

Agenda of Special Meeting

The Board of Trustees Groesbeck ISD

A Special Meeting of the Board of Trustees of Groesbeck ISD will be held August 2, 2021, beginning at 6:00 PM in the Groesbeck High School Conference Room
1202 North Ellis
P. O. Box 559
Groesbeck, TX 76642-2111.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. PLEDGE TO THE TEXAS FLAG

IV. REVIEW DISTRICT MISSION STATEMENT

V. PUBLIC COMMENT (Agenda/Non-Agenda Items)

VI. DISTRICT INFORMATION

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Groesbeck ISD 2021-2022 Bus Routes

Route 2—Kosse: LCR 710, 706, 703, 707, Hwy 7 E (800+), N Narcissus, N Myrtle

Route 3—Kosse: LCR 700, 704, 705, S Narcissus, S Myrtle, Mignonette, FM 413, Monroe, Lily, Hwy 7 W, 723, 721, 731, 662, 664, Hwy 14 (between Kosse and Thornton)

Route 8—North Lake Limestone: LCR, 820, 822, W 800, Bradley, Henderson Blvd, Karen Ln, Parkside, Cedar Ridge, 500+ E Jacinto St.

Route 9—Groesbeck: 115-500 N Grayson, Church St, Washington, Culberson, 100-499 E Jacinto, E Sabine, E Angeline, 200+ E Trinity, Farrar Street, and downtown businesses on EAST side of SH 14, including ILSA and the daycare center.

Route 10—Lake Mexia, Frosa, Groesbeck: FM 1245, LCR 368, 374, Redbud A, 358, 359, 390, 392, 394, 398, 396, SH 164W before LCR 396 to Groesbeck, 300-1100 W Yeagua, S Archer, W Navasota, W State, W Brazos, Whitt, S Leon, S Fannin, S Preston, S Dallas, 200-400 S Waco, downtown businesses on WEST side of SH 14.

Route 11—Box Church Area: S Grayson, 100-200 E Colorado, Alpine Apts, 600-900 E Navasota, Cottonwood Creek Apts, Durham Addition, McClellan Addition, FM 937 (Up to 3907), LCR 784, 788, 786, 760, 781, 776, 770, 772, 762.

Route 12—West Lake Limestone: FM 937 (3907-7241), Old Union, LCR 793 (Guy Bond Rd), 794, 5793b, 791a, FM 3371 (from 750 – Old Union Store), 750, 752, 755, 746, 748, 744, 500-800 S Waco, 400s W Colorado, 100-800 E Yeagua.

Route 13—West of Thornton/Coit: LCR 654, 660, 662, 656, FM 339 S, SH 147, LCR 646, 648, 634, 631, 633, FM 2489, 635, 632, 641, and Frost Creek Addition in Groesbeck, SH 164 W.

Route 14—Thornton and Southwest Lake Limestone: Hwy 14 RV park N of Thornton, city of Thornton west of the railroad tracks, FM 1246, LCR 732, 730, 735, 740, FM 937, 758 by Oletha, Groesbeck Jenny St.

Route 15—LC Appraisal, Josie's, FM 3371 (Old Union Civic Center to LCR 820), LCR 773, 775, 777, 779, N Hwy 39, La Salle: SH 164E from FM 1953-SH 39N, LCR 448, 446, 447, 449, 445, 444, FM 1953, LCR 421, 420, FM 1245, Longbridge Apts (921 N. Tyus), 500-921 N Tyus St.

Route 16—Thornton: City of Thornton east of railroad tracks, FM 2749, 720, 724, 726, 758 (up to 761), 761, Hwy 14 from Thornton to Groesbeck City Limits.

Route 17—Fort Parker: Hwy 14 N of Groesbeck High School to Navasota River, MLK Jr Blvd, Longbotham Dr, LCR 404, 402, 403, 401, PR35, 399. Mexia transfer students to and from Ft Parker Dam. *GHS Staff children shuttle to/from south campuses.*

Route 18—East Lake Limestone: LCR 890 & 892, 902, 904, 905, 915, FM 1512, 846, 850, 882, 852, 858, 828, 832, 870, 862, 879, SH 39 S, SH 164 E from FM 1953-800-1200 E Yeagua, (Phyllis Ln and Willow Pond), Faulkenberry, Gala Cr.

Route 20—Groesbeck: Hewitt, S Rusk (300-Navasota), E Brazos, Rawls, E State, E Navasota (200-500), Meadow Ln, Walker, Burrow, Brown, Farrar, Cobb/Trinity, 100+ N & S Grayson, JB Riggs, Raven, and Elwood Enge, 600-900's S Ellis St.

Route 21—Groesbeck: McClintic Dr, W Cypress, 300+ W Jacinto, 200-500 N Archer, Cayton, W Sabine, W Angeline, Calhoun, Karl Cayton, Browning, 900+ W Trinity, N Leon, N Fannin, N Preston, N Dallas, N Waco.

**VII. DISCUSSION AND POSSIBLE ACTION ON POLICY
EIC(LOCAL) REVISION AND RESOLUTION**

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PROPOSED REVISIONS

**Consistent
Application for
Graduating Class**

The District shall apply the same class rank calculation method and rules for local graduation honors for all students in a graduating class, regardless of the school year in which a student first earned high school credit.

Note: The following provisions shall apply to students in the graduating class of 2021, 2022, and 2023.

**Calculating Class
Rank**

Class rank shall be computed by using grade points for all academic courses for all four years (all three years for three-year graduates).

Exclusions

The following shall not be used in computing class rank: grades earned in choir or physical education, high school courses taken at the middle school level, classes that receive local credit, and athletics; or grades earned through credit by examination, concurrent enrollment courses, and certain distance learning and correspondence courses, as described below.

Courses taken through the Texas Virtual School Network (TxVSN) and state-approved correspondence courses taken through Texas Tech University and the University of Texas at Austin shall be included in calculating grade point average (GPA) and determining class rank. All other distance learning and correspondence courses are excluded.

**Weighted Grade
System**

The District shall categorize and weight courses as either Advanced or Regular courses.

Advanced Courses

Pre-Advanced Placement (AP), AP, dual credit, University Interscholastic League (UIL) independent study courses, and other advanced courses designated in the student handbook shall be categorized and weighted as Advanced courses.

Regular Courses

All other courses shall be categorized and weighted as Regular courses.

**Weighted Grade
Point Average**

The following grade average/grade points conversion chart shall be used:

Regular Courses

100	=	5.0 grade points
90-99	=	4.0-4.9 grade points
80-89	=	3.0-3.9 grade points
70-79	=	2.0-2.9 grade points
69 or below	=	0 grade point

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Advanced Courses

100	=	6.0 grade points
90–99	=	5.0–5.9 grade points
80–89	=	4.0–4.9 grade points
70–79	=	3.0–3.9 grade points
69 or below	=	0 grade point

Transferred Grades When a student transfers semester grades for eligible courses, the District shall assign additional weight to the grades based on the categories and grade weight system used by the District.

Transferred Letter Grades

When a student transfers letter semester grades with no numerical equivalent from the sending school, the District shall convert the letter grades to numeric grades in accordance with the following chart, based on the lowest passing grade from the sending school:

Letter Grade	Numeric Equivalent	
	C- is lowest passing grade	D- is lowest passing grade
A+	98	98
A	95	95
A-	92	92
B+	88	88
B	85	85
B-	83	83
C+	78	79
C	75	77
C-	73	75
D+	69 if one semester; 65 if two semesters	74
D		72
D-		70
F		69 if one semester; 65 if two semesters

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Local Graduation Honors	For the purpose of determining honors to be conferred during graduation activities, the District shall calculate class rank in accordance with this policy and administrative regulations by using grades available at the time of calculation at the end of the third nine-week grading period of the senior year.
Honor Graduates	All graduating seniors, including three-year graduates, who have maintained an average of 4.5 or better in all academic subjects and have completed the requirements of the foundation program with the distinguished level of achievement shall be considered honor graduates.
Valedictorian / Salutatorian	From among the honor graduates, the students having the highest and second-highest GPA shall be designated as valedictorian and salutatorian, respectively. To be eligible for valedictorian and salutatorian, students shall have been enrolled in the District high school for at least three years. Students sent to the alternative school for disciplinary reasons shall be ineligible for valedictorian and salutatorian.
<i>Tiebreaker</i>	If a tie exists for valedictorian, the District shall consider the final numerical average carried to four decimal places, the number of honors-level courses taken, and the total number of grade points earned in honors-level courses. If a tie exists after all tiebreakers have been exhausted, co-valedictorians shall be named and no salutatorian shall be honored.
Top Ten Percent	All students whose GPAs make up the top ten percent of the graduating class and qualify for automatic admission under Education Code 51.803 shall be recognized. Eligibility standards required for the local procedure for determining valedictorian and salutatorian (or other local honor positions) shall not apply to the procedure for determining the top ten percent. The GPA shall be reported on the student's transcript and made available, when requested by the student, in accordance with the application deadline for the college or university. [See EIC(LEGAL)]

Note: The following provisions shall apply to students beginning with the graduating class of 2024.

Calculation	The District shall include in the calculation of class rank semester grades earned in high school credit courses, regardless of weighted category , taken at any grade level, unless excluded below and only in the following courses: <ul style="list-style-type: none">• Up to eight semesters of English language arts, including English I, English II, English III, and English IV or another
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foundation advanced course meeting the English credit requirement;:

- ~~English I~~
- ~~English II~~
- ~~English III or honors English language and composition~~
- ~~English IV, honors English literature, or another foundation advanced course meeting the English credit requirement;~~
- Up to six semesters of mathematics, including **Algebra I, Geometry, and Algebra II** or another foundation advanced course meeting the mathematics credit requirement; ;
 - ~~Algebra I~~
 - ~~Geometry~~
 - ~~Algebra II or another foundation advanced course meeting the mathematics credit requirement;~~
- Up to six semesters of science, including **Biology, Chemistry or another foundation advanced course meeting the science credit requirement, and Physics or another foundation advanced course meeting the science credit requirement;**
 - ~~Biology~~
 - ~~Chemistry or another foundation advanced course meeting the science credit requirement~~
 - ~~Physics or another foundation advanced course meeting the science credit requirement;~~
- Up to eight semesters of social studies and economics, including: **World geography studies, World history studies, United States history studies since 1877, United States government, and Economics with emphasis on the free enterprise system and its benefits; and**
 - ~~World geography studies or honors world geography~~
 - ~~World history studies or honors world history~~
 - ~~United States history studies since 1877 or honors United States history~~
 - ~~United States government or honors U.S. government and politics~~

~~• Economics with emphasis on the free enterprise system and its benefits;~~

- Up to four semesters of languages other than English in the same foreign language.

The calculation shall include only the first attempt at any course included in the calculation.

Exclusions

The calculation of class rank shall exclude grades earned in:

- Summer school;
- Credit earned in the Fast Track program;
- A distance learning course, unless the course is either assigned to the student by the District or offered as a course option along with traditional District courses;
- A dual credit or concurrent enrollment course taken anywhere other than the District high school;
- Any local credit course;
- Any credit recovery course;
- Any independent study course; or
- Through credit by examination, with or without prior instruction.

Weighted Grade System

The District shall categorize and weight eligible courses as Dual Credit, Honors, and Regular in accordance with provisions of this policy and as designated in appropriate District publications.

Categories

Dual Credit

Eligible dual credit and OnRamps courses shall be categorized and weighted as Dual Credit courses.

Honors

Courses locally designated as honors shall be categorized and weighted as Honors courses.

Regular

All other eligible courses shall be categorized and weighted as Regular courses.

Weighted Numerical Grade Average

The District shall assign weights to semester grades earned in eligible courses and calculate a weighted numerical grade average, in accordance with the following:

Category	Weight
Dual Credit	multiplied by 1.2
Honors	multiplied by 1.1

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Category	Weight
Regular	multiplied by 1.0

All failing grades shall be multiplied by 1.0.

The District shall record unweighted numerical grades on student transcripts.

Transferred Grades

When a student transfers semester grades for courses that would be eligible under the Regular category and the District has accepted the credit, the District shall include the grades in the calculation of class rank.

When a student transfers semester grades for courses that would be eligible to receive additional weight under the District's weighted grade system, the District shall assign additional weight to the grades based on the categories and grade weight system used by the District only if an equivalent course is offered to the same class of students in the District.

*Transferred
Letter Grades*

When a student transfers letter semester grades with no numerical equivalent from the sending school, the District shall convert the letter grades to numeric grades in accordance with the following chart, based on the lowest passing grade from the sending school:

Letter Grade	Numeric Equivalent	
	C- is lowest passing grade	D- is lowest passing grade
A+	98	98
A	95	95
A-	92	92
B+	88	88
B	85	85
B-	83	83
C+	78	79
C	75	77
C-	73	75
D+		74

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Letter Grade	Numeric Equivalent	
D	69 if one semester;	72
D-		70
F	65 if two semesters	69 if one semester; 65 if two semesters

Local Graduation Honors

For the purpose of determining honors to be conferred during graduation activities, the District shall calculate class rank in accordance with this policy and administrative regulations by using grades available at the time of calculation at the end of the third nine-week grading period of the senior year.

For the purpose of applications to institutions of higher education, the District shall also calculate class rank as required by state law. The District's eligibility criteria for local graduation honors shall apply only for local recognitions and shall not restrict class rank for the purpose of automatic admission under state law. [See EIC(LEGAL)]

Valedictorian and Salutatorian

The valedictorian and salutatorian shall be the eligible students with the highest and second-highest rank, respectively. To be eligible for this local graduation honor, a student must:

1. Have been continuously enrolled in the District high school beginning with at least the 31st day of instruction of the student's sophomore year; and
2. Have completed the foundation program with the distinguished level of achievement.

[For eligibility to speak at graduation, see FMH.]

Breaking Ties

In case of a tie in weighted numerical averages after calculation to the sixth decimal place, the District shall apply the following methods, in this order, to determine recognition as valedictorian:

1. Count the number of Dual Credit and Honors courses taken by each student involved in the tie.
2. Calculate a weighted numerical grade average using only Dual Credit and Honors courses taken by each student involved in the tie.

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If the tie for valedictorian is not broken after applying these methods, the District shall recognize all students involved in the tie as sharing the honor and title of valedictorian and no salutatorian shall be honored.

If the tie for salutatorian in weighted GPAs or weighted numerical averages is not broken after calculation to the sixth decimal place, the District shall recognize all students involved in the tie as sharing the honor and title of salutatorian.

Honor Graduates

The District shall designate as honor graduates all students who have:

1. Completed the foundation program with the distinguished level of achievement; and
2. Maintained a weighted numerical grade average of 90 or above in semester grades included in class rank calculation.

Note: The following provision shall apply to all students, regardless of their graduating class.

Highest-Ranking Graduate

The student meeting the local eligibility criteria for recognition as the valedictorian shall also be considered the highest-ranking graduate for purposes of receiving the honor graduate certificate from the state of Texas.

Automatic Admission to Institution of Higher Education

All applicants from Texas schools accredited by a generally recognized accrediting agency and who graduate in the top ten percent of their high school class or who graduate in the top 25 percent of their high school class, to the extent the governing board of a general academic teaching institution has adopted such an admission policy, shall be admitted to a general academic teaching institution [see Education Code 61.003(3)] if the student meets the following conditions:

1. The student has met one of the following:
 - a. Successfully completed the distinguished level of achievement under the Foundation, Recommended, or Advanced High School Program from a Texas public high school as outlined under Education Code 28.025 [see EIF];
 - b. Satisfied ACT's College Readiness Benchmarks on the ACT assessment; or
 - c. Earned a score on the SAT that meets the minimum requirements described by 19 Administrative Code 5.5(b)(1)(D).
2. The student submitted an official high school transcript or diploma that must, not later than the end of the student's junior year, indicate whether the student has satisfied the above requirements.

19 TAC 5.5(b); Education Code 51.803(a)

Valedictorian Eligibility

In addition to admissions under the top ten percent rule, each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated as the valedictorian of the student's high school graduating class in one of the two school years preceding the academic year for which the student is applying for admission and satisfies the requirements listed in Education Code 51.803. *Education Code 51.803(d-1)*

Exception

Beginning with admissions for the 2011–12 academic year, the University of Texas at Austin (UT) is not required to offer admission to applicants who qualify for automatic admission in excess of the number required to fill 75 percent of the university's enrollment capacity designated for first-time resident undergraduate students in an academic year.

If the number of applicants who apply to UT for admission in the next academic year and who qualify for automatic admission exceeds 75 percent of UT's enrollment capacity, UT shall, not later

than September 15, provide to each district, for dissemination to high school juniors and their parents, notice of which percentile ranks of high school seniors who qualify for automatic admission are anticipated to be offered admission during the next school year.

Education Code 51.803(a-1)–(a-2)

Curriculum
Requirements

An applicant who does not satisfy the curriculum requirements for the distinguished level of achievement under the foundation program, the Recommended High School Program, or the Advanced/Distinguished Achievement High School Program is considered to have satisfied those requirements if the student completed the portion of the applicable curriculum that was available to the student but was unable to complete the remainder solely because the necessary courses were unavailable to the student at the appropriate times in the student's high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control. *Education Code 51.803(b)*

To qualify for admission under this section, an applicant must submit an application before the expiration of any application filing deadlines and provide a transcript that satisfies the requirements listed in Education Code 51.803(d). A student's transcript or diploma must, not later than the student's junior year, indicate the student's progress toward satisfying the curriculum requirements [see EI]. *Education Code 51.803(c)-(d)*

Signs to Be Posted

A board shall require each high school in the district to post appropriate signs in each school counselor's office, in each principal's office, and in each administrative building indicating the substance of the automatic admission provisions above. *Education Code 28.026*

Dissemination

A district shall provide each student, at the time the student first registers for one or more classes required for high school graduation, with a written notification concerning automatic college admission, the curriculum requirements for financial aid under Education Code, Title 3, and the benefits of completing the requirements for automatic admission and financial aid. A school district shall obtain written acknowledgement of receipt of the notification from each eligible student and student's parent or guardian. The notification must be signed by the student's school counselor in addition to being signed by the student and the student's parent or guardian. *19 TAC 61.1201*

To assist in dissemination of information regarding the automatic admissions program, a district shall:

1. Require that each school counselor and class advisor at a high school be provided a detailed explanation of the substance of the program;
2. Provide each student, at the time the student first registers for one or more classes required for high school graduation, with a written notification, using the appropriate form adopted by the Commissioner, of the substance of the program;
3. Require that each school counselor and senior class advisor at a high school explain to eligible students the substance of the program;
4. Require that, at the beginning of grades 10 and 11, a certified counselor explain the requirements of automatic admission to a general academic teaching institution to each student who has a grade point average in the top 25 percent of the student's high school class [see FFEA]; and
5. Not later than the 14th day after the last day of classes for the fall semester or an equivalent date in the case of a school operated on a year-round system, provide each eligible senior student and each junior student who has a grade point average in the top ten percent of the student's high school class, and the student's parent or guardian, with a written notification, using the appropriate form adopted by the Commissioner, of the student's eligibility with a detailed explanation in plain language of the substance of the program. The district shall obtain written acknowledgment of receipt of the notification from each eligible student and the student's parent or guardian.

Education Code 28.026, 33.007(c)

Note: The [Notification of Eligibility for Automatic College Admission](#),¹ intended to satisfy the requirement at item 5 above, is available on the TEA website.

Class Rank

High school rank for students seeking automatic admission to a general teaching institution on the basis of their class rank is determined and reported as follows:

1. Most recent available class rank, based on a point in time no earlier than the end of the 11th grade, shall be used for admission decision-making.
2. The top ten percent and top 25 percent of a high school class shall not contain more than ten percent and top 25 percent, respectively, of the total class size.

3. The student's rank shall be reported by the applicant's high school or school district as a specific number out of a specific number total class size.
4. Class rank shall be determined by the Texas school or district from which the student graduated or is expected to graduate.

19 TAC 5.5(f)

Certain Programs

If the program meets the requirements of Education Code 51.8045, a board may treat a high school magnet program, academy, or other special program conducted by the district at a high school attended by high school students who are not in the special program as an independent high school with its own graduating class for purposes of Education Code 51.803 and 51.804 only (top ten and top 25 percent rule). *Education Code 51.8045*

**End-of-Course
Assessments**

A student's performance on an end-of-course assessment instrument may not be used in determining the student's class ranking for any purpose, including entitlement to automatic college admission. *Education Code 39.0232(b)(1)*

¹ Notification of Eligibility for Automatic College Admission:
<http://tea.texas.gov/index2.aspx?id=2147485632>

Resolution of the Board Regarding Policy EIC(Local), Class Rank

WHEREAS, on August 17, 2020, the Groesbeck ISD Board of Trustees approved a change in EIC(LOCAL) beginning for the Class of 2024.

WHEREAS, on June 21, 2021, The Groesbeck ISD Board of Trustees learned of some unintended consequences related to EIC(LOCAL) for students that took Algebra I as an eighth grade student.

NOW, THEREFOR, BE IT RESOLVED, that the Board of Trustees of Groesbeck Independent School District make the following adjustment to policy EIC(LOCAL), Class Rank:

- The calculation of class rank for the graduating class of 2024 shall exclude semester grades in Algebra I taken prior to grade 9.

The authority granted by this resolution to adjust EIC(LOCAL) calculations shall apply for the Class of 2024, unless the Board takes further action.

Adopted this 2nd day of August, 2021 by the Board of Trustees.

President Officer

Secretary

**VIII. DISCUSSION AND POSSIBLE ACTION ON POLICY
EIE(LOCAL) REVISION**

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PROPOSED REVISIONS

Curriculum Mastery	Promotion and course credit shall be based on mastery of the curriculum. Expectations and standards for promotion shall be established for each grade level, content area, and course and shall be coordinated with compensatory, intensive, and/or accelerated services. [See EHBC] The District shall comply with applicable state and federal requirements when determining methods for students with disabilities [see FB] or students who are English language learners [see EHBE and EKBA] to demonstrate mastery of the curriculum.
Students Receiving Special Education Services	Any modified promotion standards for a student receiving special education services shall be determined by the student's admission, review, and dismissal (ARD) committee and documented in the student's individualized education program (IEP). [See EHBA series and EKB]
Standards for Mastery	In addition to the factors in law that must be considered for promotion, mastery shall be determined as follows: <ol style="list-style-type: none">1. Course assignments and unit evaluation shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade.2. Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required.
Grades 1–8	In grades 1–8, promotion to the next grade level shall be based on the student earning: <ol style="list-style-type: none">1. A grade of 70 or above in reading and mathematics; and2. A grade of 70 or above in two of the following areas: language arts, either science, and or social studies.
Grades 9–12	Grade-level advancement for students in grades 9–12 shall be earned by course credits. [See EI]
Accelerated Instruction	If a student fails to demonstrate proficiency on a state-mandated assessment, the student shall be provided accelerated instruction in accordance with state law. Additionally, students in grades 5 and 8 shall be subject to all provisions of Grade Advancement Testing, below.
Grade Advancement Testing	Except when a student will be assessed in reading or mathematics above his or her enrolled grade level, students in grades 5 and 8 must meet the passing standard on the applicable state-mandated

	<p>assessments in reading and mathematics to be promoted to the next grade level, in addition to the District's local standards for mastery and promotion.</p>
<p>Definition of "Parent"</p>	<p>For purposes of this policy and decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters [see FD]; a surrogate parent acting on behalf of a student with a disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student. [See EIE(LEGAL)]</p>
<p>Alternate Assessment Instrument</p>	<p>The Superintendent or designee shall select from the state approved list, if available, for each applicable subject an alternate assessment instrument that may be used for the third testing opportunity. Each student's GPC shall decide whether he or she shall be given the statewide assessment instrument or the applicable alternate instrument for the third testing opportunity. The committee's decision shall be based on a review of the student's performance in the previous testing opportunities, local assessments, and any other circumstances it deems appropriate.</p>
<p>Standards for Promotion Upon Appeal</p>	<p>If a parent initiates an appeal of his or her child's retention following the student's failure to demonstrate proficiency after the third testing opportunity, the GPC shall review all facts and circumstances in accordance with law.</p> <p>The student shall not be promoted unless:</p> <ol style="list-style-type: none">1.—All members of the GPC agree that the student is likely to perform on grade level if given additional accelerated instruction during the following school year in accordance with the educational plan developed by the GPC; and2.—The student has completed required accelerated instruction in the subject area for which the student failed to demonstrate proficiency. <p>Whether the GPC decides to promote or to retain a student in this manner, the committee shall determine an accelerated instruction plan for the student for the following school year, providing for interim reports to the student's parent and opportunities for the parent to consult with the teacher or principal as needed. The principal</p>

~~or designee shall monitor the student's progress during the following school year to ensure that he or she is progressing in accordance with the plan.~~

~~Transfer Students~~

~~When a student transfers into the District having failed to demonstrate proficiency on applicable assessment instruments after two testing opportunities, a GPC shall convene for that student. The GPC shall review any available records of decisions regarding testing and accelerated instruction from the previous district and determine an accelerated instruction plan for the student.~~

~~If a parent initiates an appeal for promotion when a student transfers into the District having failed to demonstrate proficiency after three testing opportunities, the GPC shall review any available records of decisions regarding testing, accelerated instruction, retention, or promotion from the previous district and issue a decision in accordance with the District's standards for promotion.~~

Assignment of Retained Students

~~A student not promoted to the next grade level shall remain at the same campus or shall be assigned to a similar campus setting.~~

Reducing Student Retention

~~The District shall establish procedures designed to reduce retaining students at a grade level, with the ultimate goal being elimination of the practice of retaining students. [See EHBC]~~

**Student
Advancement**

A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. [See EI]

In determining promotion, a district shall consider:

1. The recommendation of the student's teacher;
2. The student's grade in each subject or course;
3. The student's score on an assessment instrument administered under Education Code 39.023(a), (b), or (l), to the extent applicable; and
4. Any other necessary academic information, as determined by the district.

Education Code 28.021(a), (c)

**Grade Advancement
(Grades 5 and 8)**

In addition to Board policy relating to student advancement, students in grades 5 and 8 must demonstrate proficiency in reading and mathematics, as required by Education Code 28.0211(a), in order to advance to the next grade.

A student demonstrates proficiency by meeting the passing standard on the appropriate assessment instrument specified by 19 Administrative Code 101.2003(a) [see Grade Advancement Testing, below] or on a state-approved alternate assessment authorized by 19 Administrative Code 101.2011 [see Alternate Assessment, below].

A student who does not demonstrate proficiency may advance to the next grade only if:

1. The student has completed the required accelerated instruction under 19 Administrative Code 101.2006 [see Accelerated Instruction, below];
2. The student's grade placement committee (GPC) determines by unanimous decision, in accordance with the standards for promotion established by the board, that the student is likely to perform at grade level at the end of the next year given additional accelerated instruction. In accordance with Education Code 28.021, to determine grade promotion, a district is required to consider:
 - a. The recommendation of the student's teacher;
 - b. The student's grades;
 - c. The student's assessment scores; and

- d. Any other necessary academic information; and
3. In accordance with Education Code 28.0211(n), the district will ensure that the student who is promoted by the GPC under 19 Administrative Code 101.2007 shall be assigned to a teacher who meets all state and federal qualifications to teach the subject and grade in each subject in which the student failed to perform satisfactorily on an assessment instrument specified under Education Code 28.0211(a).

Education Code 28.0211(a); 19 TAC 101.2001(b)

**Advancement
Requirements**

By the start of the school year, a district shall make public the requirements for student advancement under Education Code 28.021. *Education Code 28.021(d)*

The superintendent shall also notify parents of the grade advancement requirements under Education Code 28.0211 at the beginning of the school year. A district shall implement grade advancement requirements in accordance with 19 Administrative Code Chapter 101, Subchapter BB and the TEA procedures outlined in the official Student Success Initiative (SSI) manual, published annually by TEA. *19 TAC 101.2001(a), .2009(a)*

Retention

A district is not precluded from retaining, in accordance with state law or board policy, a student who performs satisfactorily on a grade advancement test. *Education Code 28.0211(g)*

Students who have been retained in grade 8 in accordance with the grade advancement testing requirements may earn course credit for high school graduation during the next school year in subject areas other than the required courses in the subject area which caused the student to be retained. *19 TAC 101.2019(a)*

**Grade Advancement
Testing**

A district shall test eligible students in accordance with the grade advancement requirements set forth below.

Eligible Students

An eligible student is subject to all grade advancement requirements, including automatic retention, if the student is enrolled in a district on any day between January 1 and the date of the first administration of the grade advancement assessments.

An eligible student who does not meet the criteria specified above but enrolls in a district at any time after the date of the first administration of the grade advancement assessments is not subject to the grade advancement requirements.

A district must provide the student the opportunity to test and access to accelerated instruction.

19 TAC 101.2003(b)-(c)

Required
Assessment

A student may not be promoted to:

1. The sixth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the fifth grade mathematics and reading assessment instruments; or
2. The ninth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the eighth grade mathematics and reading assessment instruments.

Education Code 28.0211(a); 19 TAC 101.2003

Exception

Education Code 28.0211 does not require the administration of a fifth or eighth grade assessment instrument in a subject under Education Code 39.023(a) to a student enrolled in the fifth or eighth grade, as applicable, if the student:

1. Is enrolled in a course in the subject intended for students above the student's grade level and will be administered an assessment instrument adopted or developed under Education Code 39.023(a) [see EKB] that aligns with the curriculum for the course in which the student is enrolled; or
2. Is enrolled in a course in the subject for which the student will receive high school academic credit and will be administered an end-of-course assessment instrument [see EKB] for the course.

Notwithstanding any other provision of Education Code 28.0211, the student may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument not required to be administered to the student, nor may a student in grade 5 or grade 8 be denied promotion to the next grade on the basis of failure to perform satisfactorily on a reading or mathematics assessment instrument intended for use above the student's grade level.

Education Code 28.0211(o)–(p); 19 TAC 101.2001(d)

Test Schedule

TEA shall provide three opportunities per year for the tests required for grade advancement. A superintendent shall establish procedures to ensure that:

1. Each eligible student who is absent or does not receive a test score for any test administration shall receive appropriate accelerated instruction as warranted on an individual basis; and
2. Each eligible student who is absent or does not receive a test score for all three test opportunities and is consequently retained shall receive other appropriate means of evaluation,

including an alternate assessment, so that the GPC has sufficient evidence for its review upon appeal by a parent or guardian.

19 TAC 101.2005(b)–(c)

A district must accommodate the request of an out-of-district student to participate in the third administration of a test required for grade advancement if the district is testing one or more local students on the applicable test and if the out-of-district student has registered to take the test by a date determined by TEA. *19 TAC 101.2005(d)*

Notice of Grade
Advancement
Testing
Requirements

A superintendent shall be responsible for:

1. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in a district, of the testing requirements for grade advancement;
2. Notifying each student in grades 1–8 who is new to the district and the student's parent or guardian in writing of the testing requirements for grade advancement; and
3. Notifying each student required to take the grade advancement tests of the dates, times, and locations of testing.

19 TAC 101.3012(b)

**Unsatisfactory
Performance on
Grade Advancement
Tests**

A district shall provide to a student who initially fails to perform satisfactorily on a grade advancement test at least two additional opportunities to take the assessment instrument. *Education Code 28.0211(b)*

Accelerated
Instruction

Each time a student fails to perform satisfactorily on a grade advancement test, a district shall provide the student with accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. Accelerated instruction shall be based on, but not limited to, guidelines on research-based best practices and effective strategies as outlined in the SSI manual, which districts may use for developing accelerated instruction.

*Before the Next
School Year*

A student who fails to perform satisfactorily on a grade advancement test shall be provided accelerated instruction before the next administration of the applicable assessment. An accelerated instruction group for students who have failed an assessment may

not have a ratio of more than ten students for each teacher per class.

Education Code 28.0211(c); 19 TAC 101.2006(e)(1)

*During the Next
School Year*

If a student fails to perform satisfactorily on a grade advancement test after three attempts, the accelerated instruction shall be provided during the next school year according to an educational plan developed for the student by the student's GPC. A district shall provide the instruction regardless of whether the student has been promoted or retained. The educational plan shall be designed to enable the student to perform at the appropriate grade level by the conclusion of the school year. During the school year, the student shall be monitored to ensure the student is progressing in accordance with the plan. A district shall administer to the student the assessment instrument for the grade level in which the student is placed at the time the district regularly administers the assessment instrument for that school year. *Education Code 28.0211(f)*

Transportation

A district shall provide students required to attend the accelerated programs described above with transportation to those programs if the programs occur outside of regular school hours. *Education Code 28.0211(j); 19 TAC 101.2006(b)*

Notice to Parents of
Performance and
Accelerated
Instruction

In addition to providing the accelerated instruction, a district shall notify the student's parent or guardian of:

1. The student's failure to perform satisfactorily on the assessment instrument;
2. The accelerated instruction program to which the student is assigned; and
3. The possibility that the student might be retained at the same grade level for the next school year.

Whenever a district is required to notify a parent or guardian about the requirements related to promotion and accelerated instruction, the district shall make a good-faith effort to ensure that the notice is provided either in person or by regular mail, is clear and easy to understand, and is written in English or in the parent or guardian's native language.

Education Code 28.0211(d), (h)

After Early
Identification of At-
Risk Students
Notice

A district shall provide early notice to parents or guardians of students identified in a preceding grade to be at risk of failure on the first administration of the assessment required for grade advancement the next year. A superintendent shall establish the instruments/procedures to be used to make this determination. This no-

tice shall include accelerated instruction participation requirements as stipulated by 19 Administrative Code 101.2006 and be provided before the end of the school year preceding the grade advancement requirements. *19 TAC 101.2009(b)*

After First Testing
Opportunity

Notice

A district shall establish procedures to notify the parent or guardian of a student who has failed to demonstrate proficiency on the first administration of a grade advancement assessment. This notification should be made within five working days of a district's receipt of student assessment results from this administration. This notice shall include the student's assessment results, a description of the district's grade advancement policy, the required accelerated instruction to which the student has been assigned, and the possibility that the student might be retained at the same grade level for the next school year. In addition, the notice shall encourage parents or guardians to meet immediately with the student's teacher to outline mutual responsibilities to support the student during accelerated instruction. *19 TAC 101.2009(c)*

After Second
Testing Opportunity

Notice

Within five working days of a district's receipt of student assessment results for the second administration of the assessment required for grade advancement, the district shall notify the campus principal of student assessment results for each student who fails to demonstrate proficiency. Upon receipt of this notice, the principal shall notify the teacher and parent or guardian of the assessment results. This notice shall include a description of the purpose and responsibilities of a GPC and the time and place for the first meeting of the GPC. *19 TAC 101.2007(c)*

*Grade Placement
Committee*

After a student fails to perform satisfactorily on an assessment instrument a second time, a GPC shall be established to prescribe the accelerated instruction the student is to receive before the assessment instrument is administered the third time. The superintendent of each district shall establish procedures for convening the GPC.

In accordance with 19 Administrative Code 101.2006(d), decisions by the GPC shall be made on an individual student basis, address required participation of the student in accelerated instruction, and ensure the most effective instruction to support the student's academic achievement on grade level.

The GPC shall be composed of the principal or the principal's designee, the student's parent or guardian, and the student's teacher of the subject of the grade advancement assessment on which the student failed to perform satisfactorily. If this teacher is unavailable, the principal shall designate to serve on the committee a teacher certified in the subject of the assessment on which the student

failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

If more than one parent or guardian has the authority to make educational decisions regarding the student, a good faith effort must be made to notify both parents, but participation of any one parent or guardian is sufficient. Either parent or only one guardian may initiate an appeal. If both parents or guardians serve on the GPC but do not agree, either may agree to promote the student if the remaining members of the GPC also agree to the promotion. A district may accept a parent's or guardian's written designation of another person to serve on the GPC for all purposes. A district may accept a parent's or guardian's written and signed waiver of participation in the GPC and designation of the remaining members of the GPC as the decision-making entity for all purposes.

If a parent or guardian or designee is unable to attend a meeting, a district may use other methods to ensure parent participation, including individual or conference telephone calls. A district may designate another person to act on behalf of the student in place of a parent, guardian, or designee if no such person can be located. A surrogate parent named to act on behalf of a student with a disability shall be considered a parent for this purpose. The district shall make a good faith effort to notify a parent or guardian to attend the GPC. If the parent or guardian is unavailable, the remaining members of the GPC must convene as required by law and take all necessary actions required.

Education Code 28.0211(c); 19 TAC 101.2007(a)–(b)

*Alternate
Assessment*

For the third testing opportunity, a board may choose to use a state-approved alternate assessment instead of the statewide assessment instrument. If a board adopts such a policy, the district shall select from a list provided annually by the Commissioner only one test for each applicable grade and subject. The alternate assessment must be given during the period established by the Commissioner in the assessment calendar to coincide with the date of the third administration of the statewide assessment.
19 TAC 101.2011(a)–(b)

Parental Waiver

A superintendent shall establish a waiver process by which a parent or guardian may request that a student not participate in the third test opportunity due to potential harm to the student. The waiver must provide documentation of potential harm, student need, and other appropriate information. If a parental waiver is granted, the student must still participate in all required accelerated instruction and is subject to retention based on the failure on the second test administration. *19 TAC 101.2015*

After Third Testing
Opportunity

Notice

The GPC must convene again if a student fails to demonstrate proficiency on the third administration of an assessment required for grade advancement and is thereby automatically retained at the same grade level. Within five working days of receipt of student assessment results for this administration, a district shall notify the campus principal of the assessment results for each eligible student who fails to demonstrate proficiency. Upon receipt of this notice, the principal shall notify the teacher and parent or guardian of the time and place for the GPC to hold a meeting. This notice shall inform the parent or guardian of the opportunity to appeal the automatic retention of the student. A district shall establish a procedure to ensure a good faith effort is made toward securing the parent's or guardian's receipt of the retention notification. *19 TAC 101.2007(e)*

*Retention and
Appeal*

A student who fails to perform satisfactorily after at least three attempts on one of the grade advancement tests shall be retained at the same grade level for the next school year. The parent or guardian may appeal the retention by submitting a request to the GPC within five working days of receipt of the retention notification. *Education Code 28.0211(e); 19 TAC 101.2007(e)*

The GPC may not agree to promote a student unless a parent, guardian, or designee has appealed. *19 TAC 101.2007(b)(2)*

If an appeal is initiated by the parent or guardian, the GPC may decide in favor of promotion only if the GPC concludes, upon review of all facts and circumstances, and in accordance with standards adopted by the board, that the student is likely to perform on grade level given additional accelerated instruction during the next school year. A student may be promoted only if the decision of the GPC is unanimous and the student has completed all required accelerated instruction.

The review and decision of the GPC must be appropriately documented as meeting the standards adopted by the board and made in conformance with procedures specified in the SSI manual and as required by 19 Administrative Code 101.2001(b). These standards must include consideration of the following:

1. The recommendation of the student's teacher;
2. The student's grades;
3. The student's assessment scores; and
4. Any other necessary academic information as determined by the district.

19 TAC 101.2007(f)

The placement decision by the GPC shall be made before the start of the next school year, or if applicable, upon re-enrollment of the student after this date. *19 TAC 101.2007(g)*

The committee's decision regarding placement is final and may not be appealed. *Education Code 28.0211(e)*

*Accelerated
Instruction*

A student who fails to perform satisfactorily on a grade advancement test after three attempts and who is promoted to the next grade level must complete all required accelerated instruction before placement in the next grade level. A student who fails to complete required accelerated instruction may not be promoted. *Education Code 28.0211(a-2); 19 TAC 101.2006(e)(2)*

In each subject in which the student failed to perform satisfactorily on the grade advancement test, a student who is promoted by the GPC must be assigned to a teacher who meets all state and federal qualifications to teach that subject and grade. *Education Code 28.0211(n)*

Transfer Students

A student who has been promoted upon completion of a school year in a school other than a Texas public school may be enrolled in that grade without regard to whether the student has successfully completed a grade advancement test. This does not limit a district's ability to appropriately place such a student. *19 TAC 101.2007(h)*

English Language Learners (ELLs)

The language proficiency assessment committee (LPAC) shall determine appropriate assessment and accelerated instruction for an English language learner (ELL) who is administered a grade advancement test in English or Spanish, except as provided by 19 Administrative Code 101.1005. The GPC for an ELL shall make its decisions in consultation with a member of the student's LPAC. *19 TAC 101.2003(e)* [See EKBA]

Students Receiving Special Education Services

A student who is receiving special education services, including an ELL, who is enrolled in grade 5 or 8, and who is receiving instruction in the essential knowledge and skills in reading or mathematics is eligible for grade advancement testing as outlined in the official SSI manual. The student's admission, review, and dismissal (ARD) committee shall determine appropriate assessment and accelerated instruction for the student. Decisions regarding assessments for ELLs who receive special education services shall be made by the ARD committee in conjunction with the LPAC.

The ARD committee of a student who does not perform satisfactorily on an assessment instrument in grade 5 or 8 must meet before the student is administered the assessment

instrument for the second time. The committee shall determine the manner in which the student will participate in an accelerated instruction program and whether the student will be promoted in accordance with provisions below or retained.

At a meeting of the ARD committee, the committee may promote the student to the next grade level if the committee concludes that the student has made sufficient progress in the measurable academic goals contained in the student's IEP. A school district that promotes a student is not required to provide an additional opportunity for the student to perform satisfactorily on the assessment instrument.

Not later than September 1 of each school year, a district must notify the parent or person standing in parental relation to a student enrolled in the district's special education program, of the options of the ARD committee if the student does not perform satisfactorily on an assessment instrument.

Education Code 28.0211(i), (i-1), (i-2); 19 TAC 101.2003(d), (f)

**Students with
Dyslexia**

In measuring the academic achievement or proficiency of a student who has dyslexia, the student's potential for achievement or proficiency in the area must be considered. *Education Code 28.021(b); 19 TAC 101.2003(g)* [See policies at EHB, EKB, and FB]

**Age-Appropriate
Assignment**

A board may establish a policy that provides for the placement of retained students in an age-appropriate learning environment. In accordance with local grade configurations for elementary, middle, and high school campuses, a board may specify the age by which a retained student should be placed on the next level campus even though not yet promoted to the grade of that campus. *19 TAC 101.2019(b)*

**Optional Extended-
Year Program**

A student who does not meet district standards or policies for promotion on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level shall be eligible for services under the optional extended-year program. *19 TAC 105.1001(c)*

A student who attends at least 90 percent of the extended-year program days and who satisfies the requirements for promotion (academic achievement or demonstrated proficiency of the subject matter of the course or grade level) shall be promoted to the next grade level at the beginning of the next school year. However, if the student's parent presents a written request to the school principal asking that the student not be promoted, the principal shall hold a formal meeting with the parent, the teacher, and the school counselor, as soon as practicable after receiving such a request. During

the meeting, the principal, teacher, or school counselor shall explain the possible effects of not promoting a student. If the parent withdraws the request after the meeting, the student shall be promoted, and the district shall continue to use innovative practices to ensure that the student is successful in school in succeeding school years.

If a district provides an extended-year program, it shall adopt a policy designed to lead to immediate reduction and ultimate elimination of student retention.

Education Code 29.082(e)-(f) [See EHBC]

**IX. DISCUSSION AND POSSIBLE ACTION ON GRADING
POLICY**

33

“Every Kid A Winner”
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Elementary School Grading Guidelines 2021-22

The purpose of grades is to communicate to parents/guardians and students the academic achievement of a student toward the mastery of standards in all coursework, including courses with Texas Essential Knowledge and Skills (TEKS). Report cards and progress reports serve as written notice to a parent/guardian of a student’s current level of achievement in each class, subject, or course during a specified period. Grades are not indicators of disciplinary action or nonacademic performance or behaviors. “Reporting Period” and “9 weeks” are used synonymously and interchangeably throughout this document. This document was developed in accordance with EIA (LEGAL), EIA (LOCAL), EIE (LEGAL) and EIE (LOCAL) Policy.

H.O.W. and E.W.I.S. require a combined use of the following grading practices:

- Classroom use of defined performance criteria, including rubrics for which student responses, products, or performances are evaluated to ensure consistent scoring practices and clarity of student performance expectations.
- Multiple measures (more than one type of assessment to examine the same kind of knowledge as well as more than one assessment to evaluate learning of the same body of knowledge).
- Timely and continuous feedback on assignments and assessments.

Progress Reports (PR):

Progress reports shall be sent home to parents/guardians twice per grading period (after the first 3 weeks and after the 6 weeks).

Report Cards (RC):

Report cards shall be sent home to parents/guardians at the end of each nine week grading period. The number of absences and tardies shall be included on the report cards.

If the student’s performance in the subject is consistently unsatisfactory, as determined by the district, the Progress Report and/or the Report Card must:

- (1) provide for the signature of a student’s parent/guardian; and
- (2) be returned to the district.

Guidelines for grading student work in Pre-Kindergarten and Kindergarten include:

- Pre-Kindergarten (Pre-K) and Kindergarten have a report card designed to assist teachers in evaluating the ongoing growth and development of the student.
- The grade level standards are set by the state to indicate what a student should know and be able to do. Students are evaluated based on their progress toward meeting benchmarks for each standard. The following symbols are used to express mastery or non-mastery of each skill:
 - E=Exceeds grade level standards
 - S=Satisfactory meets grade level standards
 - N=Needs improvement to meet grade level standards
 - U=Unsatisfactory and does not meet the grade level standards

Guidelines for grading student work in all courses 1st-6th grade include:

All grades on report cards and academic records (transcripts) are numerical, ranging from 0-100. To receive credit for a course, a student must achieve a minimum grade of 70% for the final grade of the course and must have attended the class at least 90% of the time. Students who receive a grade below 70% at the end of the grading period will be suspended from extra-curricular activities for at least the following three week period (SB1, Chapter 33). State law requires students to make a passing grade in their classes in each reporting period in order to be eligible to participate in any extracurricular performance or competition for the next three weeks.

- Grades entered in the teacher's gradebook, progress reports and report card grades will reflect progress toward and achievement of knowledge and skills as outlined in the TEKS. 70% is considered a passing grade. Teachers will enter grades into the District electronic gradebook (ASCENDER), on a weekly basis for Progress Reports (PRs) and ultimately Report Cards (RCs).
- All grades will be categorized as daily work (tests, projects, presentations, quizzes, daily assignments). The grades will be recorded as numerical grades:
 - A=90-100%
 - B=80-89%
 - C=70-79%
 - F=Below 70%
 - I=Incomplete
- A student found to have engaged in academic dishonesty will be subject to grade penalties on assignments or tests as well as disciplinary penalties in accordance with the Student Code of Conduct. [See EIA (Local)]. Grade penalties will be consistent across the entire elementary campus.

- A student **may** be permitted a reasonable opportunity to redo an assignment or retake a test within the grading period for which the student received a failing grade.
- A student will be permitted to take tests administered in any class or make-up any assignments missed because of an absence regardless of the absence reason. Teachers will put a “1” in the gradebook to indicate to the student, parent/guardian that the assignment/test is eligible to be made up. Teachers will not leave the grade blank. Students will be given one day for each day absent to make up work for an absence. Any extenuating circumstances, e.g. extended illness or accident, may be given individual consideration by the campus principal. A student will receive a grade of zero for any assignment or test not made up within the allotted time.
- A student transitioning from the Disciplinary Alternative Education Placement (DAEP) program will earn grades through Odysseyware. The DAEP instructor will email grades to the Teacher of Record (TOR). The TOR will then input grades accordingly. See the campus Behavior Coordinator for specific details.
- The grade issued by a teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the district grading policy applicable to the grade, as determined by the board of trustees of the school district.
- A student or parent who feels that the grade received by the student has not been determined according to the grading guidelines and/or campus grading procedures is encouraged to discuss the concern with the teacher first. If the concern is not resolved based on these grading guidelines and Board policy, the student or parent/guardian may present the concern to the Principal. The Principal will investigate the facts to ensure that the grade is accurate and was determined in accordance with the established District grading guidelines, campus grading procedures and Board policies.
- The teacher will:
 - post grades in a timely manner.
 - record and publish a minimum of fifteen(15) grades in the electronic gradebook (ASCENDER) that is made available to parents through the parent portal, ASCENDER. A minimum of five (5) grades must be recorded and published prior to each progress report being issued.
 - make sure that RLA (Reading and Language Arts) grades consist of an equal amount of spelling (K-5), writing, vocabulary, fluency, and comprehension.
 - carefully label (with S.E.) each column of grades so that anyone who examines the record can easily determine how the grades were computed and what skill was assessed.
 - not record a grade over 100 on the report card or on the academic achievement record.

- not lower a grade for non-academic reasons including but not limited to the following: no name on the paper, no header on paper, date missing, etc.
 - will notify the parent/guardian when a student is not achieving progress toward or achievement of the TEKS/Standards. Documentation of parent/guardian communication must be maintained when a student's average falls below 70% in any class or if the student is in danger of failing. The progress report being sent home is not considered sufficient documentation.
- The campus Principal will:
 - communicate, discuss, and review the grading guidelines and campus developed grading procedures for retests/retakes/redos to ensure that they are understood by all stakeholders (teachers, students, and parents) at the beginning of the school year.
 - make sure the campus grading guidelines are available on the District's website.

CRITERIA FOR PROMOTION

- **Grades 1-6**

Promotion to the next grade level shall be based on the student earning:

- A grade of 70 or above in RLA (reading and language arts) and mathematics; and
- A grade of 70 or above in one of the two following areas: science and social studies.

**X. DISCUSSION AND POSSIBLE ACTION ON 2021-2022
STUDENT CODE OF CONDUCT**

38

Changes to 2021-22 Student Code of Conduct

- Formatted and cleaned up the document
- Corrected references to page #s

1. Possession of Prohibited Items

“A Firearm silencer or suppressor” was added to the list of prohibited items. HB 957 removed from state law criminal penalties for possession of a firearm silencer and added provisions to the Government Code regarding regulation of firearm suppressors, defined as any device designed to muffle the report of a firearm. Federal law continues to require expulsion for one year of a student who brings to school a “firearm,” including a firearm muffler or silencer. A school district may choose whether to add these devices to the list of locally prohibited items. Note that the Texas Government Code restricts a district’s authority to enforce a ban on firearm suppressors with regard to the general public. School officials may want to seek legal advice regarding the change in law.

2. E-Cigarettes

There was no change to the text of the SCOC regarding e-cigarettes, but SB 248 expanded the definition of e-cigarettes in the Health and Safety Code.

3. Misc. Offenses

The following text was added to the list:

“Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.”

The provision addressing cheating has been broadened to reference academic dishonesty and provide examples to align with policy EIA(LOCAL).

4. Students with Disabilities

There was no change to the text of the SCOC, but HB 785 amended Section 37.004 to require the district to, no later than ten school days after the change in placement: (1) seek consent from the parent to conduct a functional behavioral assessment (FBA) if the student has never had an FBA or the existing FBA is more than one year old, (2) review any previous FBAs and/or behavior intervention or improvement plans (BIPs), and (3) develop a BIP or revise the existing one, as necessary.

5. Property Offenses

To reflect common district practice, a provision has been added stating that students shall not enter district facilities that are not open for operations without authorization.

“Enter, without authorization, district facilities that are not open for operations.”

6. Appeals

The following text was added to the section on appeals:

In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

7. Discretionary Expulsion

HB 375 amends the offense of continuous sexual abuse of a young child or children under Penal Code 21.02 to include continuous sexual abuse of “a disabled individual” and amends the name of the offense to reflect this change.

The text in the SCOC for this offense now reads, “Continuous sexual abuse of a young child or disabled individual”

8. Definitions – Controlled Substance

SB 768 amends the Health and Safety Code to create a new penalty group (1-b) under the Texas Controlled Substances Act for fentanyl and related substances.

9. Definitions – E-Cigarette

As previously mentioned, the definition was expanded; it now reads:

“E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.”

10. Definitions – Harassment

SB 530 expands the offense of harassment under Penal Code 42.07 to include publishing repeated electronic communications that are likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

As such, the last part of the definition now reads:

“e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.”

Groesbeck Independent School District Student Code of Conduct

2021–22 School Year

If you have difficulty accessing the information in this document because of disability, please contact your child's campus principal.

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Groesbeck Independent School District Student Code of Conduct

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact your child's campus.

Purpose

The Student Code of Conduct ("Code"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences, including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Groesbeck Independent School District board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

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

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall prevail.

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

School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

1. During the regular school day;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at www.groesbeckisd.net and at https://www.groesbeckisd.net/99848_2.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

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

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

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

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district’s grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 20 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 14, **DAEP Placement** on page 15, **Placement and/or Expulsion for Certain Offenses** on page 23, and **Expulsion** on page 26, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 13.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 23.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 23.)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 23.)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 23. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 15 and **Expulsion** on page 26 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

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

General Conduct Violations

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 14.
- Placement in a DAEP, as specified in **DAEP** on page 15.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 23.
- Expulsion, as specified in **Expulsion** on page 26.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.

- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.groesbeckisd.net

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other administrator may place the student in:

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

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

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

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

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

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

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

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

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

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 6 and secondary classification shall be grades 7–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

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

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

Disciplinary Alternative Education Program (DAEP) Placement

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page 26.) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 26.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 26.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:

Disciplinary Alternative Education Program (DAEP) Placement

1. The student receives deferred prosecution (see **glossary**),
2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Disciplinary Alternative Education Program (DAEP) Placement

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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

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

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or

Disciplinary Alternative Education Program (DAEP) Placement

2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.groesbeckisd.net

Appeals shall begin at *the campus level (level one)* with the *campus behavior coordinator or principal*.

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

Restrictions During Placement

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

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program shall continue through graduation, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

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

Disciplinary Alternative Education Program (DAEP) Placement

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

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

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

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

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

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

Withdrawal During Process

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

Newly Enrolled Students

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

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

Disciplinary Alternative Education Program (DAEP) Placement

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

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

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

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

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

Newly Enrolled Students

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

Appeal

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

Certain Felonies

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

Placement and/or Expulsion for Certain Offenses

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Placement and/or Expulsion for Certain Offenses

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 15.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the

student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

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

Hearing

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

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.0.

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

The board of trustees delegates to the campus behavior coordinator, principal, hearing officer, superintendent, or other appropriate administrator authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.0.

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

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

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

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

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

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

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

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

Additional Misconduct

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

Restrictions During Expulsion

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

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

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

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.0.

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

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.0.

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

Abuse is improper or excessive use.

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

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

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

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

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

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

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

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

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

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the

purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **0.Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

Knuckles means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

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

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;

2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;
3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.0.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
 - a. A machine gun;
 - b. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.0.

Public Lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;

- c. Criminal mischief under Penal Code 28.03;
- d. Hazing under Education Code 37.152; or
- e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

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

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;

- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person’s physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the in-fluence” need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one’s body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

**XI. PRESENTATION AND REVIEW OF THE 2021-2022
EMPLOYEE HANDBOOK AND THE 2021-2022 STUDENT
HANDBOOK**

85

Groesbeck I.S.D. Changes to 2021-2022 Employee Handbook

Local Changes: Personnel names, contact information, and local policies have been changed to reflect the current information.

TASB Updates: As follows:

Topic	Page Number	Description of Change
Workload / Work Schedules DP(LOCAL)— personnel positions (SB 179)	10	<ul style="list-style-type: none"> - Add Policy DP under Section title - Add text: Workload and work schedules affected by SB 179 will be updated through DP(local) during the 2021-22 school year.
Certification and Licenses	12	<ul style="list-style-type: none"> - Added “Chapter 21” to the first sentence of the second paragraph to align with Texas Education Code
Health Safety Training	13	<ul style="list-style-type: none"> - Deleted “University Interscholastic League” in the first paragraph
Performance Evaluation	16	<ul style="list-style-type: none"> - Added text describing the nursing peer review process required by Texas Occupations Code Chapter 301 and 303 and Policy DP (LEGAL)
Overtime Compensation	18	<ul style="list-style-type: none"> - Changed wording of the fourth bullet from “may be” to “is”
Leaves and Absences	22	<ul style="list-style-type: none"> - Added the last sentence to the third paragraph describing when an employee may be subject to a deduction in pay for taking unapproved absences
State Sick Leave	24	<ul style="list-style-type: none"> - Deleted reference to use of state leave in specific increments

Local Procedures for Implementing Family and Medical Leave Provisions	28	- Updated the topic title (formerly Local Family and Medical Leave) to more accurately reflect the district's role in implementing family and medical leave as opposed to offering a locally defined benefit
Harassment of Students	53	- Revised the second paragraph to reflect revised standard for reporting child abuse required by HB 3379
Reporting Suspected Child Abuse	61	- Added "reasonable cause standard" to the first and second paragraphs to reflect revised standard for reporting child abuse required by HB 3379
Sexual Abuse and Maltreatment of Children	62	- Revised the last paragraph to reflect revised standard for reporting child abuse required by HB 3379
Employee Arrests and Convictions	68	- In bulleted list following paragraph two, replaced "SBEC rule" with "the Texas Family Code"
Tobacco Products and E-Cigarette Use	70	- In the "Local considerations" identified Texas Health and Safety Code §161.081 as the source of definition of e-cigarettes
Resignations	78	- Added reference to Policy DHB - Edited the second sentence in paragraph two to match provisions in Texas Education Code
Dismissal or Nonrenewal of Contract Employees	78	- Added reference to Policy DHB - Added the second paragraph describing principal and superintendent notification requirements
Bullying	84	- Editorial change making "cyberbullying" one word

Changes to the 2021-22 Student Handbook

Changes to 2021-22 Student Handbook

- Formatted and cleaned up the document
- Corrected references to page #s
- Replaced administrators' names
 - Replaced Dayne Duncan with Michael Milnes and appropriate director
 - Replaced Dr. Freeman with appropriate directors
 - Updated principals & assistant principals

1. Contact Info. Format

Contact information was changed from in-text to block format throughout handbook.

2. Board Meeting Dates, Calendar, etc.

All meeting dates and calendar items were updated to reflect the current school year.

3. Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service

Section changed to “Consent to Conduct a Psychological Evaluation”. The section text was updated to read only:

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

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

4. Consent to Human Sexuality Instruction

All-new text added to provide description and consent information in a manner consistent with the requirements of HB 1525.

Students must now have parental permission to participate; it was previously required for students who did not participate to “opt-out”.

5. Consent to Provide a Mental Health Care Service

All-new text added to establish procedures for providing mental health services and identifying our district mental health liaison.

Changes to the 2021-22 Student Handbook

6. Consent to Video or Audio Record a Student when Not Already Permitted by Law

The following text was added to clarify that prohibitions on recording extend to both in-person and virtual classroom visitors:

“Please note that parents and visitors to a classroom, both virtual and in person, may not record video or audio or take photographs or other still images without permission from the teacher or other school official.”

7. Objecting to the Release of Student Information to Military Recruiters and Institutions of Higher Education (Secondary Grade Levels Only)

The following text was added to include district email addresses to the existing categories of information that recruiters may collect:

“Military recruiters may also have access to a student’s district-provided email address, unless a parent has advised the district not to release this information.”

8. Consent Required Before Student Participation in a Federally Funded Survey

The following text was added, replacing a portion of the existing text, to clarify the protections afforded by The Protection of Pupil Rights Amendment (PPRA):

“...provides parents certain rights regarding participation in surveys, the collection and use of information for marketing purposes, and certain physical exams. A parent has the right to consent before a student is required to submit to a survey funded by the U.S. Department of Education that concerns any of the following protected areas:”

9. “Opting Out” of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information

The following text was added, replacing a portion of the existing text, to further clarify the protections afforded by The Protection of Pupil Rights Amendment (PPRA), namely the ability to opt-out of:

“Activities involving the collection, disclosure, or use of personal information gathered from the child for the purpose of marketing, selling, or otherwise disclosing that information to others.”

10. Right of Access to Student Records, Curriculum Materials, and District Records/Policies

The following text was added to clarify that the right to examine instructional materials extends to those materials used in virtual instruction:

Changes to the 2021-22 Student Handbook

“...whether instruction is delivered in-person, virtually, or remotely.”

11. Right of Access to Student Records, Curriculum Materials, and District Records/Policies

Dr. Cowley’s contact information was added, more clearly identifying him as the contact for needs regarding the records of current or former students.

12. A Student with Exceptionalities or Special Circumstances

The following text was added to two subsections in order to clarify the process for awarding credit to transfer students who are either in the custody of the state, or homeless:

“The district will assess the student’s available records to determine transfer of credit for subjects and courses taken before the student’s enrollment in the district.”

13. Absences/Attendance

The following text was added in order to comply with HB 699; HB 699, also known as Riley’s Rule, requires a school district to excuse a student absence resulting from a serious or life-threatening illness or related treatment that makes the student’s attendance infeasible. A parent must provide certification from a physician licensed to practice in Texas specifying the student’s illness and anticipated period of absence related to the illness or treatment. These absences may not be considered in determining whether a student has satisfied attendance for final grade or credit requirements and may not be a reason for referring a student to truancy court:

“Absences resulting from a serious or life-threatening illness or related treatment that makes a student’s attendance infeasible, with certification by a physician;”

Similar language was added to the “Attendance for Credit or Final Grade” section, clarifying that absences such as those described above cannot be used to diminish the academic standing of a student.

14. Certification of Absence Due to Severe Illness or Treatment

All-new text added to articulate the requirements for an absence to fall under the auspices of HB 699:

Changes to the 2021-22 Student Handbook

“If a student is absent because of a serious or life-threatening illness or related treatment that makes a student’s attendance infeasible, a parent must provide certification from a physician licensed to practice in Texas specifying the student’s illness and the anticipated period of absence related to the illness or treatment.”

15. Bullying

All-new text added to emphasize the district’s stance on bullying, as detailed in SB 2050:

“The district strives to prevent bullying, in accordance with the district’s policies, by promoting a respectful school climate; encouraging reporting of bullying incidents, including anonymous reporting; and investigating and addressing reported bullying incidents.”

16. College Credit

The following text was added to the existing text of the section in order to satisfy the requirements of SB 1095; SB 1095 requires districts to notify parents of students in grade 9 or above of qualifications for enrollment in programs through which a student may earn college credit, as well as the availability of subsidies for fees for AP or IB exams and of the requirements for enrollment.:

“A student may be eligible for subsidies based on financial need for AP or IB exam fees. See Fees (All Grade Levels) for more information. A student may also earn college credit for certain Career and Technical Education (CTE) courses. See Career and Technical Education (CTE) and Other Work-Based Programs (Secondary Grade Levels Only) on page 50 for information on CTE and other work-based programs.”

17. Parent Contact Information

All-new text designed to satisfy the requirements of SB 746; SB 746 requires a parent to provide in writing the parent’s contact information to the district.

“A parent is legally required to provide in writing the parent’s contact information, including address, phone number, and email address. A parent must provide the contact information to the district upon enrollment and again within two weeks after the beginning of each following school year while the student is enrolled in the district. If the parent’s contact information changes during the school year, the parent must update the information in writing no more than two weeks after the date the information changes.”

Changes to the 2021-22 Student Handbook

18. Kindergarten Acceleration

Policy from EHDC(LOCAL) added as all-new text to provide more information about kindergarten acceleration:

“In accordance with State Board rules, the Board shall approve procedures developed by the Superintendent or designee to allow a child who is five years old at the beginning of the school year to be assigned initially to grade 1 rather than kindergarten. Criteria for acceleration may include:

1. Scores on readiness tests or achievement tests that may be administered by appropriate District personnel.
2. Recommendation of the kindergarten or preschool the student has attended.
3. Chronological age and observed social and emotional development of the student.
4. Other criteria deemed appropriate by the principal and Superintendent.”

19. Dress Code

Reformatted in its entirety with slight changes, as suggested by district legal counsel:

“Dress and Grooming (All Grade Levels)

The District's Dress and Grooming Code (the Code) is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Students and parents may determine a student's personal dress and grooming standards, provided that the student's personal dress and grooming (1) shall not lead school officials to reasonably believe that such dress or grooming will disrupt, interfere with, disturb, or detract from school activities; (2) shall not create a health problem or safety hazard for the student or others; and (3) shall comply with the requirements set forth in the Code.

The guidelines herein shall not apply when a student is participating in physical education if compliance with the guidelines, in the discretion of the supervising educator or administrator, reasonably prevents a student from participating in such physical education.

The guidelines herein shall not apply to extracurricular activities if compliance with the guidelines, in the discretion of the supervising educator or administrator, reasonably prevents a student from participating in the extracurricular activity, such as athletics, theater arts, FFA, and the like.

Shirts: Any article of clothing made from "see-through" material that covers a student's torso must be accompanied by appropriate clothing underneath the "see-through" garment. Shirts

Changes to the 2021-22 Student Handbook

must cover the stomach and extend beyond the student's natural waistline; as such, exposed midriffs shall not be permitted. Articles of clothing with low necklines that reveal a female student's cleavage shall not be permitted. In grades 4-12, sleeveless shirts must have a width of no less than 3 inches across the student's shoulder. The District has deemed that the following articles of clothing constitute a disruption to the educational process:

1. Tank tops;
2. Spaghetti straps; and,
3. Any shirt that exposes the underarm or side of the torso.

Pants, Slacks, Jeans, and Shorts: All pants and shorts must be appropriately sized throughout the pant, including the legs and inseam (crotch). Pants and shorts must be worn at the student's natural waistline and not intentionally exposing the student's undergarment(s) or any portion of the student's buttocks. Shorts must reach at least 3 inches above the top of the student's kneecap and be properly hemmed or cuffed. Pants must be free of holes in the material three inches above the student's knee unless tights or another appropriate garment is worn beneath such holes. In grades 4-12, students may wear tight-fitting stretch pants, tights, "jeggings," or yoga-style pants only when a blouse, shirt, or sweater hem reaches to 3 inches above the knee or longer. The District has deemed that the following articles of clothing constitute a disruption to the education process:

1. Large-flared leg pants;
2. Baggy or oversized pants;
3. Pants adorned with chains or metal of any kind;
4. Parachute-style pants;
5. Pajamas or other forms of sleepwear; or,
6. Pants that reveal bare skin in a sexually-provocative manner.

Skirts and Dresses: All skirts and dresses must be appropriately sized, worn at the student's natural waistline, and be properly hemmed to at least 3 inches of the student's kneecap or longer all the way around the student's body when the student is standing.

Outerwear Clothing: All outerwear clothing, such as sweatshirts, sweaters, vests, jackets, coats, and the like, shall be worn appropriately sized in the student's shoulders, length, and sleeves. The District has deemed that the following articles of clothing constitute a disruption to the educational process:

1. Trench coats; and,
2. Excessively baggy outerwear.

Shoes: Students in all grade levels shall wear suitable footwear at all times when on school property or at school-related events. House shoes or other footwear not designed for outdoor use shall not be permitted on school property or at school-related events.

Changes to the 2021-22 Student Handbook

Clothing or Jewelry with Words or Pictures: Pursuant to Groesbeck ISD Board Policy FNA(LEGAL), clothing worn on school property or at school-related activities may not display printed statements or pictures:

1. That are lewd, vulgar, or obscene;
2. That are related to or depict sexual activity;
3. That promote violence in general or violence directed at any specific person or group of persons; or
4. That is related to or depicts the use of drugs, alcohol, or tobacco.

Jewelry & Accessories: In grades K-8, only females shall be permitted to wear earrings. In grades 9-12, male students may wear "stud" earrings. No student shall be permitted to wear jewelry in his or her mouth, such as "grills" and the like. Spiked accessories shall not be permitted. No chains may be visibly dangling from wallets or other items of clothing. Students shall not wear gloves or sunglasses indoors unless the student's parent, or the student if the student is over the age of 18, provides a note from a qualified medical provider stating that the wearing of gloves or sunglasses indoors is reasonably necessary for the student's education or health.

Tattoos or Body Piercing: Any body piercings or tattoos must be covered at all times while students are on school property or attending a school-related activity.

Gang Attire and Grooming: Clothing, grooming, or any attire that identifies or connects a student with a gang is prohibited. (See definition of gang in FNCA(LEGAL)]. The principal will maintain and regularly update a list of clothing, grooming, and other attire that has been identified as gang related and will make the list available to teachers and parents for review.

Hairstyles: Hair styles that cause disruption to the educational process, within the discretion of the campus principal or another administrator of the District, shall not be worn on school property or at school-related activities. Hair shall at all times be kept well-groomed and clean. Male students shall not be permitted to wear hair below the bottom of the student's shirt collar unless wearing hair exceeding that length is in conjunction with or as an expression of a student's sincerely held religious belief. The District has deemed that the following hairstyles constitute a disruption to the educational process: (1) mohawks and (2) spikes.

Facial Hair: No facial hair of any kind shall be permitted in grades K-8, such that those students must be clean-shaven when on school property or attending school-related events. In grades 9-12, students may wear well-groomed facial hair at any time, except when such students are sitting for Groesbeck High School Senior Pictures. This exception does not apply to a student who wears such facial hair in conjunction with or as an expression of a student's sincerely held religious belief.

Head Coverings: Head coverings, such as caps, hats, do-rags, bandanas, and the like, of any kind shall not be permitted indoors. Hoods shall not be permitted at any time when a student is on school property or at any school-related event; "hoodies" may only be worn with the hood completely off of the student's head. This provision shall not apply to a head covering worn in

Changes to the 2021-22 Student Handbook

conjunction with or as an expression of a student's sincerely held religious belief, such as a yarmulke, hijab, and the like.

If the campus principal or other appropriate administrator determines that a student's dress and/or grooming violates the Code, then the student may be given an opportunity to correct the violation while at school; otherwise, the student shall be sent home to correct the violation. Code violations may result in after-school detention or in-school suspension. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct. The campus principal or other appropriate administrator may send home any student whose dress and/or grooming disrupts the health and safety of other students or disrupts the educational process or school activities.”

20. Graduation Plans

Graduation plan tables were updated to reflect current hour requirements.

21. Requirements for Diploma

Two major changes to the list of graduation requirements:

1.) The following language was added to address the testing requirements of those students whose EOCs were waived due to COVID-19:

“Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law;”

2.) The following was added to address the new requirement for all graduating seniors to have submitted a FAFSA or TAFSA prior to graduation:

“Complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).”

22. Graduation – Students with Disabilities

The following text was added in regards to modifying graduation requirements for students with IEPs:

“Admission, review, and dismissal (ARD) committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance with state law.”

And

“A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies and receive a certificate of attendance. The student may then remain enrolled to complete the IEP and earn his or her high school diploma but will only be allowed to participate in one graduation ceremony.”

Changes to the 2021-22 Student Handbook

23. Scholarships and Grants

The following text was added to satisfy the requirements of SB 1888; SB 1888 requires districts to notify students and parents, upon the student's initial enrollment in high school in a grade below grade 12, with information regarding the Texas First Scholarship Program. See College and University Admissions and Financial Aid (All Grade Levels) on page 57 for more information.

“Certain students who graduate early may also be eligible for the Texas First Scholarship Program.”

24. School Health Advisory Council

The following new text was added to meet the meeting notification requirements (72 hours prior notice) of HB 1525:

“Notification of upcoming SHAC meetings will be posted at each campus administrative office at least 72 hours before the meeting. Notification of upcoming SHAC meetings, meeting minutes, and a recording of each meeting will be posted on the district website at https://www.groesbeckisd.net/107731_3.”

25. Promotion and Retention

Several changes appear in this category:

- 1.) HB 4545 removes the requirement to retain a student who does not perform satisfactorily in grade 5 or grade 8 on the mathematics and reading sections of the state assessment for the student's grade.
- 2.) SB 1697 allows a parent to elect in writing for a student to repeat prekindergarten, kindergarten, or grades 1, 2, or 3, even if the student has met the promotion standards. The bill includes a process to be followed if the district disagrees with the request. However, if the parent participates in that process, the parent may make the final decision whether the student will be retained.
- 3.) For the 2021–22 school year only, SB 1697 authorizes a parent to elect in writing for a student to repeat grade 4, 5, 6, 7, or 8, even if the student has met promotion standards for that grade. The bill includes a process to be followed if the district disagrees with the request. However, if the parent participates in that process, the parent may make the final decision whether the student will be retained.
- 4.) Because HB 4545 removes the requirement to retain a student who does not perform satisfactorily in grade 5 or grade 8 on the mathematics and reading sections of the state assessment for the student's grade, TAC rules requiring the superintendent to notify parents regarding this requirement are no longer necessary.

Changes to the 2021-22 Student Handbook

- 5.) For the 2021–22 school year only, SB 1697 authorizes a parent to elect in writing for a student to repeat a course taken for high school credit that the student was enrolled in during the 2020–21 school year, even if the student received credit for the course. The bill includes a process to be followed if the district disagrees with the request. However, if the parent participates in that process, the parent may make the final decision whether the student will repeat the course.

26. Emergency Medical Treatment and Information

The following was added to articulate the district’s ability to facilitate emergency medical care for students:

“The district may consent to medical treatment, which includes dental treatment, if necessary, for a student if:

- The district has received written authorization from a person having the right to consent;
- That person cannot be contacted; and
- That person has not given the district actual notice to the contrary.

The emergency care authorization form will be used by the district when a student’s parent or authorized designee is unable to be contacted. A student may provide consent if authorized by law or court order. Regardless of parental authorization for the district to consent to medical treatment, district employees will contact emergency medical services to provide emergency care when required by law or when deemed necessary, such as to avoid a life-threatening situation.”

27. Emergency School Closing Information

The following text was added to reiterate the parent contact information requirement of SB 746:

“State law requires parents to update contact information within two weeks after the date the information changes.”

28. School-Sponsored Field Trips

The following text was modified to make it more clear that the district is not responsible for fees paid to third parties on field trips:

“The district may require a fee for student participation in a field trip that is not required as part of a basic educational program or course to cover expenses such as transportation, admission,

Changes to the 2021-22 Student Handbook

and meals; however, a student will not be denied participation because of financial need. The district is not responsible for refunding fees paid directly to a third-party vendor.”

29. Standardized Testing

The following was added to comply with HB 4545; HB 4545 removes the requirement to retain a student who does not perform satisfactorily in grade 5 or grade 8 on the mathematics and reading sections of the state assessment for the student’s grade.

“Failure to Perform Satisfactorily on STAAR Reading or Math

If a student in grades 3–8 does not perform satisfactorily on the state assessment, the district will provide accelerated instruction for the student. A student who does not attend accelerated instruction may violate school attendance requirements. For a student who does not perform satisfactorily on the math or reading assessment in grades 3, 5, or 8, the district will establish an accelerated learning committee (ALC), which includes the student’s parent, to develop an educational plan for accelerated instruction to enable the student to perform at the appropriate grade level by the conclusion of the next school year. The district will document the educational plan in writing and provide a copy to the student’s parent.

The parent of a student in grades 3, 5, or 8 who fails to perform satisfactorily on the math or reading assessment may:

- Request that the district consider assigning the student to a particular classroom teacher in the applicable subject area, if more than one classroom teacher is available.
- File a grievance or complaint regarding the content or implementation of the ALC’s educational plan. See Complaints and Concerns (All Grade Levels) on page 61 and FNG(LOCAL).

Standardized Testing for a Student Enrolled Above Grade Level

If a student in grades 3–8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law. A student in grades 3–8 shall be assessed at least once in high school with the ACT or the SAT if the student completes the high school end-of-course assessments in mathematics, reading/language arts, or science prior to high school.

Changes to the 2021-22 Student Handbook

Standardized Testing for a Student in Special Programs

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

For a middle-school student who does not perform satisfactorily on a state-mandated examination, a school official will prepare a personal graduation plan (PGP). School officials will also develop a PGP for a middle-school student who is determined by the district to be unlikely to earn a high school diploma within five years of high school enrollment. The plan will, among other items:

- Identify the student’s educational goals,
- Address the parent’s educational expectations for the student, and
- Outline an intensive instruction program for the student.

See the principal and policy EIF(LEGAL) for more information.

For a student receiving special education services, the student’s IEP may serve as the student’s PGP and would therefore be developed by the student’s ARD committee.

[See Personal Graduation Plans on page 94 for information related to the development of personal graduation plans for high school students.]

Failure to Perform Satisfactorily on an EOC

If a student does not perform satisfactorily on an EOC, the district will provide accelerated instruction. Failure of a student to attend accelerated instruction may result in violations of required school attendance.

**XII. DISCUSSION AND POSSIBLE ACTION ON 2021-2022
RETURN TO SCHOOL SAFELY PLAN REVISIONS**

100

Groesbeck ISD

Return to School Safely Plan

~~July 28, 2021~~



July 28, 2021
Revised August 2, 2021

Groesbeck ISD is committed to the safety of our students, parents, teachers, and staff. We have crafted this plan to provide the best instructional environment coupled with safe practices as defined by the Center for Disease Control (CDC) and the Texas Education Agency (TEA). It is our goal that the ~~2020-2021~~ 2021-2022 school year be one of learning and growth for all of our constituents.

Groesbeck ISD will begin classes with ~~both~~ in-person ~~and remote~~ instruction on August ~~11²~~, 202~~1~~0. We will follow the Board adopted ~~2021⁰-2022¹~~ School Calendar to the extent possible while complying with any duly authorized public health notices. ~~Families will have the opportunity to select whether their students will attend school on-campus or via remote instruction.~~ Students ~~who attend on-campus~~ will have a full schedule of classes including reading/language arts, math, science, social studies, physical education/athletics, band/music, art, and elective classes as appropriate for the grade level. Attendance will be taken daily. ~~Students who work remotely will be expected to spend about the same amount of time working on school at home as they would if they attended in person. Attendance will be taken each day for students working remotely. To be counted present, a student must complete daily assignments. Teachers will be monitoring student progress each day, and students will connect with teachers regularly. Remote instruction will rely a great deal on technology; so students who plan to work remotely need to have reliable access to the internet. If a student is attending remotely, he or she may choose to attend in person at the end of the grading period. For example, if a student begins the school year working remotely, he or she may begin coming to school in person at the end of the 1st nine week grading period.~~

Students who reside within the boundaries of Groesbeck ISD are entitled to enroll in Groesbeck ISD. Students who reside outside the boundaries of Groesbeck ISD may apply to be transfer students. Transfer student applications are available by calling 254-729-4100. All decisions regarding transfer students are made in compliance with Board of Trustees Policy FDA(LOCAL) which can be found on the Groesbeck ISD website, www.groesbeckisd.net.

This document will explain the steps being taken to prevent the spread of the COVID-19 virus, to respond to a lab-confirmed case of the COVID-19 virus, and to mitigate the likelihood that the COVID-19 virus will be spread inside the school. While we know that it is not possible to eliminate all the risks of contracting or spreading the COVID-19 virus, there are specific steps that can be taken to keep our students, parents, teachers, and staff safe.

School leaders with input from staff, parents, and community members have compiled the components of this document. As the information about the COVID-19 virus changes and as updates from the CDC and TEA are provided, this plan could be modified. All changes will be disseminated to stakeholders through the Groesbeck ISD website and electronic communication channels. If you have questions or comments concerning the Return to School Safely Plan, you may contact ~~Mr. Dayne Duncan~~ Sue Waller, Groesbeck ISD Safe Schools Coordinator, at s.waller@groesbeckisd.net ~~d.dunca@groesbeckisd.net~~ or 254-729-41~~18~~90.

Definitions

Close contact is defined as being directly exposed to infectious secretions (e.g. being coughed on); or being within six feet of an infected individual for a cumulative duration of 15 minutes if either occurred at any time in the last 14 days at the same time the infected individual was infectious. Individuals are

presumed infectious at least two days prior to symptom onset, or in the case of asymptomatic individuals who are lab-confirmed with COVID-19, two days prior to the confirming lab test.

Screening is an activity that campuses conduct to identify and temporarily exclude from campus those who may have been exposed to COVID-19, in an effort to keep the virus out of campuses.

Case investigation is defined as discussions with a COVID-19 positive individual to determine who may have spread and/or been infected and how that may have occurred.

Contact tracing is the identification of individuals who have been exposed as close contacts to COVID-19 and are as a result possibly infected themselves, but pre-symptomatic.

Staying home allows individuals who may have been exposed to COVID-19 to monitor their symptoms during the period in which they may be infectious. These individuals should separate themselves from others outside their home, monitor their health, and follow directions from their state or local health entity.

Self-isolation is used to separate people infected with COVID-19 (including those who are sick with the virus and those with no symptom) from people who are not infected. People who are in isolation should stay home until it is safe for them to be around others. In the home, anyone sick or infected should separate themselves from others by staying in a specific “sick room” or area and using a separate bathroom (if available).

Symptoms of COVID-19

Any of the following symptoms indicate a possible COVID-19 infection.

- Temperature of 100.4 degrees Fahrenheit or higher when taken by mouth
- Sore throat
- New uncontrolled cough that causes difficulty breathing (or, for students with a chronic allergic/asthmatic cough, a change in their cough from baseline)
- Diarrhea, vomiting or abdominal pain
- New onset of severe headache, especially with a fever

(Visit the CDC website, www.cdc.gov, for COVID-19 symptom updates.)

Prevention

~~All teachers and staff will conduct a self-screen for COVID-19 symptoms before coming on to campus/departments each day. The screener can be accessed at https://www.groesbeckisd.net/364543_4. The screening includes teachers and staff taking their own temperature.~~ Teachers and staff must report to the school system if they themselves have COVID-19 symptoms or are lab-confirmed with COVID-19, and, if so, they must remain off campus until they meet the criteria for re-entry as noted below. Additionally, they must report to the school system if they have had close contact with an individual who is lab-confirmed with COVID-19, and, if so, must remain off campus until the 14-day incubation period has passed. You may be able to shorten your quarantine and return:

- After day 10 without testing
- After day 7 after receiving a negative test result (test must occur on day 5 or later).

If a student has COVID-19 symptoms or is lab-confirmed with COVID-19, he or she may not attend school on campus **until the conditions for re-entry are met.** ~~Parents are also encouraged to opt for remote instruction if their child has had close contact with an individual who is lab-confirmed with COVID-19 until the 14-day incubation period has passed. Groesbeck ISD staff may also conduct student screening for COVID-19 symptoms. Screening is accomplished by asking questions by phone or other electronic methods and/or in person. Screening questions will be asked of a student's parent or guardian. Students who attend H.O. Whitehurst Elementary will have daily forehead temperature screenings.~~

Visitors will ~~not~~ be allowed on Groesbeck ISD campuses for the 2021-2022 school year. ~~Parents who drop-off and pick-up their student(s) must remain in the vehicle at all times. No v~~visitors will be allowed to eat lunch with students, and ~~no outside~~ outside lunches may be dropped off at any campus. ~~Parents who have business on their child's campus must call the campus and receive instructions from the school secretary concerning how to proceed. All parent meetings will be conducted electronically to the extent possible. Parents are encouraged to contact their child's teacher anytime a question arises. Contact can be made through Groesbeck ISD email or campus telephone. If it is determined that a visitor must be allowed on campus,~~

Students who have any COVID-19 symptoms will be immediately separated until he/she can be picked up by the parent/guardian. The area(s) the individual used will be disinfected as soon as feasible. Students who report feeling feverish will have an immediate temperature check to determine if they are symptomatic for COVID-19.

Any individual (student, teacher, staff) who is either lab-confirmed to have COVID-19 or experiences the symptoms of COVID-19 must stay home throughout the infection period, and cannot return to campus until the school system screens the individual to determine if the following conditions have been met.

- In the case of an individual who was diagnosed with COVID-19, the individual may return to school when all three of the following criteria are met:
 - At least one day (24 hours has passed since recovery (resolution of fever without the use of fever-reducing medications);
 - The individual has improvement in symptoms (e.g. cough, shortness of breath); and
 - At least ten days have passed since symptoms first appeared.
- In the case of an individual who has symptoms that could be COVID-19 and who is not evaluated by a medical professional or tested for COVID-19, such individual is assumed to have COVID-19, and the individual may not return to campus until the individual has completed the same three-step set of criteria listed above.
- If the individual has symptoms that could be COVID-19 and wants to return to school before completing the above stay at home period, the individual must either (a) obtain a medical professional's note clearing the individual for return based on an alternative diagnosis or (b) obtain an acute infection test at an approved testing location (<https://tdem.texas.gov/covid-19/>) that comes back negative for COVID-19.

Response

If an individual who has been in school is lab-confirmed to have COVID-19, the school will notify the local health department and comply with all applicable federal, state, and local laws and regulations.

The school will close off the areas that are heavily used by the individual with the lab-confirmed case (student, teacher, or staff) until non-porous surfaces in those areas can be disinfected, unless more than seven days have already passed since that person was on campus.

The school will notify all teachers, staff, and families of all students in the affected school if a lab-confirmed case of COVID-19 is identified among students, teachers, or staff who participate in any on campus activities.

[If a COVID vaccinated staff member tests positive for COVID, they will not be required to use their sick or personal days for the absence from duty.](#)

Mitigation

Each campus will have hand sanitizer available at each entrance. Additionally, all classrooms will have either hand sanitizer or a handwashing station with soap and water.

All students and staff will be encouraged to sanitize/wash hands frequently. Elementary students will have supervised handwashing/sanitizing for at least 20 seconds at least two times each day. Secondary students will be provided time for handwashing/sanitizing during the day.

On the first day of instruction and regularly during the school year, students will be taught how to properly wash hands and how to properly cover coughs and sneezes. Students will be taught hygiene practices to mitigate the spread of COVID-19.

Campus restrooms will be disinfected at least three times each day. Entry doors will be disinfected at least four times each day. Areas used by groups of students will be disinfected between student groups, and commonly touched objects like doorknobs will be disinfected throughout the day. Cleaning and disinfecting products will meet guidelines for use in schools.

[Goesbeck ISD will comply with the Governor's Executive Order regarding masks. As of June 5, 2021, GUSD will no longer require facial coverings to be worn by students, staff, or visitors in compliance with the Governor's Executive Order. However, any student, teacher, parent, or staff member who would like to wear a mask may continue to do so freely while on GUSD campuses or facilities. We will also have masks available at every campus and facility, while supplies last, for those who wish to have them. The district will not discriminate against staff or students who choose to remove or wear face coverings.](#)
~~All adults and all students in 4th grade and above must wear face coverings (face masks covering the nose and mouth or face shields covering eyes, nose, and mouth) while in the school building, on a school bus, or participating in a school-related activity unless specifically allowed to remove the face covering for the activity (e.g. physical exercise). Students who are exercising and have removed face coverings will remain at least six feet apart.~~

~~Students will be separated as much as possible within classrooms. Elementary students will remain in the same classroom throughout the day with the exception of physical education or elective classes. Secondary students will follow their class schedule. Additional protections such as hallway patterns and social distancing will be enforced.~~

~~Specific drop-off and pick-up procedures will be put in place. Each campus will specify their procedures and will share them with students and families. Specific entrances will be designated for arrival and departure. All arrival and departure procedures will be posted on the campus websites.~~

~~Large groupings of students and assemblies will not occur. Students will not take field trips during the fall semester. Teachers and staff will not attend meetings or conferences that require overnight travel.~~

Water fountains within school buildings will be ~~covered and not~~ available. Students may bring water to school in a bottle with a lid. Students will be allowed to refill water bottles.

Elementary, ~~and~~ middle school, ~~and high school~~ students will eat lunch in the ~~cafeteria~~ classrooms. High school students will eat in designated locations that allow for social distancing. Students may receive a free purchase a lunch from the cafeteria or may bring a lunch with them to school. ~~No outside lunches may be delivered to school. No microwaves will be available for students.~~

Elementary students may receive a free breakfast to eat in their classroom. Middle school and high school students may receive a free breakfast from the cafeteria and may eat in the cafeteria.

Transportation will be available for students and ~~All students and staff must wear a face covering when on the bus. Students will be screened for fever when they get on the bus. To the extent possible, students will be separated when on the bus; family groups will be placed together. Students will enter and exit the bus in a manner to decrease person-to-person contact.~~ all buses will be disinfected after each use.

Vaccine Stipend: District employees, excluding substitutes, could receive a one-time COVID vaccine stipend. Those employees who choose to receive this incentive must show proof of receiving the COVID vaccination and being fully vaccinated.

Vaccine Booster Stipend: Should a vaccine booster become available, district employees, excluding substitutes, could receive a one-time COVID vaccine stipend. Those employees who choose to receive this incentive must show proof of receiving the COVID booster vaccination.

Returning from Pandemic Stipend: All employees who are employed the school year 2021 and come back the following year 2022 will be awarded a stipend.

XIII. DISCUSSION AND ACTION ON CONSENT AGENDA ITEMS

A. Motor Fuel Bid

B. Donation

C. Extracurricular Status of 4-H Organization Resolution and Adjunct
Faculty Agreement

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EXTRACURRICULAR STATUS REQUEST

Request for Extracurricular Status For 4-H

LIMESTONE COUNTY EXTENSION SERVICE



July 20, 2021

Dr. James Crowley
Superintendent
Grosbeck Independent School District
1202 N. Ellis
Grosbeck, Tx 76642

Dear Dr. Crowley:

On behalf of the 4-H members of Limestone County, I/we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. We request the enclosed RESOLUTION be presented for consideration at the next scheduled meeting of the Board of Trustees of the Grosbeck Independent School District. I/we further request that questions regarding this RESOLUTION be directed to me/us in a timely manner so that I/we may prepare and present an appropriate response so as not to delay action on this request.

Finally, I/we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to me/us for my/our files.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,



David Groschke; Limestone County Extension Agent, Ag/NR



Emily Fisher; Limestone County Extension Agent, FCH

Attachment: Resolution for Extracurricular Status of 4-H Organization

Limestone County Extension Office
P.O. Box 191 | Grosbeck, Texas 76642
<http://texas4-h.tamu.edu> | Tel. 254.729.5314 | Fax. 254.729.2504

EXTRACURRICULAR STATUS REQUEST

Resolution Requesting Extracurricular Status For 4-H

RESOLUTION

EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the

Groesbeck Independent School District

meeting in public with a quorum present and certified,
did adopt this resolution that recognizes the

Limestone

County Texas 4-H Organization as approved for recognition and eligible
for extracurricular status consideration under 19 Texas Administrative Code,
Chapter 76.1, pertaining to extracurricular activities.

Participation by 4-H members under provisions of this resolution are subject
to all rules and regulations set forth under the 19 Texas Administrative Code
as interpreted by this Board and designated officials of this school district.

Texas A&M AgriLife Extension
will request academic eligibility for all 4-H competitive activities,
regardless if a school absence is or is not required, and
for non-competitive purposes when an absence is required.

Approved this _____ day of _____, 20 _____

Board of Trustee

Superintendent

ADJUNCT FACULTY REQUEST

Cover Letter Requesting Adjunct Faculty Status

LIMESTONE COUNTY EXTENSION SERVICE



July 20, 2021

Dr. James Crowley
Groesbeck Independent School District
1202 N. Ellis
Groesbeck, Tx 76642

Dear Dr. Crowley:

On behalf of the Limestone County Extension Staff, I/we hereby respectfully request approval of the attached Adjunct Faculty Agreement with the Groesbeck Independent School District.

The State Board of Education passed an amendment to 19 TAC§129.21 (j). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

(1) The student is participating in an activity that is approved by the local board of school trustees and is under the direction of a member of the professional or paraprofessional staff of the school district, or an adjunct staff member who:

(A) has a minimum of a bachelor's degree; and

(B) is eligible for participation in the Teacher Retirement System of Texas.

LIMESTONE County requests the agents listed on the enclosed Adjunct Faculty Agreement be awarded adjunct staff member status for the period of time indicated on the agreement.

I hope Groesbeck Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request; or if you need further information.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,



David Groschke; Limestone County Extension Agent; AG/NR



Emily Fisher; Limestone County Extension Agent; FCH

Attachment: Resolution for Extracurricular Status of 4-H Organization

Limestone County Extension Office
P.O. Box 191 | Groesbeck, Texas 76642
<http://texas4-h.tamu.edu> | Tel. 254.729.5314 | Fax. 254.729.2504

ADJUNCT FACULTY REQUEST

Adjunct Faculty Agreement

THE STATE OF TEXAS

COUNTY OF LIMESTONE

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the Groesbeck Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual(s) as an adjunct member of the Groesbeck Independent School District.

Upon consideration and vote of in favor, _____ is hereby named as adjunct faculty member(s) of the Groesbeck Independent School District subject to the following considerations and provisions of such appointment to wit:

1. This appointment shall commence on the 15 day of August, 2021 and remain in effect until the 15 day of August, 2022
2. This appointment will include the Texas A&M AgriLife Extension Service employees listed below:

NAME	TITLE	DEGREE	INSTITUTION	DATE
David Groschke	CEA, AG/NR	Doctorate	Texas A&M	2005
Emily Fisher	CEA, FCH	Masters	Texas A&M	2020

3. Adjunct faculty member(s) will receive no compensation, salary, or remuneration from Groesbeck Independent School District.
4. Adjunct faculty member(s) is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
5. Adjunct faculty member(s) is and shall remain under the direct supervision of either the District Extension Administrator of District 8 or Limestone County Extension Director.
6. Adjunct faculty member(s) shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member(s) shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member(s) is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such Limestone County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

This appointment is made by the Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (j)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named Limestone County Extension Agent(s), David Groschke and Emily Fisher (Extension employees) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Groesbeck Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this ___ day of _____, 2020.

Groesbeck Independent School District Superintendent

XIV. EXECUTIVE SESSION

A. Review Recommendation for Employment (Tex. Gov't 551.074)

B. Personnel Resignations, Leave of Absences, or Reassignments (Tex. Gov't 551.074)

XV. RECONVENE IN OPEN MEETING

**XVI. DISCUSSION AND POSSIBLE ACTION ON MATTERS DISCUSSED
IN EXECUTIVE SESSION**

A. Recommendation for Employment

I. Other Personnel Positions as Needed

B. Personnel Resignations, Leave of Absences, or Reassignments

XVII. ADJOURNMENT