



# UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC:** First Reading of Local Policies in TASB Update 104

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

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** \_\_\_\_\_

**DATE ASSIGNED FOR BOARD CONSIDERATION:** June 22, 2016

**RECOMMENDATION:** It is recommended that the United ISD Board of Trustees approve Second Reading of LOCAL Policies in TASB Update 104.

EEH(LOCAL): INSTRUCTIONAL ARRANGEMENTS - HOMEBOUND INSTRUCTION

FB (EXHIBIT): EQUAL EDUCATIONAL OPPORTUNITY - **NEW**

FB(LOCAL): EQUAL EDUCATIONAL OPPORTUNITY

FD(LOCAL): ADMISSIONS

FEB(LOCAL): ATTENDANCE - ATTENDANCE ACCOUNTING

FFC(EXHIBIT): STUDENT WELFARE - STUDENT SUPPORT SERVICES - **NEW**

FFC(LOCAL): STUDENT WELFARE - STUDENT SUPPORT SERVICES - **DELETE**

FFH(EXHIBIT): STUDENT WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION - **NEW**

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

**RATIONALE:**

**BUDGETARY INFORMATION:**

**BOARD POLICY REFERENCE AND COMPLIANCE:**

## (LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

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### Please Note:

At **Update 103** you may see some duplicated margin notes in the policy comparison documents. They look like a tracked change where no clear change has taken place, like so:

MARGIN NOTE

MARGIN NOTE

This is an unintended side effect of Policy Service's recent migration to Word 2013, which revealed formatting issues in some margin notes that had not been apparent in earlier versions of Word. Fixing those formatting issues during Update 103 editing has now caused Word to annotate some margin notes where the wording itself hasn't changed, resulting in the effect described above.

We apologize for any inconvenience. If you would like assistance cleaning up the tracked changes in your local policy comparison documents, please contact TASB Policy Service, and we'll be glad to help.

[Policy.Service@tasb.org](mailto:Policy.Service@tasb.org)

800-580-7529

512-467-0222

INSTRUCTIONAL ARRANGEMENTS  
HOMEBOUND INSTRUCTION

EEH  
(LOCAL)

GENERAL EDUCATION

Consistent with TEA's *Student Attendance Accounting Handbook (SAAH)*, a student ~~may be eligible for general education homebound services if the student is~~ to be confined for a minimum of four weeks to a hospital or homebound ~~setting~~ for medical reasons specifically documented by a physician licensed to practice in the United States. ~~The weeks of confinement need not~~ ~~may be consecutive.~~ ~~eligible for general education homebound services.~~ The parent's request for services shall be ~~submitted to~~ ~~made through~~ the principal in accordance with TEA's *SAAH* and administrative procedures.

The principal or designee shall convene a placement committee composed of at least a campus administrator, a teacher of the student, and the parent or guardian of the student to consider the necessity of providing general education homebound instruction to the student. If the committee determines that such instruction is appropriate, the committee shall determine the type and amount of instruction to be provided and, ~~if applicable when the student is able to return to the regular educational setting,~~ the length of the transition period ~~to the school-based setting~~ based on current medical information.

SPECIAL EDUCATION

Consistent with state rule and the *SAAH*, a student receiving ~~For~~ special education services may be eligible for special education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical reasons specifically documented by a physician licensed to practice in the United States. If a student is chronically ill, the student's admission, review, and dismissal (~~students, the~~ ARD) committee shall determine whether the weeks of confinement need to be consecutive.

If the ARD committee determines that homebound instruction is appropriate, the committee shall determine the type and amount of instruction to be provided ~~in accordance with law, and, if applicable and, when the student is able to return to the regular educational setting,~~ the length of the transition period ~~to the school-based setting~~ based on current medical information.

DOCUMENTATION OF SERVICES

The District shall maintain ~~, in accordance with administrative procedures,~~ full documentation about students receiving homebound services, ~~in accordance with administrative procedures, the SAAH, and a student's individualized education program (IEP), as applicable.~~

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(EXHIBIT)

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

Name: Rita Garner  
Position: Director of Employee Relations  
Address: 201 Lindenwood Dr., Laredo, TX 78045  
Telephone: (956) 473-6351

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

Name: Emma Leza  
Position: Executive Director of Instructional Accountability  
Address: 4410 State Hwy. 359, Laredo, TX 78043  
Telephone: (956) 473-5245

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LOCAL)

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*Note:* The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

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TITLE IX  
COORDINATOR

The District ~~has designated a Title IX coordinator for students~~ ~~designates the following person~~ to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. [See FB(EXHIBIT)]:

Name: ~~\_\_\_\_\_~~ Rita Garner

Position: ~~\_\_\_\_\_~~ Director of Employee Relations

Address: ~~\_\_\_\_\_~~ 201 Lindenwood Dr., Laredo, TX 78045

Telephone: ~~(956) 473-6351~~

ADA / SECTION 504  
COORDINATOR

The District ~~has designated an~~ ~~Reports of discrimination based on disability may be directed to the~~ ADA/Section 504 coordinator ~~for students.~~ ~~The District designates the following person~~ to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as amended. [See FB(EXHIBIT)]:

Name: ~~\_\_\_\_\_~~ Emma Loza

Position: ~~\_\_\_\_\_~~ Executive Director of Instructional Accountability

Address: ~~\_\_\_\_\_~~ 4410 State Hwy. 359, Laredo, TX 78043

Telephone: ~~(956) 473-5245~~

SUPERINTENDENT

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

COMPLAINTS

~~Allegations of unlawful discrimination, prohibited harassment, including sexual harassment, or retaliation shall be made according to FFH(LOCAL).~~

RECORDS  
RETENTION

EQUAL EDUCATIONAL  
OPPORTUNITY

GENERAL  
EDUCATION

The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC] Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LOCAL)

ADDITIONAL  
SERVICES AND  
SUPPORTS

If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

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*Note:* The following provisions address the District's compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student's disability shall be made in accordance with FFH.

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~~Copies of reports alleging discrimination, 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, prohibited harassment, or retaliation was a minor, the records shall be maintained until the person reaches the age of 21.~~

SECTION 504  
COMMITTEE  
COMMITTEES

The District shall form Section 504 committees as necessary. The Section 504 coordinator and members of each the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services and supports to a student who has a disability that results in a substantial limitation of a major life activity. ~~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]~~

~~Each~~The Section 504 committee shall be composed of a group 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.

REFERRALS

~~If a teacher, school counselor, administrator~~A student may be referred by parents, teachers, counselors, administrators, or any other District employee for evaluation to determine if the student has reason to believe that a student may have a disability as defined by ~~disabilities and is in need of special instruction or services.~~

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LOCAL)

~~PARENTAL  
CONSENT~~

~~The Section 504, the District coordinator shall evaluate the 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. A student may also be referred for evaluation by the student's parent~~ Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.

NOTICE AND  
CONSENT TO  
PARENTS

The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.

~~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.~~

~~PREPLACEMENT  
EVALUATION AND  
PLACEMENT~~

The results of ~~an~~the evaluation shall be considered before any action is taken to place a student with a ~~disability~~disabilities or make a significant change in placement in an instructional program. The Superintendent shall ensure that the District's procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting ~~The~~ evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.

REVIEW AND  
REEVALUATION  
PROCEDURE

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in ~~shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual meets~~ the IDEA regulations.

A parent, teacher, or other District employee may request a review of a student's services and supports at any time, but a formal reevaluation shall generally occur no more frequently than once a year.

EXAMINING  
RECORDS

A parent shall make any request to review ~~standards of personal independence and social responsibility expected of his or her~~ child's education records to the campus principal or other identified custodian of records. [See FL] ~~age and cultural group.~~

RIGHT TO  
IMPARTIAL  
HEARING

A parent ~~Parents~~ shall be given written notice of ~~the~~their due process right to an impartial hearing if ~~the parent has~~they have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LOCAL)

with a ~~disability~~ disabilities. The impartial hearing shall be conducted by a person who is knowledgeable about ~~the issues involved in~~ Section 504 issues 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. **The District and the parent shall be entitled to legal representation at the impartial hearing.**

~~STATE-MANDATED  
ASSESSMENTS~~

~~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] RECORDS  
RETENTION~~

**Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with law and the District's local records retention schedules. [See CPC]**



ADMISSIONS

FD  
(LOCAL)

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	The student's parent, legal guardian, or other person having lawful control shall annually complete <del>and sign</del> registration forms. A student who has reached age 18 shall be permitted to complete <del>and sign</del> these forms.
PROOF OF RESIDENCY	<i>At the time of initial registration and on an annual basis thereafter, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent. The District may investigate stated residency as necessary.</i>
MINOR LIVING APART PERSON STANDING IN PARENTAL RELATION	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 or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.
MISCONDUCT	A minor student living apart 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.
EXCEPTIONS	Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.
EXTRACURRICULAR ACTIVITIES	The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.
NONRESIDENT STUDENT IN GRANDPARENT'S AFTER-SCHOOL CARE	The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.  The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.
"ACCREDITED" DEFINED	<i>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.</i>

ADMISSIONS

FD  
(LOCAL)

GRADE-LEVEL  
PLACEMENT

ACCREDITED  
SCHOOLS

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student 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.

~~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.~~

NONACCREDITED  
SCHOOLS

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, 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 OF  
CREDIT

ACCREDITED  
TEXAS PUBLIC  
SCHOOLS

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

OTHER  
ACCREDITED OR  
NONACCREDITED  
SCHOOLS

Before recognizing credit in a course earned in an accredited nonpublic school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. [See EI]

~~Before granting credit, the District shall validate, by testing or other evidence, that any course taken by a student at a nonaccredited public, private, or parochial school meets State Board requirements. [See EHDB]~~

ADMISSIONS

FD  
(LOCAL)

WITHDRAWAL

A parent or guardian wishing to withdraw a minor student shall present a signed **statement that includes request** stating the reason for the withdrawal. A student who is 18 or older may **submit a request** withdrawal **statement** without a parent's or guardian's signature.

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

ATTENDANCE  
ATTENDANCE ACCOUNTING

FEB  
(LOCAL)

ATTENDANCE  
ACCOUNTING SYSTEM

The Superintendent shall be responsible for maintaining a student attendance accounting system in accordance with statutory and TEA requirements. [See also FD for admissions and residency requirements.]

ALTERNATIVE  
ALTERNATE RECORDING  
TIME

When appropriate, the Superintendent shall establish written procedures permitting a campus to specify an alternative alternate time for taking attendance other than the second or fifth instructional hour. Exceptions may be authorized for an entire campus or for a designated group of students at a campus. The alternative-alternate time for recording attendance shall be determined in accordance with TEA's *Student Attendance Accounting Handbook*.

PARENTAL CONSENT  
TO LEAVE CAMPUS

The Superintendent shall establish procedures regarding parental consent for a student to leave campus, including procedures for documenting a student's absence. The procedures shall be communicated in the employee and student handbooks.

STUDENT WELFARE  
STUDENT SUPPORT SERVICES

FFC  
(EXHIBIT)

The District has designated the following employee as the liaison for homeless students:

Name: Nora Murilla

Position: State Compensatory Education Coordinator

Address: 201 Lindenwood Dr., Laredo, TX 78045

Telephone: (956) 473-6471

~~STUDENT WELFARE~~  
~~STUDENT SUPPORT SERVICES~~

~~FFG~~  
~~(LOCAL)~~

~~LIAISON FOR~~  
~~HOMELESS~~  
~~STUDENTS~~

~~The District has designated the following staff person as the liaison for homeless students:~~

~~Name: ——— Nora Murilla~~

~~Position: ——— State Compensatory Education Coordinator~~

~~Address: ——— 201 Lindenwood Dr., Laredo, TX 78045~~

~~Telephone: (956) 473-6471~~

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

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

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STATEMENT OF  
NONDISCRIMINATION

STATEMENT OF  
NONDISCRIMINATION

The District prohibits acts of any kind, including harassment, based on race, color, religion, **sex**, gender, national origin, sexual orientation, gender identity and expression, disability, **age**, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy (e.g., cyber bullying via social network sites). Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DISCRIMINATION  
DISCRIMINATION

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

PROHIBITED  
HARASSMENT

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

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

Prohibited harassment includes dating violence as defined by this policy.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, sexual orientation, gender identity and expression, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

other kinds of aggressive conduct such as theft or damage to property.

SEXUAL  
HARASSMENT  
BY AN  
EMPLOYEE  
SEXUAL  
HARASSMENT  
BY AN EMPLOYEE

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

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

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

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.



STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

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.

GENDER-BASED  
HARASSMENT

GENDER-BASED  
HARASSMENT

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

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

EXAMPLES

EXAMPLES

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity and expression, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

DATING VIOLENCE

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

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

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

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

EXAMPLES

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

RETALIATION

RETALIATION

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

EXAMPLES

EXAMPLES

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

FALSE CLAIM

FALSE CLAIM

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

PROHIBITED  
CONDUCT  
PROHIBITED  
CONDUCT

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

REPORTING  
PROCEDURES

STUDENT REPORT

STUDENT REPORT

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

EMPLOYEE  
REPORT

EMPLOYEE REPORT

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

DEFINITION  
OF DEFINITION  
OF DISTRICT  
OFFICIALS

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

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the <b>designated Title IX coordinator for students</b>. [See FFH(EXHIBIT)] <del>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:</del></p> <p>Name: <del>_____</del> Rita Garner</p> <p>Position: <del>_____</del> Director of Employee Relations</p> <p>Address: <del>_____</del> 201 Lindenwood Dr., Laredo, TX 78045</p> <p>Telephone: <del>(956) 473-6351</del></p>
ADA / SECTION 504 COORDINATOR	<p>Reports of discrimination based on disability may be directed to the <b>designated ADA/Section 504 coordinator for students</b>. [See FFH(EXHIBIT)] <del>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, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</del></p>
SUPERINTENDENT	<p>Name: <del>_____</del> Emma Leza</p> <p>Position: <del>_____</del> Executive Director of Instructional Accountability</p> <p>Address: <del>_____</del> 4410 State Hwy. 359, Laredo, TX 78043</p> <p>Telephone: <del>(956) 473-5245</del></p>
SUPERINTENDENT	<p>The Superintendent shall serve as coordinator for purposes of District compliance with all other <b>nondiscriminationantidiscrimination</b> laws.</p>
ALTERNATIVE REPORTING PROCEDURES  ALTERNATIVE REPORTING PROCEDURES	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
TIMELY REPORTING	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.</p>
NOTICE TO PARENTS	

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

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

~~INVESTIGATION OF  
THE REPORT~~

INITIAL  
ASSESSMENT

~~INITIAL  
ASSESSMENT~~

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

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at CRIMINAL INVESTIGATION.

If the District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

INTERIM ACTION

~~INTERIM ACTION~~

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.

DISTRICT  
INVESTIGATION

~~DISTRICT  
INVESTIGATION~~

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

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.

CRIMINAL  
INVESTIGATION

~~CRIMINAL  
INVESTIGATION~~

If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.

CONCLUDING THE  
INVESTIGATION

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investiga-

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

tor shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.

NOTIFICATION OF  
OUTCOME

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

DISTRICT ACTION  
NOTIFICATION OF  
OUTCOME

PROHIBITED  
CONDUCT

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

PROHIBITED  
CONDUCT

CORRECTIVE  
ACTION  
CORRECTIVE ACTION

Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.

BULLYING  
BULLYING

If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.

IMPROPER  
CONDUCT

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

IMPROPER  
CONDUCT

CONFIDENTIALITY

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

APPEAL

A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

RECORDS RETENTION

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

The District shall retain copies of allegations, investigation reports, and related records regarding any ~~Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL):~~

prohibited conduct in accordance with the District's records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

ACCESS TO POLICY  
AND  
PROCEDURES AND  
PROCEDURES

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(EXHIBIT)

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

Name: Rita Garner  
Position: Director of Employee Relations  
Address: 201 Lindenwood Dr., Laredo, TX 78045  
Telephone: (956) 473-6351

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

Name: Emma Leza  
Position: Executive Director of Instructional Accountability  
Address: 4410 State Hwy. 359, Laredo, TX 78043  
Telephone: (956) 473-5245