion or action by a grade placement committee convened for the student.
5. Health services record, including:
 - a. The results of any tuberculin tests required by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]
 - c. Immunization records. [See FFAB]
6. Attendance records.

STUDENT RECORDS

FL
(LOCAL)

7. Student questionnaires.
8. Records of teacher, counselor, or administrative conferences with the student or pertaining to the student.
9. Verified reports of serious or recurrent behavior patterns.
10. Copies of correspondence with parents and others concerned with the student.
11. Records transferred from other districts in which the student was enrolled.
12. Records pertaining to participation in extracurricular activities.
13. Information relating to student participation in special programs.
14. Records of fees assessed and paid.
15. Other records that may contribute to an understanding of the student.

REQUEST
PROCEDURES

The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent's, principal's, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

STUDENT RIGHTS

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

ACCESS BY SCHOOL
OFFICIALS

For the purposes of this policy, "school officials" shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of students with disabilities. The term also includes attorneys; consultants; independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of students with disabilities; and parents or students serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

STUDENT RECORDS

FL
(LOCAL)

School officials have a "legitimate educational interest" in a student's records when they are working with the student; considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an education record to fulfill the official's professional responsibility; or investigating or evaluating programs.

ACCESS BY PARENTS

Parents may be denied copies of records after the student reaches age 18 and is no longer a dependent for tax purposes, when the student is attending an institution of postsecondary education, or if they fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.

FEEES FOR COPIES

Copies of records are available at a per copy cost, payable in advance, as specified in the annual notice to parents of their privacy rights.

TRANSCRIPTS AND
TRANSFERS OF
RECORDS

The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll.

RECORDS
RESPONSIBILITY FOR
STUDENTS IN
SPECIAL EDUCATION

The official responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education shall be the director of special education.

A current listing of names and positions of persons who have access to records of students in special education is maintained at the principals' and school-support teams' offices.

PROCEDURE TO
AMEND RECORDS

Within 15 school days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school days after the request is received.

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and at their own expense, may be assisted or represented at the hearing.

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STUDENT RECORDS

FL
(LOCAL)

The parents shall be notified of the decision in writing within ten school days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 school days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

STUDENT ACTIVITIES

FM
(LOCAL)

EXTRACURRICULAR
ACTIVITY ABSENCES

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board. A student shall be allowed in a school year a maximum of 15 extracurricular absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition.

[For eligibility of private school students, including homeschool students, to participate in extracurricular activities, see FD(LOCAL).]

USE OF DISTRICT
FACILITIES

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

FNC
(LOCAL)

STUDENT HANDBOOK
— STUDENT CODE OF
CONDUCT The District's rules of conduct and discipline, maintained in the student handbook and/or the Board-adopted Student Code of Conduct, are established to achieve and maintain order in the schools, and to teach respect toward others and responsible behavior. [See FO series]

EXTRACURRICULAR
ACTIVITIES:
STANDARDS OF
BEHAVIOR With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. [See FO]

PROHIBITED
HARASSMENT Students shall not engage in prohibited harassment, including sexual harassment, of:

1. Other students, as defined at FFH.
2. District employees, as defined at DIA.

While subject to the disciplinary control of the District, students shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

Students who violate this prohibition are subject to appropriate discipline in accordance with the Student Code of Conduct.

BEHAVIORAL
STANDARDS

The following specific policies address student conduct in the areas of:

1. Attendance — FEC
2. Bullying — FFI
- ~~2.3.~~ School-sponsored publications — FMA
- ~~3.4.~~ Appropriate attire and grooming — FNCA
- ~~4.5.~~ Damage to school property — FNCB
- ~~5.6.~~ Prohibited organizations and hazing — FNCC
- ~~6.7.~~ Tobacco use — FNCD
- ~~7.8.~~ Telecommunications devices — FNCE
- ~~8.9.~~ Drug and alcohol use — FNCF
- ~~9.10.~~ Weapons — FNCG
- ~~10.11.~~ Assault — FNCH
- ~~11.12.~~ Disruptions — FNCI, GKA

STUDENT DISCIPLINE

FO
(LOCAL)

GENERAL GUIDELINES The schools shall strive to provide for the basic welfare, educational opportunity, and safety of all students. Student conduct in the schools shall be supervised in an attempt to provide for reasonable order and courtesy and the recognition of student rights and responsibilities.

School authorities shall give clear guidance to staff members concerning discipline procedures, teacher authority, and limitations as to personal actions.

~~When imposing discipline, District personnel shall adhere to the following general guidelines when imposing discipline:~~

1. ~~Discipline~~A student shall be administered discipline when necessary to improve the student's behavior, to maintain essential order, or to protect other students, school employees, or property and maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student's age;
 - c. The frequency of misconduct;
 - d. The student's attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Requirements of Chapter 37 of the Education Code; and
 - g. The Student Code of Conduct adopted by the Board.

STUDENT CODE OF
CONDUCT

~~The Student Code of Conduct containing information regarding student discipline shall be distributed at the beginning of the school year to students and parents, teachers, and administrators. The Student Code of Conduct shall be provided also to newly hired professional employees, newly enrolled students, and any other person on request.~~

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
Made available on the District's Web site and/or as hard copy to students, parents, teachers, administrators, and to others on request.

STUDENT DISCIPLINE

FO
(LOCAL)

REVISIONS	Revisions to the Student Code of Conduct approved by the Board during the year shall be communicated <u>made available promptly to students and parents, teachers, and administrators, and shall also be posted on campus</u> others.
'PARENTS' DEFINED	Throughout the Student Code of Conduct and discipline policies, the term "parents" includes the single <u>a parent, legal guardian, or other person having lawful control of the child.</u>
DETENTION	For minor infractions <u>violations of the student code</u> Student Code of conduct <u>Conduct or campus or classroom rules, teachers or administrators may detain students after school hours on one or more days, as provided by the discipline management program and/or student code</u> Student Code of conduct. <u>Conduct.</u> Before being assigned to detention, a student shall be informed of the behavior that allegedly constitutes the violation, and shall be given an opportunity to explain his or her version of the incident. The period of time for which a student is assigned to detention shall be used for educational purposes.
NOTICE TO PARENTS	When detention is used <u>assigned</u> , notice shall first be given to the student's parents to inform him or her of the reason for the detention and permit arrangements for the necessary transportation of the student. Except in the case of a student who is 18 years of age or older, the detention shall not begin until the parents have been notified. The student's parents, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.
CORPORAL PUNISHMENT	The Board prohibits the use of corporal punishment, in any form, as a disciplinary action <u>in the District.</u> Students shall not be spanked, paddled, or otherwise physically disciplined for unacceptable student behavior on District property. <u>violations of the Student Code of Conduct by any employee, parent and/or legal guardian, or patron of the District.</u>
PHYSICAL RESTRAINT	Any District employee may, within <u>Within the scope of the an employee's duties, use and apply physical restraint to a District employee may physically restrain</u> a student if the employee reasonably believes restraint is necessary in order to: <ol style="list-style-type: none">1. Protect a person, including the person using physical restraint, from physical injury.2. Obtain possession of a weapon or other dangerous object.3. Protect property from serious damage.<u>4.3. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or</u>

STUDENT DISCIPLINE

FO
(LOCAL)

other school property, in order to restore order or to impose disciplinary measures.

~~5.4. Restrain/Control~~ an irrational student.

5. Protect property from serious damage.

If such action becomes necessary, the employee is required to report the incident to the principal within 24 hours of the occurrence.

EXTRACURRICULAR
STANDARDS OF
BEHAVIOR

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities, ~~including interscholastic athletics and marching band,~~ may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. ~~No provision of an extracurricular~~ Extracurricular behavioral standard standards shall not have the effect of discriminating on the basis of ~~sex~~gender, race, color, disability, religion, or ethnicity, or national origin.

Students shall be informed of any extracurricular behavior standards at the beginning of each school year or, ~~in the case of interscholastic athletics and marching band, at the time when the students report for workouts or practices that occur prior to the actual beginning of classes,~~ first begin participation in the activity. Students and their parents shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

~~Organizational standards~~ Standards of behavior ~~of for~~ an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of ~~organizational-extracurricular~~ standards of behavior ~~of for~~ an ~~extracurricular~~ activity or for violation of the Student Code of Conduct.

STUDENT DISCIPLINE

FO
(LOCAL)

GENERAL GUIDELINES The schools shall strive to provide for the basic welfare, educational opportunity, and safety of all students. Student conduct in the schools shall be supervised in an attempt to provide for reasonable order and courtesy and the recognition of student rights and responsibilities.

School authorities shall give clear guidance to staff members concerning discipline procedures, teacher authority, and limitations as to personal actions.

District personnel shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student's behavior, to maintain essential order, or to protect other students, school employees, or property.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student's age;
 - c. The frequency of misconduct;
 - d. The student's attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Requirements of Chapter 37 of the Education Code; and
 - g. The Student Code of Conduct adopted by the Board.

STUDENT CODE OF
CONDUCT

The Student Code of Conduct containing information regarding student discipline shall be distributed at the beginning of the school year to students, parents, teachers and administrators. The Student Code of Conduct shall be provided also to newly hired professional employees, newly enrolled students, and any other person on request. At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's Web site ~~and/or as hard copy to students, parents, teachers, administrators, and to others on request.~~

STUDENT DISCIPLINE

FO
(LOCAL)

- REVISIONS** Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.
- 'PARENTS' DEFINED** Throughout the Student Code of Conduct and discipline policies, the term "parents" includes a parent, legal guardian, or other person having lawful control of the child.
- DETENTION** For violations of the Student Code of Conduct or campus or classroom rules, teachers or administrators may detain students after school hours on one or more days, as provided by the discipline management program and/or Student Code of Conduct. Before being assigned to detention, a student shall be informed of the behavior that allegedly constitutes the violation and shall be given an opportunity to explain his or her version of the incident. The period of time for which a student is assigned to detention shall be used for educational purposes.
- NOTICE TO PARENTS** When detention is assigned, notice shall first be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for the necessary transportation. Except in the case of a student who is 18 years of age or older, the detention shall not begin until the parents have been notified. The student's parents, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.
- CORPORAL PUNISHMENT** The Board prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or otherwise physically disciplined for violations of the Student Code of Conduct by any employee, parent and/or legal guardian, or patron of the District.
- PHYSICAL RESTRAINT** Within the scope of an employee's duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:
1. Protect a person, including the person using physical restraint, from physical injury.
 2. Obtain possession of a weapon or other dangerous object.
 3. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.
 4. Control an irrational student.
 5. Protect property from serious damage.
- If such action becomes necessary, the employee is required to report the incident to the principal within 24 hours of the occurrence.

STUDENT DISCIPLINE

FO
(LOCAL)

EXTRACURRICULAR
STANDARDS OF
BEHAVIOR

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. Extracurricular behavioral standards shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

Students shall be informed of any extracurricular behavior standards at the beginning of each school year or when the students first begin participation in the activity. Students and their parents shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.