INTRODUCTION

This handbook has been prepared to be a source of information for students and parents. Students are responsible for the contents. Parental and student signatures are required to show that a copy of this document has been received. Please sign the perforated signature page in the appendix and return it to the school. This book reflects the policies of the Board of Trustees as well as regulations set by the Texas Education Agency and will be in effect during this school year unless preempted by law.

The Student Handbook is not a contract between the school and parents or students. It can be amended at any time at the discretion of the school district. If the district makes changes to the handbook during a school year, the administration of the district and the campus will communicate those changes in ways that are designed to inform parents and students of the new or revised information.

Please understand that this Handbook is intended to serve as a reference and guide for your use. However, during the course of the school year, it is impractical to address every circumstance or situation that could possibly occur. Therefore, the campus principal has the authority to make decisions in the best interest of the students, faculty and the school. Please refer to the Steps to Eliminate Problem Situations in the handbook. A copy of the district’s Policy Manual is available online at www.misd.org.
M.I.S.D. SCHOOL BOARD MEMBERS

Jim Dossey - President
Adam Simmons - Vice President
Trey Kirby - Secretary
David Eargle - Trustee
Matt Fuller, Ed.D - Trustee
Gary Hammons - Trustee
Linda Porten - Trustee

SUPERINTENDENT

Beau Rees, Ed.D.

MONTGOMERY JUNIOR HIGH SCHOOL

Principal
Angie Chapman

Assistant Principals
Scott See
Kevin Winfield

Counselors
Barbara Gagliano
Tressie Stewart

Nondiscrimination
In its efforts to promote nondiscrimination and as required by law, Montgomery Independent School District does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law, in providing education services, activities, and programs, including CTE programs, and provides equal access to the Boy Scouts and other designated youth groups.
District Representatives Designated to Coordinate Compliance with Legal Requirements Concerning:

- **ADA/Section 504 of the Rehabilitation Act** – For concerns regarding discrimination on the basis of disability
  
  **Contact:**
  
  Executive Director of Special Education
  Meredith Burg
  936-276-2460 ~ meredith.burg@misd.org
  
  20774 Eva Street ~MISD District Office ~ Montgomery, TX  77356

- **Dyslexia**
  
  **Contact:**
  
  Director of Special Programs
  Jada Mullins
  936-276-2150 ~ jada.mullins@misd.org
  
  20774 Eva Street ~MISD District Office ~ Montgomery, TX  77356

- **Title I, Parent Involvement Coordinator, Liaison for Homeless Children / Youth**
  
  **Contact:**
  
  Director of Special Programs
  Jada Mullins
  936-276-2150 ~ jada.mullins@misd.org
  
  20774 Eva Street ~MISD District Office ~ Montgomery, TX  77356

- **Title IX of the Education Amendments of 1972** – For concerns regarding discrimination on the basis of sex, including sexual harassment or gender-based harassment
  
  **Contact:**
  
  Director of Special Programs
  Jada Mullins
  936-276-2150 ~ jada.mullins@misd.org
  
  20774 Eva Street ~MISD District Office ~ Montgomery, TX  77356
S. T. E. P. S.
Refers to Montgomery Independent School District's approach to resolving situations which occasionally cause parents, teachers, and students concern.

Resolving those situations quickly and to the satisfaction of all parties is beneficial to the children and the educational program.

The steps 1-4 shown below are the quickest and best methods for reaching satisfactory solutions. Please use them should you ever encounter a situation in Montgomery I.S.D. which is a concern to you.

CONTACT THE APPROPRIATE STAFF MEMBER
The most direct route to resolving a concern is to confer directly with the person involved, whether it is a teacher, coach, or bus driver, etc. Over 95% of the concerns are resolved at this level.

1 CONTACT THE PRINCIPAL
A professional educator is in charge of each campus and is responsible for concerns that may arise from the school's operation. Explanations of policies and procedures, various clarifications and all types of campus information are available from the principal.

2 CONTACT THE APPROPRIATE DISTRICT ADMINISTRATOR
This may be the Director of Athletics, Child Nutrition, Human Resources, Transportation, or Special Education; Executive Director for Curriculum; Assistant Superintendent for Administrative Services; or the Superintendent. This step should be taken only when steps one and two have not resolved the concern. Starting at this step will result in your being asked to attempt steps one and two first.

3 CONTACT THE SCHOOL BOARD
After taking steps 1-3 above without resolving a concern, a request in writing for a School Board hearing is step 4. This written request is made through the Superintendent.
# MONTGOMERY JUNIOR HIGH
## REGULAR BELL SCHEDULE

First Bell - 7:15 a.m.

<table>
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<tr>
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</tr>
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<tbody>
<tr>
<td>First Bell 7:15</td>
<td>First Bell 7:15</td>
</tr>
<tr>
<td>(CNN In 1st) 7:20 – 7:27</td>
<td>(CNN In 1st) 7:20 – 7:27</td>
</tr>
<tr>
<td>1st 7:27 - 8:12</td>
<td>1st 7:27 - 8:02</td>
</tr>
<tr>
<td>2nd 8:16 – 9:01</td>
<td>2nd 8:06 – 8:48</td>
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<tr>
<td>3rd 9:05 - 9:52</td>
<td>3rd 8:52 - 9:34</td>
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<tr>
<td>5th 10:45 – 12:13</td>
<td>5th 10:24 – 11:52</td>
</tr>
<tr>
<td>B Lunch 11:13 – 11:41</td>
<td>B Lunch 10:52 – 11:20</td>
</tr>
<tr>
<td>6th 12:17 – 1:02</td>
<td>6th 11:56 – 12:38</td>
</tr>
<tr>
<td>7th 1:06 - 1:51</td>
<td>7th 12:42 - 1:24</td>
</tr>
<tr>
<td>8th 1:55 - 2:45</td>
<td>8th 1:28 - 2:05</td>
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</tbody>
</table>

Pep Rally/ Assembly 2:05 – 2:40
### 2019-2020 School Calendar

**First Day of School**  
Thursday, August 15

**Last Day of School**  
Thursday, May 21

**Grading Periods**

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<th>Days</th>
</tr>
</thead>
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<td>41</td>
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<tr>
<td></td>
<td>Oct. 15 - Dec. 19</td>
<td>43</td>
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<tr>
<td></td>
<td>Jan. 7 - Mar. 13</td>
<td>46</td>
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<tr>
<td></td>
<td>Mar. 23 - May 21</td>
<td>43</td>
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<tr>
<td><strong>Total</strong></td>
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<td>173</td>
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<tr>
<td><strong>Secondary</strong> [6th-12th]</td>
<td>Aug. 15 - Sept. 20</td>
<td>26</td>
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<tr>
<td></td>
<td>Sept. 23 - Nov. 1</td>
<td>29</td>
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<tr>
<td></td>
<td>Nov. 4 - Dec. 19</td>
<td>29</td>
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<tr>
<td></td>
<td>Jan. 7 - Feb. 13</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Feb. 18 - Apr. 3</td>
<td>29</td>
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<tr>
<td></td>
<td>Apr. 6 - May 21</td>
<td>33</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>173</td>
</tr>
</tbody>
</table>

**Staff Development / Workday**  
Aug 7-14, Oct 14, Jan 6  
Feb 14, May 22, 26-29

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<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
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<tr>
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<td>September 2</td>
</tr>
<tr>
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<td>October 14</td>
</tr>
<tr>
<td>Thanksgiving Break</td>
<td>November 25-29</td>
</tr>
<tr>
<td>Winter Break</td>
<td>Dec. 20 - Jan 3</td>
</tr>
<tr>
<td>Student Holiday</td>
<td>January 6</td>
</tr>
<tr>
<td>Martin Luther King, Jr</td>
<td>January 20</td>
</tr>
<tr>
<td>Student Holiday</td>
<td>February 14</td>
</tr>
<tr>
<td>President's Day</td>
<td>February 17</td>
</tr>
<tr>
<td>Spring Break</td>
<td>March 16-20</td>
</tr>
<tr>
<td>Good Friday</td>
<td>April 10</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>May 25</td>
</tr>
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</table>

**Inclement Weather Days**  
May 22 and 25

**Early Release Days:**  
Dec 18 & 19, May 20 & 21

**Secondary [6th-12th]** (11:30 a.m.)

**Elementary [PreK-5th]** (1:00 p.m.)

### Secondary Final Exams

Dec 17 - 19, May 19 - 21

### Legend

- Staff Development/Workday
- District-wide Holiday
- District Early Release

For all testing dates, see www.misd.org or contact the appropriate campus.
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Unless required under state or federal law, a district employee will not conduct a psychological examination, test, or treatment without obtaining written parental consent.

The district will not provide a mental health care service to a student except as permitted by law.

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

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Preface

To Students and Parents:

Welcome to the 2019-2020 school year! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Montgomery ISD Junior High School Student Handbook is designed to provide basic information that you and your child will need during the school year. The handbook is divided into two sections:

Section I—Parental Rights—with information to assist you in responding to school-related issues. We encourage you to take some time to closely review this section of the handbook.

Section II—Other Important Information for Students and Parents—organized alphabetically by topic, and, where possible, further divided by applicability to ages and/or grade levels, for quick access when searching for information on a specific issue.

Please be aware that the term “parent,” unless otherwise noted, is used to refer to the parent, legal guardian, any person granted some other type of lawful control of the student, or any other person who has agreed to assume school-related responsibility for a student.

Both students and parents should become familiar with the Montgomery ISD Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found on the district’s website at www.misd.org and is available in hard copy upon request.

The Student Handbook is a general reference guide only and is designed to be in harmony with board policy and the Student Code of Conduct. Please be aware that it is not a complete statement of all policies, procedures, or rules that may be applicable in a given circumstance.

In case of conflict between board policy (including the Student Code of Conduct) and any provisions of the Student Handbook, the provisions of board policy and the Student Code of Conduct are to be followed.

Please be aware that the Student Handbook is updated yearly, while policy adoption and revision may occur throughout the year. The district encourages parents to stay informed of proposed board policy changes by attending board meetings and reviewing newsletters and other communications explaining changes in policy or other rules that affect Student Handbook provisions. The district reserves the right to modify provisions of the Student Handbook at any time, whenever it is deemed necessary. Notice of any revision or modification will be given as is reasonably practical under the circumstances.
Although the Student Handbook may refer to rights established through law or district policy, the Student Handbook does not create any additional rights for students and parents. It does not, nor is it intended to, create contractual or legal rights between any student or parent and the district.

If you or your child has questions about any of the material in this handbook, please contact a teacher, the school counselor, or the principal.

Section I: Parental Rights

This section of the Montgomery ISD Junior High School Student Handbook includes information related to certain rights of parents as specified in state or federal law.

Consent, Opt-Out, and Refusal Rights

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

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

The district will not provide a mental health care service to a student except as permitted by law.

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

Consent to Display a Student’s Original Works and Personal Information

Teachers may display students’ work, which may include personally identifiable student information, in classrooms or elsewhere on campus as recognition of student achievement.

In addition, the district may also display students’ artwork, special projects, photographs taken by students, original videos or voice recordings, and other original works on the district’s website, a website affiliated or sponsored by the district, such as a campus or classroom website, and in district publications, which may include printed materials, videos, or other methods of mass communication.

Consent to Receive Parenting and Paternity Awareness Instruction if Student is Under Age 14

A student under the age of 14 must have parental permission to receive instruction in the district’s parenting and paternity awareness program; otherwise, the student will not be allowed to participate in the instruction. This program, developed by the Office of the Texas
Attorney General and the State Board of Education (SBOE), is incorporated into the district’s health education classes.

**Consent to Video or Audio Record a Student When Not Otherwise Permitted by Law**

State law permits the school to make a video or voice recording without parental permission for the following circumstances:

- When it is to be used for school safety;
- When it relates to classroom instruction or a co-curricular or extracurricular activity;
- When it relates to media coverage of the school; or
- When it relates to the promotion of student safety as provided by law for a student receiving special education services in certain settings.

The district will seek parental consent through a written request before making any other video or voice recording of your child not otherwise allowed by law.

[See Video Cameras for more information, including a parent’s right to request video and audio equipment be placed in certain special education settings.]

**Prohibiting the Use of Corporal Punishment**

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

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

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

**Note:** If the district is made aware that a student is in temporary or permanent conservatorship (custody) of the state, through foster care, kinship care, or other arrangements, corporal punishment will not be administered, even when a signed statement prohibiting its use has not been submitted by the student’s caregiver or caseworker.
**Limiting Electronic Communications with Students by District Employees**

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

However, text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity. The employee is required to include his or her immediate supervisor and the student’s parent as recipients on all text messages.

If you prefer that your child not receive any one-to-one electronic communications from a district employee or if you have questions related to the use of electronic media by district employees, please contact the campus principal.

**Objecting to the Release of Directory Information**

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated “directory information” from a child’s education records without written consent. “Directory information” is information that is generally not considered harmful or an invasion of privacy if released. Examples include a student’s photograph for publication in the school yearbook; a student’s name and grade level for purposes of communicating class and teacher assignment; the name, weight, and height of an athlete for publication in a school athletic program; a list of student birthdays for generating schoolwide or classroom recognition; a student’s name and photograph posted on a district-approved and -managed social media platform; and the names and grade levels of students submitted by the district to a local newspaper or other community publication to recognize the A/B honor roll for a specific grading period. Directory information will be released to anyone who follows procedures for requesting it.

However, a parent or eligible student may object to the release of a student’s directory information. This objection must be made in writing to the principal within ten school days of your child’s first day of instruction for this school year. See the “Montgomery ISD Release of Directory Information” included in the forms appendix.

The district requests that families living in a shelter for survivors of family violence or trafficking notify district personnel that the student currently resides in such a shelter. Families may want to opt out of the release of directory information so that the district does not release any information that might reveal the location of such a shelter.
Participation in Third-Party Surveys

Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation

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

- Political affiliations or beliefs of the student or the student’s parent.
- Mental or psychological problems of the student or the student’s family.
- Sexual behavior or attitudes.
- Illegal, antisocial, self-incriminating, or demeaning behavior.
- Critical appraisals of individuals with whom the student has a close family relationship.
- Relationships privileged under law, such as relationships with lawyers, physicians, and ministers.
- Religious practices, affiliations, or beliefs of the student or parents.
- Income, except when the information is required by law and will be used to determine the student’s eligibility to participate in a special program or to receive financial assistance under such a program.

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

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

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

- Any survey concerning the private information listed above, regardless of funding.
- School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing, selling, or otherwise disclosing that information. Note: This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing,
vision, or spinal screenings, or any physical examination or screening permitted or required under state law. [See policies EF and FFAA.]

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

**Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction**

**Human Sexuality Instruction**

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

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

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

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

Teaching students about human reproduction in a health, science, or psychology course can be one of the most difficult lessons a teacher has to teach because it is a delicate topic. Topics such as physical, perceptual, language, cognitive, social and emotional development, gender roles and differences, functions of the nervous system and the endocrine system, interpersonal relationships, and personal relationships may be discussed in any of these courses.

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

**Reciting a Portion of the Declaration of Independence in Grades 3–12**

You may request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3–12 to recite a portion of the text of the Declaration of Independence during Celebrate Freedom Week unless (1) you provide a written statement requesting that your child be excused, (2) the district determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the U.S. government extends diplomatic immunity. [See policy EHBK(LEGAL).]

**Reciting the Pledges to the U.S. and Texas Flags**

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

**Religious or Moral Beliefs**

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

**Tutoring or Test Preparation**

Based on informal observations, evaluative data such as grades earned on assignments or tests, or results from diagnostic assessments, a teacher may determine that a student is in need of additional targeted assistance in order for the student to achieve mastery in state-developed essential knowledge and skills. The school will always attempt to provide tutoring and strategies for test-taking in ways that prevent removal from other instruction as much as possible. In accordance with state law and policy EC, the school will not remove a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the school days on which the class is offered, unless the student’s parent consents to this removal.

The school may also offer tutorial services, which students whose grades are below 70 will be required to attend.
[Also refer to policies EC and EHBC, and contact your student’s teacher with questions about any tutoring programs provided by the school.]

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

**Instructional Materials**

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

You are also entitled to request that the school allow your child to take home any instructional materials used by the student. If the school determines that sufficient availability exists to grant the request, the student must return the materials at the beginning of the next school day if requested to do so by the student’s teacher.

A school must provide printed versions of electronic instructional materials to a student if the student does not have reliable access to technology at home.

**Notices of Certain Student Misconduct to Noncustodial Parent**

A noncustodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to his or her child’s misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. [See policy FO(LEGAL) and the Student Code of Conduct.]

**Participation in Federally Required, State-Mandated, and District Assessments**

You may request information regarding any state or district policy related to your child’s participation in assessments required by federal law, state law, or the district.

**Student Records**

**Accessing Student Records**

You may review your child’s student records. These records include:

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
Applications for admission,

Health and immunization information,

Other medical records,

Teacher and school counselor evaluations,

Reports of behavioral patterns,

Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with your child, as the term intervention strategy is defined by law,

State assessment instruments that have been administered to your child, and

Teaching materials and tests used in your child’s classroom.

**Authorized Inspection and Use of Student Records**

A federal law, known as the Family Educational Rights and Privacy Act, or FERPA, affords parents and eligible students certain rights with respect to student education records. For purposes of student records, an “eligible” student is one who is age 18 or older or who is attending an institution of postsecondary education. These rights, as discussed in this section as well as at Objecting to the Release of Directory Information, are:

- The right to inspect and review student records within 45 days after the day the school receives a request for access.

- The right to request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA.

- The right to provide written consent before the school discloses personally identifiable information from the student’s records, except to the extent that FERPA authorizes disclosure without consent.

- The right to file a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements. The name and address of the office that administers FERPA are:

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

Both FERPA and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy. Before disclosing any personally
identifiable information from a student’s records, the district must verify the identity of the person, including a parent or the student, requesting the information.

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

Inspection and release of student records is primarily restricted to an eligible student or a student’s parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the right to access a student’s education records.

Federal law requires that, as soon as a student reaches the age of 18, is emancipated by a court, or enrolls in a postsecondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax purposes and under limited circumstances when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student’s education records without written consent of the parent or eligible student:

- When district officials have what federal law refers to as a “legitimate educational interest” in a student’s records. School officials would include:
  - Board members and employees, such as the superintendent, administrators, and principals;
  - Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff);
  - A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
  - A person appointed to serve on a school committee to support the district’s safe and supportive school program;
  - A parent or student serving on a school committee; or
  - A parent or student assisting a school official in the performance of his or her duties.

“Legitimate educational interest” in a student’s records includes working with the student; considering disciplinary or academic actions, the student’s case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official’s professional responsibility to the school and the student; or investigating or evaluating programs.

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S.
Secretary of Education, TEA, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.

- To individuals or entities granted access in response to a subpoena or court order.
- To another school, school district/system, or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.
- In connection with financial aid for which a student has applied or which the student has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses information it has designated as directory information [see Objecting to the Release of Directory Information for opportunities to prohibit this disclosure].

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

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

A parent or eligible student who wishes to inspect the student’s records should submit a written request to the records custodian identifying the records he or she wishes to inspect. Records may be inspected by a parent or eligible student during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent or eligible student who provides a written request may obtain copies for a nominal fee. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review these records.

A parent (or eligible student) may inspect the student’s records and request a correction or amendment if the records are considered inaccurate, misleading, or otherwise in violation of the student’s privacy rights. A request to correct a student’s record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that
should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student’s record.

Although improperly recorded grades may be challenged, contesting a student’s grade in a course or on an examination is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district’s grading policy. [See FINALITY OF GRADES at FNG(LEGAL), Report Cards/Progress Reports and Conferences, and Complaints and Concerns for an overview of the process.]

The district’s policy regarding student records found at policy FL is available from the principal’s or superintendent’s office or on the district’s website at www.misd.org.

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

Teacher and Staff Professional Qualifications

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

Students with Exceptionalities or Special Circumstances

Children of Military Families

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

- Immunization requirements.
- Grade level, course, or educational program placement.
- Eligibility requirements for participation in extracurricular activities.
- Graduation requirements.
In addition, absences related to a student visiting with his or her parent, including a stepparent or legal guardian, who has been called to active duty for, is on leave from, or is returning from a deployment of at least four months will be excused by the district. The district will permit no more than five excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60th day before deployment or no later than the 30th day after the parent’s return from deployment.

Additional information may be found at Military Family Resources at the Texas Education Agency.

**Parental Role in Certain Classroom and School Assignments**

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

**Safety Transfers/ Assignments**
As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying, which includes cyberbullying, as defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. See the principal for information.

- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the board decides to transfer your child to another classroom or campus. Transportation is not provided for a transfer to another campus. [See Bullying, policy FDB, and policy FFI.]

- Request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE.]

- Request the transfer of your child to another district campus or a neighboring district if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.
Service/Assistance Animal Use by Students
A parent of a student who uses a service/assistance animal because of the student’s disability must submit a request in writing to the principal before bringing the service/assistance animal on campus. The district will try to accommodate a request as soon as possible but will do so within ten district business days.

Students in the Conservatorship of the State (Foster Care)
A student who is currently in the conservatorship (custody) of the state and who enrolls in the district after the beginning of the school year will be allowed credit-by-examination opportunities outside the district’s established testing windows, and the district will grant proportionate course credit by semester (partial credit) when a student only passes one semester of a two-semester course.

A student who is currently in the conservatorship of the state and who is moved outside of the district’s or school’s attendance boundaries, or who is initially placed in the conservatorship of the state and who is moved outside the district’s or school’s boundaries, is entitled to continue in enrollment at the school he or she was attending prior to the placement or move until the student reaches the highest grade level at the particular school. In addition, if a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

In addition, for a student in the conservatorship of the state who is eligible for a tuition and fee exemption under state law and likely to be in care on the day preceding the student’s 18th birthday, the district will:

- Assist the student with the completion of any applications for admission or for financial aid;
- Arrange and accompany the student on campus visits;
- Assist in researching and applying for private or institution-sponsored scholarships;
- Identify whether the student is a candidate for appointment to a military academy;
- Assist the student in registering and preparing for college entrance examinations, including, subject to the availability of funds, arranging for the payment of any examination fees by the Texas Department of Family and Protective Services (DFPS); and
- Coordinate contact between the student and a liaison officer for students who were formerly in the conservatorship of the state.

[See also Credit by Examination for Advancement/Acceleration, Course Credit, and Students in Foster Care for more information.]
**Students Who Are Homeless**

Children who are homeless will be provided flexibility regarding certain district provisions, including:

- Proof of residency requirements;
- Immunization requirements;
- Educational program placement, if the student is unable to provide previous academic records, or misses an application deadline during a period of homelessness;
- Credit-by-examination opportunities;
- The award of partial credit (awarding credit proportionately when a student passes only one semester of a two-semester course);
- Eligibility requirements for participation in extracurricular activities; and
- Graduation requirements.

If a student in grade 11 or 12 is homeless and transfers to another school district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

Federal law also allows a homeless student to remain enrolled in what is called the “school of origin” or to enroll in a new school in the attendance area where the student is currently residing.

A student or parent who is dissatisfied by the district’s eligibility, school selection, or enrollment decision may appeal through policy FNG(LOCAL). The district will expedite local timelines, when possible, for prompt dispute resolution.

[See also Credit by Examination for Advancement/Acceleration, Course Credit, and Homeless Students for more information.]

**Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services**

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individuals listed below to learn about the school’s overall general education referral or screening system for support services. This system links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine whether the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.
Special Education Referrals

If a parent makes a written request for an initial evaluation for special education services to the director of special education services or to a district administrative employee of the school district, the district must respond no later than 15 school days after receiving the request. At that time, the district must give the parent prior written notice of whether it agrees or refuses to evaluate the student, along with a copy of the Notice of Procedural Safeguards. If the district agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

Please note that a request for a special education evaluation may be made verbally; it does not need to be made in writing. Districts must still comply with all federal prior-written notices and procedural safeguard requirements as well as the requirements for identifying, locating, and evaluating children who are suspected of having a disability and in need of special education. However, a verbal request does not require the district to respond within the 15 school-day timeline.

If the district decides to evaluate the student, it must complete the student’s initial evaluation and evaluation report no later than 45 school days from the day it receives a parent’s written consent. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent.

There is an exception to the 45-school-day timeline. If the district receives a parent’s consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30 due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

Upon completing the evaluation, the district must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the school district in a companion document titled Parent’s Guide to the Admission, Review, and Dismissal Process.

Contact Person for Special Education Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is Merideth Burg at 936-276-2460.

Section 504 Referrals

Each school district must have standards and procedures in place for the evaluation and placement of students in the district’s Section 504 program. Districts must also implement a
system of procedural safeguards that includes notice, an opportunity for a parent or guardian to examine relevant records, an impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

**Contact Person for Section 504 Referrals**

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is Merideth Burg at 936-276-2460.

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

- Legal Framework for the Child-Centered Special Education Process
- Partners Resource Network
- Special Education Information Center
- Texas Project First

**Notification to Parent of Intervention Strategies for Learning Difficulties Provided to Student in General Education**

The district will annually notify parents that it provides assistance to students, other than those already enrolled in a special education program, who need assistance for learning difficulties, including intervention strategies.

**Students Who Receive Special Education Services with Other School-Aged Children in the Home**

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. However, the district is not required to provide transportation to the other children in the household. The parent or guardian should speak with the principal of the school regarding transportation needs prior to requesting a transfer for any other children in the home. [See policy FDB(LOCAL).]

**Students Who Speak a Primary Language Other than English**

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.
Students with Physical or Mental Impairments Protected Under Section 504

A student determined to have a physical or mental impairment that substantially limits a major life activity, as defined by law, and who does not otherwise qualify for special education services, may qualify for protections under Section 504 of the Rehabilitation Act. Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities. When an evaluation is requested, a committee will be formed to determine if the student is in need of services and supports under Section 504 to receive a free appropriate public education (FAPE), as this is defined in federal law.
Section II: Other Important Information for Students and Parents

Topics in this section of the Student Handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue.

Absences/Attendance

Regular school attendance is essential for a student to make the most of his or her education—to benefit from teacher-led and school activities, to build each day’s learning on the previous day’s, and to grow as an individual. Absences from class may result in serious disruption of a student’s mastery of the instructional materials; therefore, the student and parent should make every effort to avoid unnecessary absences. Two state laws—one dealing with the required presence of school-aged children in school, e.g., compulsory attendance, the other with how a student’s attendance affects the award of a student’s final grade or course credit—are of special interest to students and parents. They are discussed below.

Compulsory Attendance

State law requires that a student between the ages of 6 and 19 attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

A student will be required to attend any assigned accelerated instruction program, which may occur before or after school or during the summer, if the student does not meet the passing standards on the state assessment for his or her grade level and/or applicable subject area.

Exemptions to Compulsory Attendance

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

- Religious holy days;
- Required court appearances;
- Activities related to obtaining U.S. citizenship;
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders, if the student comes to school or returns to school on the same day as the appointment. A note from the health-care provider must be submitted upon the student’s arrival or return to campus; and
- For students in the conservatorship (custody) of the state,
An activity required under a court-ordered service plan; or

Any other court-ordered activity, provided it is not practicable to schedule the student’s participation in the activity outside of school hours.

As listed in Section I at Children of Military Families, absences of up to five days will be excused for a student to visit with a parent, stepparent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments.

**Secondary Grade Levels**

Absences of up to two days in a school year will also be considered an exemption for a student serving as:

- An early voting clerk, provided the district’s board has authorized this in policy FEA(LOCAL), the student notifies his or her teachers, and the student receives approval from the principal prior to the absences; and

- An election clerk, if the student makes up any work missed.

An absence of a student in grades 6–12 for the purpose of sounding “Taps” at a military honors funeral for a deceased veteran will also be excused by the district.

**Failure to Comply with Compulsory Attendance**

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

**Students with Disabilities**

If a student with a disability is experiencing attendance issues, the student’s ARD committee or Section 504 committee will be notified, and the committee will determine whether the attendance issues warrant an evaluation, a re-evaluation, and/or modifications to the student’s individualized education program or Section 504 plan, as appropriate.

**Between Ages 6 and 19**

When a student between ages 6 and 19 incurs unexcused absences for three or more days or parts of days within a four-week period, the school will send a notice to the student’s parent, as required by law, to remind the parent that it is the parent’s duty to monitor the student’s attendance and to require the student to come to school. The notice will also inform the parent that the district will initiate truancy prevention measures and request a conference between school administrators and the parent. These measures will include a behavior improvement plan, school-based community service, or referrals to either in-school or out-of-school
counseling or other social services. Any other measures considered appropriate by the district will also be initiated.

The truancy prevention facilitator for the district is the principal. If you have questions about your student and the effect of his or her absences from school, please contact the facilitator or any other campus administrator.

A court of law may also impose penalties against a student’s parent if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student is absent without excuse from school on ten or more days or parts of days within a six-month period in the same school year.

If a student ages 12–18 incurs unexcused absences on ten or more days or parts of days within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court.

[See policy FEA (LEGAL).]

Extenuating circumstances will be reviewed by the principal. **A student shall be excused for a temporary absence due to a medical appointment providing the student is in attendance part of that school day. If a student provides medical documentation and makes up work missed, the absence will not be counted against the student’s attendance record.** Absences for an entire day for a doctor’s appointment will be treated as an excused absence.

**Attendance for Credit**

To receive credit or a final grade in a class, a student in kindergarten-grade 12 must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit or a final grade for the class if he or she completes a plan, approved by the principal that allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

If a student attends less than 75 percent of the days a class is offered or has not completed the plan approved by the principal, then the student will be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade lost because of absences.

[See policies at FEC]

Should the student develop a questionable pattern of absences, the principal or designee may require a statement from a doctor or health clinic verifying the illness or condition that caused the students absence from school in order to determine whether the absence or absences will be excused or unexcused.

All absences, whether excused or unexcused, must be considered in determining whether a student has attended the required percentage of days. In determining whether there were
extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences for religious holy days and documented health-care appointments will be considered days of attendance for this purpose. [See policies at FEB.]
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district. For a student transferring into the district after school begins, including a migrant student, only those absences after enrollment will be considered.
- In reaching a decision about a student’s absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will consider the acceptability and authenticity of documented reasons for the student’s absences.
- The committee will consider whether the absences were for reasons over which the student or the student’s parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.

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

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

**Official Attendance-Taking Time**

The district must submit attendance of its students to Texas Education Agency (TEA) reflecting attendance at a specific time each day. Official attendance is taken every day during third period. A student absent for any portion of the day, including at the official attendance-taking time, should follow the procedures below.

**Regarding absences:** Parents are to call the school by 10:00 a.m. each day a student is absent. This will assist the school in verifying a student's absence. A written note from a parent is required upon arrival or return to school. The note must include the student's name, the date(s) absent, and the reason for the absence and a parent's signature. Notes signed by the student, even with a parent's permission, will be considered a forgery and the student will be disciplined. For absences exceeding five (5) consecutive days, a note from a doctor is required.

The District accepts the following as extenuating circumstances for the purpose of granting credit for a class:

1. An extracurricular activity or public performance, subject to approval by the District’s Board of Trustees.
2. Required screening, diagnosis, and treatment for Medical-eligible students.
3. A documented health care appointment - if the student begins classes or returns to school on the same day as the appointment.
4. Personal illness; or illness or death in the immediate family.
5. A juvenile court proceeding documented by a probation officer.
6. An absence required by state or local welfare authorities.
7. Family emergency, unforeseen, or unavoidable instance requiring immediate attention.
8. Approved college visitation.

If the attendance committee finds that, there are no extenuating circumstances for the absence, or if conditions established by the committee for earning or regaining credit are not met, the committee shall deny credit for the class. If a petition for credit is denied the students or parent may appeal the decision to the board by following policy FNG (LOCAL). The District shall accept the following alternative ways for students to make up work or regain credit lost because of absences:
1. After-school classes.
2. Saturday make-up classes.
3. Summer school.
4. Make-up work.

Students, who have been absent for any reason, are encouraged to make up the work they missed within the time given by the teacher. Failure to make up work may result in academic penalties.

Students who are absent from school for any reason will not be allowed to participate in school-related activities on that day or evening. The principal will review extenuating circumstances.

Any student shall be excused for a temporary absence due to a medical appointment provided the student is in attendance part of that school day. If a student provides medical documentation and makes-up work missed, the absence will not be counted against the student's attendance record. Absences for an entire day for a doctor's appointment will be treated as an excused absence.

**Accountability under State and Federal Law**

Montgomery ISD and each of its campuses are held to certain standards of accountability under state and federal law. A key component of the accountability requirements is the dissemination and publication of certain reports and information, which include:

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;
- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA;
- Information compiled by TEA for the submission of a federal report card that is required by federal law.
This information can be found on the district’s website at www.misd.org. Hard copies of any reports are available upon request to the district’s administration office.

TEA also maintains additional accountability and accreditation information at TEA Performance Reporting Division and the TEA homepage.

**Awards and Honors**

Students will also be recognized on the honor roll each six weeks for making all A's or all A's and B's. Additional awards will be given at the end of the year during an awards assembly.

**Bullying**

Bullying is defined in state law 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:

- 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 of damage to the student’s property;
- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- Infringes on the rights of the victim at school.

Bullying includes cyberbullying. Cyberbullying is defined by state law 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.

The district is required to adopt policies and procedures regarding:

- 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;
- 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
- 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.
Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor-spreading, or ostracism.

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying. A student may anonymously report an alleged incident of bullying by calling or texting the Montgomery ISD Helpline at 936-209-8877 for Oak Hills Junior High and 936-262-0001 for Montgomery Junior High.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action and may notify law enforcement in certain circumstances. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

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

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student’s parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined by the district to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See Safety Transfers/Assignments]

A copy of the district’s policy is available in the principal’s office, superintendent’s office, and on the district’s website, and is included at the end of this handbook in the form of an appendix. Procedures related to reporting allegations of bullying may also be found on the district’s website.

A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG(LOCAL).

**Cafeteria Services**

The Award Winning Montgomery ISD Child Nutrition Department serves our students healthy and delicious meals and snacks at a value price. Please read the following information:

**Breakfast Program Basics:**

All cafeterias are open for breakfast service at least 30 minutes prior to the beginning of the school day. To purchase a meal, a student may choose an entrée, a side, a juice/fruit and milk.
A student may choose an item in all four categories listed or may choose as few as three items to create a meal. A la carte items are also available for purchase at breakfast service time.

**Lunch Program Basics:**

Montgomery ISD offers a variety of selections. To purchase a basic meal, a student will choose one entrée, two side items (a vegetable and a fruit or two vegetables), a serving of bread and a choice of milk. A student may choose as few as three items or all five items to create a meal. At least one item must be a serving of fruit or vegetable. A variety of entrées, vegetables, fruit, breads and milks are served daily to choose.

**Menus and Pricing:**

Menus and prices are posted in the Child Nutrition section of our web site at [www.misd.org](http://www.misd.org). All MISD menus must meet federal nutrition standards for calories, sodium, and saturated and trans fat established by USDA. Guidelines can be located at [www.squaremeals.org](http://www.squaremeals.org).

**Free and Reduced Price Meal Applications:**

See MISD Website to apply online for free or reduced price meal services. A paper copy of the applications is available at every campus in the front office and the cafeteria. Applications are also available at the district office located at 20774 Eva St, Montgomery TX, 77356. An application must be completed each school year unless you have been notified by the Montgomery ISD Child Nutrition Office that your student has been directly certified by the state of Texas. A completed application will be processed within 10 days from receipt. You may apply at any time during the school year.

**Method of Payment:**

Montgomery ISD uses a district networked computerized system in the cafeterias to track payments and meal consumption. You may pay for meals with cash, check, or our online payment system. The online system accepts both credit cards and debit cards. A link can be found on the Montgomery ISD Website under [www.myschoolbucks.com](http://www.myschoolbucks.com). There is a small fee for using the online service.

**Accessing Meal Accounts:**

All students use their district student I.D. as a “pin number” to access their meal account. This number is used in the cafeteria to access their accounts and for payment on meal accounts.

**Student Balance Questions:**

Parents/Guardians may lookup account purchases anytime using [www.myschoolbucks.com](http://www.myschoolbucks.com). Step by step instructions are located on the Child Nutrition section of the MISD website.

**Meal Balance E-mail Alert Setup:**
You may set up a low balance e-mail alert if your student’s meal account falls below an amount you specify. This service will also enable you to view purchase history within the past thirty days. This is part of the "no fee for service" section offered by www.myschoolbucks.com. Step by Step instructions may be found on the Child Nutrition section of the MISD website.

**Outside Food Policy:**

Parents are allowed to bring food to their student from outside restaurants or establishments but are NOT allowed to provide food for other students. The school does not encourage this practice on a daily basis.

**Student Meal Charging Policy:**

6th-12th grades may charge one meal per meal program (NSBP/NSLP). Every effort is made to keep your student informed of their meal account balance. When a student has charged the maximum number of meals, the student will receive an entree, fruit or vegetable, and a milk at lunch and cereal w/toast, fruit and milk for breakfast. No Ala carte items may be charged at any time during the year.

**Smart Snacks:**

USDA Nutrition Standards (Smart Snacks) will be used as the standard for guidelines pertaining to foods and beverages made available on school campus. Time and place regulations is defined as; the midnight before the beginning of the official instruction day to 30 minutes after the end of the official instruction day. Competitive Food Nutritional Standards apply during this time period.

**Competitive Food Nutritional Standards:**

The district follows all applicable State and Federal guidelines as well as board adopted policies, define when, where and by whom competitive foods, which are served or sold on school premises during the school day. Foods and Beverages that are sold during the school day, that are not part of a Food Service Reimbursable Meal, on the school campus, must meet Competitive Food Nutrition Standards.

**Serving the Special Dietary Needs of Students:**

Students with disabilities who require changes to the basic meal are required to provide documentation with accompanying instructions from a licensed physician.

Students without disabilities requiring food substitutions or modifications may request that the Child Nutrition Department meet their special nutrition needs. The district will decide these situations on a case by case basis.

Please complete the Physician’s form – Food/Allergy/Disability Substitution Request located on the MISD web site (www.misd.org) under District Services/Child Nutrition.
The form can be faxed to Montgomery ISD Child Nutrition Department at (936)276-2601 or mailed to Montgomery ISD, Attn: Child Nutrition Department, 20774 Eva Street, Montgomery, Texas 77356. Please provide a parent/guardian contact number. Child Nutrition provides the completed form to the school nurse.

**Discrimination Statement:**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint_filing_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. This institution is an equal opportunity provider.

**Career and Technical Education (CTE) Programs**

Both Junior Highs offers career and technology classes in Skills for Living, Gateway to Engineering and Gateway to Computer Science.

It is the policy of the district not to discriminate on the basis of race, color, national origin, sex, or handicap in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

It is the policy of the district not to discriminate on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

The District will take steps to ensure that a lack of English language skills will not be a barrier to admission and participation in any educational and career and technology programs.
Celebrations
Although a parent or grandparent is not prohibited from providing food for a school-designated function or for children in the child’s or grandchild’s classroom for his or her birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child’s teacher prior to bringing any food in this circumstance. Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers for bringing food products.

Cheating/Plagiarism/Academic Dishonesty
Montgomery ISD expects its students to maintain the highest degree of academic ethics. This means putting the utmost effort into all class work and assignments and avoiding the ethical pitfalls of plagiarism and cheating.

Plagiarism Rationale: Plagiarism demonstrates a lack of integrity and character that is inconsistent with the goals and values of MISD. Plagiarism interferes with the assessment and feedback process that is necessary in order to promote academic growth. Plagiarism may prevent further instruction in areas of weakness and delay the student in reaching his or her potential.

Plagiarism includes, but is not limited to:
- Taking someone else’s assignments or portion of an assignment and submitting it as your own
- Submitting material written by someone else or rephrasing the ideas of another without giving the author’s name or source
- Presenting the work of tutors, parents, siblings, or friends as your own

Cheating Rationale: Cheating demonstrates a lack of integrity and character that is inconsistent with the goals and values of MISD. Education is based on learning specific skills, forming lifelong work habits, and developing mature coping skills according to each student’s unique abilities. Students are expected to produce their own work except on projects designated by the teacher as cooperative efforts. If a student is in doubt about the ethical standards applicable to a particular situation, then the student is responsible for clarifying the matter with the teacher.

Cheating includes, but is not limited to:
- Copying, text messaging, faxing, e-mailing, or in any way duplicating assignments that are turned in wholly or in part, as original work
- Giving or receiving answers during tests or quizzes
- Taking credit for group work when you have not contributed an equal or appropriate share toward the final result
- Accessing a test or quiz for the purpose of determining the questions in advance of its administration

If your child is caught cheating and you are called, please remember that this is a learning experience. Please help your child to accept the consequences for his/her inappropriate actions.
Consequences of Plagiarism/Cheating

Any student who is caught cheating or plagiarizing shall receive a grade of “zero” for the academic work involved, and the parent(s) of the student(s) will be notified. When work is copied from another student, both students shall be penalized with a grade of “zero”. Grades of “zero” which are the result of any form of academic dishonesty are irrevocable. The students shall receive a “U” for citizenship during the appropriate grading period and campus administration will be notified. Subsequent offenses will be assigned according to the MISD Student Code of Conduct.

Child Sexual Abuse, Sex Trafficking and Other Maltreatment of Children

The district has established a plan for addressing child sexual abuse, sex trafficking, and other maltreatment of children, which may be accessed at www.misd.org.

Warning Signs of Sexual Abuse

As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child’s mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child.

Possible physical, behavioral, and emotional warning signs of sexual abuse include:

- Difficulty sitting or walking;
- Pain in the genital areas;
- Claims of stomachaches and headaches;
- Verbal references or pretend games of sexual activity between adults and children;
- Fear of being alone with adults of a particular gender;
- Sexually suggestive behavior;
- Withdrawal;
- Depression;
- Sleeping and eating disorders; and
- Problems in school.

Be aware that children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See Dating Violence, Discrimination, Harassment, and Retaliation]

Warning Signs of Sex Trafficking

Sex trafficking of any sort is prohibited by the Penal Code. Sex trafficking involves forcing a person, including a child, into sexual abuse, assault, indecency, prostitution, or pornography. Traffickers are often trusted members of a child’s community, such as friends, romantic
partners, family members, mentors, and coaches, although traffickers frequently make contact with victims online.

Possible warning signs of sexual trafficking in children include:

- Changes in school attendance, habits, friend groups, vocabulary, demeanor, and attitude;
- Sudden appearance of expensive items (for example, manicures, designer clothes, purses, technology);
- Tattoos or branding;
- Refillable gift cards;
- Frequent runaway episodes;
- Multiple phones or social media accounts;
- Provocative pictures posted online or stored on the phone;
- Unexplained injuries;
- Isolation from family, friends, and community; and
- Older boyfriends or girlfriends.

**Reporting and Responding to Sexual Abuse, Sex Trafficking, and Other Maltreatment of Children**

Anyone who suspects that a child has been or may be abused, sex trafficked, or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

A child who has experienced sexual abuse, trafficking, or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse and sex trafficking may be more indirect than disclosures of physical abuse and neglect, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you.

Parents, if your child is a victim of sexual abuse, sex trafficking, or other maltreatment, the school counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (DFPS) also manages early intervention counseling programs. [To find out what services may be available in your county, see Texas Department of Family and Protective Services, Programs Available in Your County.]

Reports of abuse, trafficking, or neglect may be made to:

The CPS division of the DFPS (1-800-252-5400 or on the web at Texas Abuse Hotline Website).

**Further Resources on Sexual Abuse, Sex Trafficking, and Other Maltreatment of Children**
The following websites might help you become more aware of child abuse and neglect, sexual abuse, sex trafficking, and other maltreatment of children:

- Child Welfare Information Gateway Factsheet
- KidsHealth, For Parents, Child Abuse
- Texas Association Against Sexual Assault, Resources
- Office of the Texas Governor’s Child Sex Trafficking Team
- Human Trafficking of School-aged Children

**Communications—Automated**

**Emergency**

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. An emergency purpose may include early dismissal or delayed opening because of severe weather or another emergency, or if the campus must restrict access due to a security threat. It is crucial to notify your child’s school when a phone number previously provided to the district has changed.

[See Safety for information regarding contact with parents during an emergency situation.]

**Nonemergency**

Your child’s school will request that you provide contact information, such as your phone number and e-mail address, in order for the school to communicate items specific to your child, your child’s school, or the district. If you consent to receive such information through a landline or wireless phone, please ensure that you notify the school’s administration office immediately upon a change in your phone number. The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or e-mail communications that are closely related the school’s mission, so prompt notification of any change in contact information will be crucial to maintain timely communication with you. Standard messaging rates of your phone carrier may apply. If you have specific requests or needs related to how the district contacts you, please contact your child’s principal.

**Complaints and Concerns**

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

Should a parent or student feel a need to file a formal complaint, the parent or student should file a district complaint form within the timelines established in policy FNG(LOCAL). In general, the student or parent should submit the written complaint form to the campus principal. If the
Concern is not resolved, a request for a conference should be sent to the superintendent. If still unresolved, the district provides for the complaint to be presented to the board of trustees.

**Computer Access**

Under the direction of professional personnel, Montgomery ISD students have limited access to electronic resources including the Internet. MISD has equipped all such equipment with the most advanced screening software available and will provide Internet Safety training using the I-Safe curriculum to students and personnel, in order to prevent student access to material that is inappropriate for children.

Students are expected to observe network etiquette by being polite and using appropriate language. Students are prohibited from pretending to be someone else; transmitting obscene messages or pictures; revealing personal address or telephone numbers—either their own or another person’s; or using the network in a way that would disrupt use by others. Students not following this code are subject to disciplinary action and/or termination of all computer privileges.

**Conduct**

**Administrative Discretion in Disciplinary Matters**

Any and all infractions of the MISD Student Conduct of Conduct or the rules and regulations of Montgomery I.S.D.’s Junior High Schools may be handled at the discretion of the principal or assistant principal.

The district may impose campus and classroom rules in addition to those found in the Montgomery I.S.D. Student Code of Conduct. Violations of campus and classroom rules may or may not constitute violations of Montgomery I.S.D. Student Code of Conduct.

**Applicability of School Rules**

As required by law, the board has adopted a Student Code of Conduct that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus as well as on district vehicles—and consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the Student Code of Conduct. Students and parents should be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules. During any period of instruction during the summer months, the Student Handbook and Student Code of Conduct in place for the year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.

**Authority of Adult School Employees**

The adult employees of M.I.S.D. have certain responsibilities to the school. In order to carry out these responsibilities they have had certain authority granted to them. Included is the authority to correct students when the occasion demands, whether the employee is a teacher,
a clerk, a custodian or a cafeteria worker. Students are expected to accept such direction as though the principal were giving it. Failure to cooperate will result in disciplinary action.

**Campus Behavior Coordinator**

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The campus behavior coordinator at each Montgomery ISD Junior High Campus is the principal. Their contact information is:

<table>
<thead>
<tr>
<th>Montgomery Junior High Principal</th>
<th>Oak Hills Junior High Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angie Chapman</td>
<td>Tim Williams</td>
</tr>
<tr>
<td><a href="mailto:Angie.Chapman@misd.org">Angie.Chapman@misd.org</a></td>
<td><a href="mailto:Tim.Williams@misd.org">Tim.Williams@misd.org</a></td>
</tr>
<tr>
<td>936-276-3311</td>
<td>936-276-4311</td>
</tr>
</tbody>
</table>

**Deliveries**

Except in emergencies, delivery of messages or packages to students will not be allowed during instructional time. A parent may leave a message or a package, such as a forgotten lunch, for the student to pick up from the front office during a passing period or lunch.

**Disruptions of School Operations**

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

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.
- Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.
• Interference with the transportation of students in vehicles owned or operated by the district.

**Detention**

**LUNCH DETENTION (LD):**
Students assigned to Lunch Detention will report to the designated detention room during their lunch time and remain until lunch is over.

A. Students will receive a lunch detention notice from the administration.

B. Students will buy or bring lunch to the detention room and eat quietly.

C. Failure to report to LD will result in disciplinary consequences as assigned by the principal or assistant principal.

**AFTER-SCHOOL DETENTION (ASD):**
Students assigned to ASD will report to the designated detention room at 2:40 p.m. and remain until 3:30 p.m. Work and transportation are not accepted as excuses for missing ASD.

D. A student who is assigned ASD will be given a letter containing the time and date of each detention assigned. Assignments are made for the next available date. It is the student's responsibility to have the letter signed by the parent and to bring the letter to the detention room on the date assigned. No student will receive credit for the detention if the letter is forged. Forgery of the letter will result in further disciplinary action.

E. Detention is a study lab, and the student is responsible for bringing sufficient work for the entire ASD period, or work will be assigned to them by the ASD monitor.

F. Sleeping, talking, passing notes, chewing gum, etc. will result in dismissal from detention and no credit given for the detention. Any student arriving after 2:40 p.m. will not receive credit for detention.

G. Failure to report to ASD or failure to successfully complete ASD will result in disciplinary consequences as assigned by the principal or assistant principal.

H. ASD will be conducted Monday - Thursday. (This is not the case for teacher-assigned ASD.)

**SATURDAY DETENTION HALL (SDH):**
Students assigned to Saturday D-Hall will report to the cafeteria at Lake Creek High School at 8:45 a.m. and will remain until 12:00 noon. Work or lack of transportation are not accepted excuses for missing Saturday D-Hall.

A. A student who is assigned Saturday D-Hall will be given a letter containing the time and date of detention and the rules governing SDH. Assignments are made for the next available date. Students will be required to sign in when arriving at SDH.

B. Detention is a study lab, and the student is responsible for bringing sufficient work for the three (3) hours. If a student does not bring work, the SDH monitor will assign work packets to be completed.

C. Sleeping, talking, passing notes, chewing gum, etc., will result in dismissal from detention and no credit will be given for the detention. Any student arriving after 8:45 a.m. will not receive credit.
Failure to report or to successfully complete the detention will result in disciplinary consequences as assigned by the principal or assistant principal.

**IN-SCHOOL SUSPENSION (ISS):**
ISS will be utilized to temporarily remove students from the mainstream of the school setting. In addition to the isolation, the student will be required to work on assignments from each class and will receive credit for work satisfactorily completed. The student will not be considered absent from class. Length of assignment to ISS will vary from one day to the remainder of the school year. Other guidelines include the following:

1. All materials/books must be brought to the ISS classroom.
2. Students will not talk, chew gum, pass notes or attempt to sleep. They must maintain an upright position.
3. Each student will have, in addition to lunch, one (1) break in the morning and one (1) break in the afternoon. All breaks and lunch shall be under the supervision of the ISS supervisor.
4. Participation in all co-curricular and extracurricular activities is prohibited during the ISS assignment.
5. Any student removed from ISS assignment for disciplinary reasons will be subject to other, likely more severe disciplinary consequences up to expulsion.
6. Students assigned to ISS are not allowed to attend any school functions during the term of the assignment without administrator approval.

**Public Display of Affection**
Public display of affection (PDA) will not be tolerated, and students involved will be subject to disciplinary action. This includes holding hands, hugging, and kissing.

**Social Events**
School rules apply to all school social events. Guests attending these events are expected to observe the same rules as students, and a student inviting a guest will share responsibility for the conduct of his or her guest.

**Counseling**

**Academic Counseling**
The school counselor is available to students and parents to talk about the importance of postsecondary education and how best to plan for postsecondary education, including appropriate courses to consider and financial aid availability and requirements.

In either grade 7 or 8, each student will receive instruction related to how the student can best prepare for high school, college, and a career.

**Personal Counseling**
The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, emotional or mental health issues, or substance abuse. A student who wishes to meet with the school counselor should request to see a counselor by
contacting the school office or a teacher. As a parent, if you are concerned about your child’s mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

If your child has experienced trauma, contact the school counselor for more information.

[See Substance Abuse Prevention and Intervention and Suicide Awareness.]

Credit by Examination

If a Student Has Taken the Course/Subject (All Grade Levels)

A student who has previously taken a course or subject—but did not receive credit or a final grade for it—may, in circumstances determined by the principal or attendance committee, be permitted to earn credit by passing an examination approved by the district’s board of trustees on the essential knowledge and skills defined for that course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a nonaccredited school. The opportunity to take an examination to earn credit for a course or to be awarded a final grade in a subject after the student has had prior instruction is sometimes referred to as “credit recovery.”

If the student is granted approval to take an examination for this purpose, the student must score at least 70 on the examination to receive credit for the course or subject. The parent will be responsible for the cost of each test.

The attendance review committee may also offer a student with excessive absences an opportunity to earn credit for a course by passing an examination.

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

If a Student Has Not Taken the Course/Subject

A student will be permitted to take an examination to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The examinations offered by the district are approved by the district’s board of trustees. The dates on which examinations are scheduled during the 2019–20 school year will be published in appropriate district publications and on the district’s website. The only exceptions to the published dates will be for any examinations administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system. When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific examination only once.

[For further information, see policy EHDC.]
Students in Grades 6–12

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the examination, a scaled score of 50 or higher on an examination administered through the CLEP, or a score of 3 or higher on an AP examination, as applicable. A student may take an examination to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school’s high school course sequence, the student must complete the course.

TESTING AND REGISTRATION DATES

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<th>Testing Dates</th>
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<tr>
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EXAMS

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<td>College Level Examination Program</td>
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Dating Violence, Discrimination, Harassment, and Retaliation

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

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person’s race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law. A copy of the district’s policy is available in the principal’s office and in the superintendent’s office or on the district’s website. [See policy FFH.]

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student’s ability to participate in or benefit from an educational program or activity; creates an
intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student’s academic performance.

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

**Discrimination**

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

**Harassment**

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student’s ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student’s academic performance.

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

In addition to dating violence as described above, two other types of prohibited harassment are described below.

**Sexual Harassment and Gender-Based Harassment**

Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.

Examples of sexual harassment may include, but not be limited to, touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature, such as comforting a child with a hug or taking the child’s hand. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.
Gender-based harassment includes harassment based on a student’s gender, expression by the student of stereotypical characteristics associated with the student’s gender, or the student’s failure to conform to stereotypical behavior related to gender.

Examples of gender-based harassment directed against a student, regardless of the student’s or the harasser’s actual or perceived sexual orientation or gender identity, may include, but not be limited to, offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

**Retaliation**

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

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

**Reporting Procedures**

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

Upon receiving a report of prohibited conduct as defined by policy FFH, the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined by that policy. If not, the district will refer to policy FFI to determine if the allegations, if proven, would constitute bullying, as defined by law and that policy. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying as defined by law and policy FFI, an investigation of bullying will also be conducted.

The district will promptly notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the district. In the event alleged prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy FFH.
Investigation of Report
To the extent possible, the district will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated.

If a law enforcement or other regulatory agency notifies the district that it is investigating the matter and requests that the district delay its investigation, the district will resume the investigation at the conclusion of the agency’s investigation.

During the course of an investigation and when appropriate, the district will take interim action to address the alleged prohibited conduct.

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

All involved parties will be notified of the outcome of the district investigation within the parameters and limits allowed under the Family Educational Rights and Privacy Act (FERPA).

A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with policy FNG(LOCAL).

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

The Texas Virtual School Network (TxVSN) has been established by the state as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation.

Depending on the TxVSN course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [See Extracurricular Activities, Clubs, and Organizations on page 47.] In addition, for a student who enrolls in a TxVSN course for which an end-of-course (EOC) assessment is required, the student must still take the corresponding EOC assessment.

If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the school counselor. A student will not be allowed to enroll in a TxVSN course if the school offers the same or a similar course.
A copy of policy EHDE will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the principal.

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

**Distribution of Literature, Published Materials, or Other Documents**

**School Materials**

School Materials - School-sponsored newspapers and/or yearbooks are under the complete supervision of the teacher and campus principal.

A campus administrator must first approve signs and posters that students wish to display. Posters displayed without authorization will be removed. Any student who posts printed material without approval shall be subject to disciplinary action.

**Nonschool Materials**

All written material over which the District does not exercise editorial control that is intended for distribution to students shall be submitted to the Principal for review and approval. If the material is not approved within 2 days of the time it is submitted, it must be considered disapproved. Decisions may be appealed by submitting the material to the Superintendent. Material not approved by the Superintendent within three (3) days is considered disapproved. This disapproval may be appealed to the Board at its next regular meeting when the student shall have a reasonable period of time to present his/her viewpoint.

Handbills, photographs, pictures, petitions, films, tapes and other visual or auditory materials may not be sold, circulated or distributed on any school campus by students or non-students without the approval of the Director of Human Resources.

**Dress and Grooming**

Students will be expected to keep themselves well groomed and neatly dressed at all times. Any form of dress or hairstyle or grooming that is contrary to good hygiene or which is considered a distraction or disruptive to the purpose and conduct of the school will not be permitted. Dress shall not create a health or other hazard to the students’ safety.

The dress code for Montgomery ISD includes, but is not limited to, the following:

- Shorts, skirts, or dresses must be modest (mid-thigh or longer) with normal movement. If leggings are worn under other garments, the hem of the accompanying garment must be mid-thigh or longer.
• Walking shorts may be worn provided they are in good taste. No bicycle shorts, spandex, running or jogging shorts are allowed. Shorts, pants and jeans must be hemmed and have no holes or cutouts above the knee.

• Strapless, transparent, tight, low-cut or revealing clothes may not be worn to school. Inappropriate clothing includes any casual beach-like attire, including backless blouses, off the shoulder blouses/dresses, halter type tank tops, tops with spaghetti straps, or pants, shirts and sleeves that have been cut off. Undergarments should not be visible. Midriffs must not show. No stomachs should be visible with normal movement.

• No hats, caps, doo-rags or bandanas are to be worn in any school building at any time.

• Raincoats, trench coats and other full-length over-garments worn to school due to inclement weather must be stored in the locker or AP office. Such garments may not be worn inside the building.

• Hair must be neat, clean and combed. Extreme styles or color are not acceptable. Mustaches and beards may be worn if neat and trimmed.

• Students may not wear clothing that displays vulgar, lewd, or obscene writing or images and may not wear emblems that advertise or depict tobacco, alcohol, drugs, or weapons. Pants may not be excessively baggy or hang below the natural waistline.

• Noisy or distracting jewelry or accessories may not be worn. Nose/Facial piercing, tongue studs and/or visible body piercing, except for earrings, are prohibited. Chains of any length or size (including wallet chains) are not allowed. Visible tattoos are prohibited. Sunglasses may not be worn in building.

• It is never appropriate for students to wear house slippers, pajamas, or bedclothes to school. Students should never bring blankets or pillows.

Each year there are “fads” that show up on our campuses. We are neither listing these nor making a regulation to cover all problems that may arise. When a fad starts on a campus and becomes a distraction, it shall be immediately eliminated. It is impractical to list every possibility of dress and grooming. The principal of each campus shall apply the Grooming Code and make all final decisions regarding what is acceptable and appropriate considering the age and activities of the students.

Infractions of the dress code will result in the student being sent to the office. On the first offense, the violation will be corrected as soon as possible, parents will be contacted, a warning will be issued, and student will be sent to class with code. Second offense will follow the procedures mentioned above except discipline consequence will be issued. Three or more offenses will result in parent coming to school to correct violation or the student being sent to ISS for the remainder of the day and a discipline consequence assigned. Any violation that
cannot be corrected in the above mentioned manner will result in the student being placed in ISS for the remainder of the day.

If a student fails to report to the office when instructed, they will receive the appropriate discipline consequence.

The final determination of what is disruptive or distracting shall be made by the principal or assistant principal. Parents and students who disagree shall follow the procedure for appeals (Board Policy FNG).

**Electronic Devices and Technology Resources**

Students shall not forward inappropriate pictures including pictures of their classmates, or any minors, engaging in sexual conduct using their cell phones or using district computers and equipment. A student who is in violation of the Student Code of Conduct concerning this matter is in violation of the Texas Penal Code and is subject to serious consequences. Please read and review pages 3, 4, 8, 14, and 18 of the Student Code of Conduct for additional information and clarification.

The policy includes, but is not limited to devices that emit an audible signal, vibrate, display a message, or otherwise summon or deliver any form of communication, including photos and videos, to or from the possessor. This may include but is not limited to cell phones, smart phones, iPod, iTouch, tablets and MP3 players.

Electronic device use (including cell phones) at Montgomery ISD’s Junior High School campuses will be permitted ONLY in the common areas of the campus (hallways, cafeteria, & outside eating area) before school; during passing periods, during the student’s lunch period, and after school. Use of electronic devices in any area of the building during instructional time is strictly prohibited. Instructional time is defined as the time period between the tardy bell and the dismissal bell for all class periods. All electronic devices must be turned off, silenced, and not visible prior to a student entering any classroom or other instructional environment including, but not limited to the auditorium and the gymnasium. A student leaving the building to use an electronic device is strictly prohibited.

A teacher may choose for students to utilize their electronic device for instructional purposes. Students must follow the teacher’s guidelines in regards to its use, and may not use the device for any other purpose during that time period; this would include, but not be limited to texting, phone calls, photographing/videoing unauthorized web browsing, and social networks.

Electronic devices are strictly for personal use and should not be audible to others. The student’s ability to hear and/or comply with verbal direction should never be impaired. Ear bud use is acceptable, but headphones that cover the ears are prohibited.

Cell phones should never be used as a camera or video camera while on campus, and the use of any device capable of capturing images is strictly prohibited in locker rooms or restroom areas,
while at school, or at a school-related, or school-sponsored event. This includes, but not limited to, students who are posing for the picture.

Electronic devices used for inappropriate purposes that include but are not limited to academic dishonesty, cyber-bullying, and sending, or receiving inappropriate pictures/videos, are strictly prohibited.

The unapproved or inappropriate use of electronic devices will result in confiscation, and disciplinary consequences for each violation of this policy. School Administrators are not required to obtain a warrant before searching a student’s cell phone when they have “reasonable belief” a violation has occurred.

Confiscated electronic devices are not the responsibility of the school or its personnel. Montgomery I.S.D. will not be responsible for damaged, lost or stolen electronic devices. Confiscated items will be returned to the student or parent/legal guardian using the following guidelines. (For further information, see policy FNCE and the MISD Student Code of Conduct.)

1st Offense:  1 day lunch detention (Students may pick-up at the end of their school day.)
2nd Offense:  2 day lunch detention and $10 (Students may pick-up at the end of their school day.)
3rd Offense:  1 ASD and $15 (Students may pick-up at the end of their school day.)
4th Offense:  2 ASD and $15 (Parent/Guardian must pick-up.)
5th Offense:  1 Saturday School assignment, $15 (Parent/Guardian must pick-up.)

* Refusal to turn cell phone over to a Teacher will result in 2 days of ISS.
* Refusal to comply with your Administrator will result in the above consequences AND home suspension.

Note:

1. If a parent/legal guardian cannot come to the school to pick up a confiscated electronic device by the end of the school day:
   The device will stay in the custody of the school administrator until the parent/legal guardian can arrange their schedule to pick up the device.
2. If a parent/legal guardian cannot pay the administrative fee:
   The device will stay in the custody of the school administrator until the parent/legal guardian can pay the assessed fee.

**Acceptable Use of District Technology Resources**

District-owned technology resources for instructional purposes may be issued to individual students. Use of these technological resources, which include the district’s network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these
district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

**Unacceptable and Inappropriate Use of Technology Resources**

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as “sexting,” will be disciplined in accordance with the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child *Before You Text* Sexting Prevention Course, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

In addition, any student who engages in conduct that results in a breach of the district’s computer security will be disciplined in accordance with the Student Code of Conduct, and, in some cases, the consequence may rise to the level of expulsion.

**English Learners**

A student who is an English learner is entitled to receive specialized services from the district. To determine whether the student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be formed, which will consist of both district personnel and at least one parent representative. The student’s parent must consent to any services recommended by the LPAC for an English learner. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at *Standardized Testing* on page 72, may be administered to an English learner for a student up to grade 5. In limited circumstances,
a student’s LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

If a student is considered an English learner and receives special education services because of a qualifying disability, the student’s ARD committee will make instructional and assessment decisions in conjunction with the LPAC.

**Extracurricular Activities, Clubs, and Organizations (All Grade Levels)**

1. Curricular activities occur within the regular school day and include the delivery of instruction.
2. Co-curricular activities are an extension of classroom instruction in which participation is by the entire class or a significant portion of the class such as field trips.
3. Co-curricular activities that require a student to miss a class other than the sponsoring class or course shall be counted under the 10-day rule. A student will not be permitted to miss a class, which he/she is failing.
4. Extracurricular activities are school-sponsored activities, which are not directly related to instruction. Activities include, but are not limited to, performances, contests, demonstrations, displays, club activities and athletic activities.

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

Eligibility for initial and continuing participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing inter-district competition. If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students involved in UIL athletic activities and their parents can access the UIL Parent Information Manual; a hard copy can be provided by the coach or sponsor of the activity on request. To report a complaint of alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or curriculum@tea.texas.gov.

[See UIL Texas for additional information on all UIL-governed activities.]

In addition, the following provisions apply to all extracurricular activities:

- Beginning in Grade 7 and continuing through Grades 8 and 9: a student must be promoted from the previous grade, not placed.
- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an Advanced Placement (AP) or International Baccalaureate (IB) course; or an honors or dual credit course in English language arts, mathematics,
science, social studies, economics, or language other than English—may not participate in extracurricular activities for at least three school weeks.

- A student receiving a course grade of “I” (Incomplete, pending completion of required work) is considered ineligible until the “I” is replaced with a passing grade for that grading period.

- Credits earned in summer school or in correspondence may be used to determine eligibility.

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.

- Students who assist the sponsor or coach, such as student manager, must meet all academic eligibility requirements even though they do not participate in the performance or contest.

- An ineligible student may practice or rehearse but may not participate in any competitive activity.

- A student is allowed in a school year up to 10 absences not related to post-district competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.

- An absence for participation in an activity that has not been approved will receive an unexcused absence.

- Students must be in attendance at least half a day prior to participation or departure for participation in any school-sponsored activity or practice that day. An exception may be made if a student presents a doctor’s note verifying that he/she was in the office for medical treatment. Students who are absent from school may not attend or participate in after-school practice or events. Extenuating circumstances will be reviewed by the principal.

- Students assigned to any of the District’s alternative education programs or who have been suspended or expelled will not be allowed to practice, participate in or attend extracurricular activities.

**Standards of Behavior**

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by board policy will apply in addition to any consequences specified by the organization’s standards of behavior.
Fees
Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. A student, however, is expected to provide his or her own pencils, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, including:

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, yearbooks, etc.
- Voluntarily purchased student accident insurance and insurance on school-owned instruments.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Fees for lost, damaged, or overdue library books and school owned equipment.
- Summer school for courses that are offered tuition-free during the regular school year.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

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

Fundraising
Student groups or classes and/or parent groups may be permitted to conduct two fundraising drives for approved school purposes in accordance with administrative regulations. An application for permission must be made to the Principal at least ten (10) days before the event. [For further information, see policies FJ and GE.]

Grading Guidelines
Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed by each applicable curriculum department and have been approved by the campus principal. These guidelines establish the minimum number of assignments, projects, and examinations required for each grading period. In addition, these guidelines establish how the student’s
mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.). Grading guidelines also outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally made a failing grade. Procedures for a student to follow after an absence will also be addressed. Departmental grading procedures will be available for parents and students on the course syllabus, teacher websites, and Meet the Teacher night.

[See Report Cards/Progress Reports and Conferences for additional information on grading guidelines.]

**Hazing**

Hazing is defined by Section 37.151 of the Education Code 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:

- Any type of physical brutality;
- 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;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- 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.

Hazing will not be tolerated by the district. If an incident of hazing occurs, disciplinary consequences will be handled in accordance with the Student Code of Conduct. It is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report this to the principal or superintendent.

[See Bullying and policies FFI and FNCC.]

**Health-Related Matters**

**Student Illness**

When your child is ill, please contact the school to let us know he or she won’t be attending that day. It is important to remember that schools are required to exclude students with certain illnesses from school for periods of time as identified in state rules. For example, if your child has a fever over 100 degrees, he or she must stay out of school until fever-free for 24 hours.
without fever-reducing medications. In addition, students with diarrheal illnesses must stay home until they are diarrhea free without diarrhea-suppressing medications for at least 24 hours. A full list of conditions for which the school must exclude children can be obtained from the school nurse.

If a student becomes ill during the school day, he or she must receive permission from the teacher before reporting to the school nurse. If the nurse determines that the child should go home, the nurse will contact the parent.

The district is also required to report certain contagious (communicable) diseases or illnesses to the Texas Department of State Health Services (DSHS) or our local/regional health authority. The school nurse can provide information from DSHS on these notifiable conditions.

Contact the school nurse if you have questions or if you are concerned about whether or not your child should stay home.

**Bacterial Meningitis**

State law requires the district to provide information about bacterial meningitis:

**What is meningitis?**

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is common and most people recover fully. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

**What are the symptoms?**

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms.

Children (over 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

The diagnosis of bacterial meningitis is based on a combination of symptoms and laboratory results.

**How serious is bacterial meningitis?**

If it is diagnosed early and treated promptly, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

**How is bacterial meningitis spread?**

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the
air where a person with meningitis has been. They are spread when people exchange respiratory or throat secretions (such as by kissing, coughing, or sneezing).

The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body’s immune system and cause meningitis or another serious illness.

**How can bacterial meningitis be prevented?**
Maintaining healthy habits, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It’s a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

There are vaccines available to offer protection from some of the bacteria that can cause bacterial meningitis. The vaccines are safe and effective (85–90 percent). They can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

**What should you do if you think you or a friend might have bacterial meningitis?**
You should seek prompt medical attention.

**Where can you get more information?**
Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the websites for the Centers for Disease Control and Prevention, particularly the CDC’s information on bacterial meningitis, and the Department of State Health Services.

**Note:** DSHS requires at least one meningococcal vaccination on or after the student’s 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

[See Immunization for more information.]

**Food Allergies (All Grade Levels)**
The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening reactions.
either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic, as well as the nature of the allergic reaction. If your child has a known food allergy, complete the Food Allergy/Disability Substitution Request, along with physician’s signature. The form can be found online at www.misd.org under “District Services”, “Child Nutrition” or obtained from the campus.

The district has developed and annually reviews a food allergy management plan, which addresses employee training, dealing with common food allergens, and specific strategies for dealing with students diagnosed with severe food allergies. When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district’s food allergy management plan can be accessed at www.misd.org.  

[See policy FFAF and Celebrations.]

Head Lice

Head lice, although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice, the school nurse will contact the student’s parent to determine whether the student will need to be picked up from school and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return.

More information on head lice can be obtained from the DSHS website Managing Head Lice.

Immunization

In accordance with the Texas Department of Health the following immunizations will be required prior to student’s enrollment in Montgomery ISD. Additional vaccines may be recommended during the year. If students do not comply with the immunization schedule, he/she may be excluded from school. Please contact the school nurses if you have questions.

This chart summarizes the vaccine requirements incorporated in Title 25 Health Services, §§ 97.61-97.72 of the Texas Administrative Code (TAC).

This chart is not intended as a substitute for consulting the TAC, which has other provisions and details. The Department of State Health Services is granted authority to set immunization requirements by the Education Code, Chapter 38, Health & Safety, Subchapter A, General Provisions.

IMMUNIZATION REQUIREMENTS
A student shall show acceptable evidence of vaccination prior to entry, attendance, or transfer to a child-care facility or public or private elementary or secondary school in Texas.

<table>
<thead>
<tr>
<th>Vaccine Required (Attention to notes and footnotes)</th>
<th>Minimum Number of Doses Required by Grade Level</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>K – 5th</td>
<td>6th</td>
</tr>
<tr>
<td>Diphtheria/Tetanus/Pertussis (DTaP/DTP/DT/Td Tdap) ¹</td>
<td>5 doses or 4 doses</td>
<td>3 doses primary series and 1 Tdap/Td booster within last 5 years.</td>
</tr>
<tr>
<td>Polio¹</td>
<td>4 doses or 3 doses</td>
<td>For K – 12th grade: 4 doses of polio; 1 dose must be received on or after the 4th birthday. However, 3 doses meet the requirement if the 3rd dose was received on or after the 4th birthday.</td>
</tr>
<tr>
<td>Measles, Mumps, and Rubella¹ ² (MMR)</td>
<td>2 doses</td>
<td>For K – 12th grade: 2 doses are required, with the 1st dose received on or after the 1st birthday. Students vaccinated prior to 2009 with 2 doses of measles and one dose each of rubella and mumps satisfy this requirement.</td>
</tr>
<tr>
<td>Hepatitis B ³</td>
<td>3 doses</td>
<td>For students aged 11 - 15 years, 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax®) was received. Dosage and type of vaccine must be clearly documented. Two (2) 10 mcg/1.0 ml doses of Recombivax®. If Recombivax® is not the vaccine received, a 3-dose series is required.</td>
</tr>
<tr>
<td>Varicella¹ ² ³</td>
<td>2 doses</td>
<td>The 1st dose of varicella must be received on or after the 1st birthday. For K – 12th: 2 doses are required.</td>
</tr>
<tr>
<td>Meningococcal</td>
<td>1 dose</td>
<td>For 7th – 12th grade, 1 dose of quadrivalent meningococcal conjugate vaccine is required on or after the student’s 11th birthday.</td>
</tr>
<tr>
<td>Hepatitis A¹ ²</td>
<td>2 doses</td>
<td>The 1st dose of hepatitis A must be received on or after the 1st birthday. For K – 7th grade: 2 doses are required. Special note: a child will not be considered delinquent in this series until 18 months have elapsed since receiving the 1st dose.</td>
</tr>
</tbody>
</table>

¹ Receipt of the dose up to (and including) 4 days before the birthday will satisfy the school entry immunization requirement.  
² Serologic confirmation of immunity to measles, mumps, rubella, hepatitis B, hepatitis A, or varicella or serologic evidence of infection is acceptable in place of vaccine.  
³ Previous illness may be documented with a written statement from a physician, school nurse, or the child’s parent or guardian containing wording such as: “This is to verify that (name of student has varicella disease (chickenpox) on or about (date) and does not need varicella vaccine.” This written statement will be acceptable in place of any and all varicella vaccine doses required.

Exemptions

The law allows (a) physicians to write a statement stating that the vaccines(s) required would be medically harmful or injurious to the health and well-being of the child, and (b) parents/guardians to choose and exemption from immunization requirements for reasons of conscience, including a religious belief. The law does not allow parents/guardians to elect an exemption simply because of inconvenience (for example, a record is lost or incomplete and it is too much trouble to go to a physician or clinic to correct the problem). Schools and child-care
facilities should maintain an up-to-date list of students with exemptions, so they may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

Instructions for requesting the official exemption affidavit that must be signed by parents/guardians choosing the exemption for reasons of conscience, including a religious belief, can be found at www.ImmunizeTexas.com

For children needing medical exemptions, a written statement by the physician should be submitted to the school.

All immunizations should be completed by the first date of attendance. The law requires that students be fully vaccinated against the specified diseases. A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate vaccine required by this rule. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible and provide acceptable evidence of vaccination to the school. A school nurse or school administrator shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and the school shall exclude the student from school attendance until the required dose is administered.

Documentation

Since many types of personal immunization records are in use, any document will be acceptable provided a physician or public health personnel has validated it. The month, day, and year that the vaccination was received must be recorded on all school immunization records created or updated after September 1, 1991.

[For further information, see policy FFAB(LEGAL) and the DSHS website at Texas School & Child-Care Facility Immunization Requirements.]

Medicine at School

1. A parent must deliver a prescription or non-prescription medication in its original, labeled container to the nurse or designee if the student needs to take the medication during the school day. The parent must complete the Medication Permission Form found in the appendix. If the medication is a prescription drug that is to be taken longer than two weeks, the physician must also sign the Medication Permission Form.

2. All medication must be brought to school and picked up by a parent (legal guardian). No medicines of any kind will be allowed on a school bus, car, locker or in a student’s possession. Any violation will result in disciplinary consequences. The district will not purchase medication to give to a student.

3. All medications must be in its original container. If medication is sent to school loose in a baggie, envelope, etc., it will be disposed of and the student will be consequenced.
4. At the end of the school year, all medications will be disposed of if not picked up by the parent. A new medication along with a signed Medication Permission Form is required each school year.

5. If a student is coming to the Nurse’s Station on a frequent basis asking to take Tylenol or other over-the-counter medication which the parent has brought for them, the parent will be notified regarding possible overuse of such a medication and the possible need for the child to be seen by their doctor.

6. If a student is taking a prescription medication and for a medical reason, the time or dosage is changed by the doctor, a letter of authorization from the doctor must be given to the nurse before she can make such a change in handling the way the student is receiving medication.

7. If a student needs to leave the classroom on a frequent basis due to a medical condition, the nurse will need to be contacted. If more than one day is involved, a medical authorization must be signed by the student’s physician.

8. Bottles or cups of water will not be allowed in the classrooms. If a student needs to drink water on a regular basis due to some medical condition, then a doctor’s authorization must be brought to the Nurse’s Station. A parent’s request will be granted on a one-day only basis.

9. For the safety of the student, we encourage parents to not give permission for their children to leave campus to take medicine, change clothes, or other personal reasons. Parent assistance in keeping students on campus is greatly appreciated.

10. The student may return to school when they are disease free, free of fever for 24 hours, and medicated for the required length of time as specified by your doctor. If diagnosed with meningitis, mononucleosis, or conjunctivitis (pink eye) a physician’s letter of authorization stating that the child may return to school must be brought to the nurse at the time of returning to class.

11. Herbal medicines such as St. John’s Wort, over-the-counter diet medications and steroids for bodybuilding, etc. will not be accepted in the Nurse’s Station unless accompanied by a letter of authorization by the physician and co-signed by the parent.

12. Students may carry respiratory inhalers for asthma with them if their physician has requested in writing that the student may do so, the inhaler has the student’s prescription label on it, if a second labeled inhaler is kept in the nurse’s office for emergencies, if the student can demonstrate the correct use of the inhaler to the nurse, and if the parent has completed a permission to medicate form and filed it with the nurse.

13. Montgomery ISD strongly discourages the use of prescription pain medication by our students during school hours. It is our feeling that a student in pain should be kept home under the supervision of the parent until his/her pain is relieved. Often students taking pain medication at school other than Tylenol, aspirin, or ibuprofen are not able to stay awake in class. This does not benefit the student. We are also concerned for their safety while under the influence of the pain medication.

14. In accordance with a student’s individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the school nurse for information.
Psychotropic Drugs
A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

Teachers and other district employees may discuss a student’s academic progress or behavior with the student’s parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [For further information, see policy FFAC.]

Physical Activity Requirements
Junior High/Middle School
In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in junior high school will engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters.

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

Medical Restriction of Activities
Students may be restricted from physical activity in physical education classes. For permanent restrictions, a physician licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and expectations for physical activity for the student. For temporary restrictions, less than four (4) weeks, a physician licensed to practice in Texas shall provide written documentation of the nature of the temporary impairment and the expected time for recovery. During the recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skills demonstration. Physical activities which may serve as waivers for physical education are: Drill Team, Dance and Marching Band (in the fall semester).

School Health Advisory Council (SHAC)
During the preceding school year, the district’s School Health Advisory Council (SHAC) held 4 meetings. Additional information regarding the district’s SHAC is available from the Jada Mullins, Director of Special Programs at (936) 276-2140.

The duties of the SHAC include:

- Making recommendations regarding physical and mental health curriculum.
- Developing strategies for integrating curriculum into a coordinated school health program encompassing issues such as school health services, counseling services, a safe
and healthy school environment, recess recommendations, improving student fitness, mental health concerns, substance abuse prevention, and employee wellness.

- Making recommendations for increasing parents’ awareness of warning signs of suicide and mental health risks and community mental health and suicide prevention services [See policies at BDF and EHAA.]

**Seizures**

To address the care of a student with a seizure disorder while at school or participating in a school activity, a parent may submit a seizure management and treatment plan to the district before the beginning of the school year or upon enrollment of the student, or as soon as practicable following a diagnosis of a seizure disorder for the student. For more information, contact the school nurse.

For more information, see “A Student with Physical or Mental Impairments Protected under Section 504”.

**Student Wellness Policy/Wellness Plan**

Montgomery ISD is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement the policy. You are encouraged to contact Jada Mullins, Director of Special Programs, with questions about the content or implementation of the district’s wellness policy and plan.

**Other Health-Related Matters**

**Physical Fitness Assessment**

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

**Vending Machines**

The district has adopted and implemented the state and federal policies and guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, please contact Lena Neugebauer, Director of Child Nutrition at (936) 276-2600. [See policies at CO and FFA.]

**Tobacco and E-Cigarettes Prohibited**

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device (Vapes), while on school property at any time or while attending an off-campus school-related activity.
The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies at FNCD and GKA.]

**Asbestos Management Plan**
The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district’s Asbestos Management Plan is available in the superintendent’s office. If you have any questions or would like to examine the district’s plan in more detail, please contact Arthur Ford, the district’s designated asbestos coordinator, at (936) 276-2360.

**Pest Management Plan**
The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, pesticide use is sometimes necessary to maintain adequate pest control and ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have further questions or who want to be notified prior to pesticide application inside their child’s school assignment area may contact Arthur Ford, the district’s IPM coordinator, at (936) 276-2360.

**Late Work**
Teachers will not accept late assignments. Students are expected to assume full responsibility for completing assignments and turning them in to the teacher on time. This is not to be confused with the make-up work policy that applies to assignments missed during absences (see Make-Up Work).

**Law Enforcement Agencies**

**Questioning of Students**
When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, if the questioning or interview is part of a child abuse investigation. In other circumstances:

- The principal will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student at school.
- The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.

**Students Taken Into Custody**

State law requires the district to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation.
- By a law enforcement officer to obtain fingerprints or photographs to establish a student’s identity, where the child may have engaged in conduct indicating a need for supervision, such as running away.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student’s physical health or safety.
- To comply with a properly issued directive from a juvenile court to take a student into custody.

Before a student is released to a law enforcement officer or other legally authorized person, the principal will verify the officer’s identity and, to the best of his or her ability, will verify the official’s authority to take custody of the student.

The principal will immediately notify the superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents. Because the principal does not have the authority to prevent or delay a student’s release to a law enforcement officer, any notification will most likely be after the fact.

**Notification of Law Violations**

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
• All instructional and support personnel who have regular contact with a student who is thought to have committed certain offenses or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

• All appropriate district personnel in regards to a student who is required to register as a sex offender.

[For further information, see policy FL(LEGAL).]

**Leaving Campus**

Students who must leave school during the day shall bring a note from a parent that morning. **Students must be signed out by the office before leaving the campus for any reason.** When a parent/guardian comes to pick up their student, they must come inside the building, and they should wait inside the front office until their child arrives. Students under 18 may leave only with a parent or guardian unless the parent or guardian has notified the office. We request that you notify the school in writing if someone other than the parent or guardian will be picking up your child. Only emergency requests will be handled over the telephone with approval by the principal or assistant principal. **Students will not be called out of class to come to the phone.** Parents must leave a message, and the student will be allowed to call back during an appropriate time.

**Library**

All students are encouraged to use the library. The library will be open before school, during lunch, and after school. Teachers may visit the library with their classes as they deem necessary. Students may have two books checked out at any given time. Books are checked out for a period of two (2) weeks. One or both books may be returned at any time during the two-week period and other book (s) may be checked out. If the book is not returned by the end of the 6 weeks period, it will be considered lost and the student will be responsible for payment of the book. Students may not check out library book (s) if they have any overdue books or owe a fine.

Students are not allowed to bring books, binders, etc. into the library unless it is necessary for their work. Shelves for these items will be provided near the entrance of the library.

**Lost and Found**

Lost clothing, glasses, jewelry, purses and other personal articles should be turned in to the office. Lost books will be returned to the library or to the teacher whenever possible. Announcements will be made periodically for students to come and claim their lost items. The district discourages students from bringing to school personal items of high monetary value, as the district is not responsible for lost or stolen items. **At the end of each semester, all unclaimed items will be donated to a non-profit organization.**

**Makeup Work**

Students are responsible for obtaining work they miss due to absences. It is understood that the nature of some work makes it impossible to complete, e.g., science lab, group activities, etc.
work that students can make up, they have a maximum of one (1) day plus the total number of
days absent in which to complete the assignments, not to exceed five (5) days. In certain
circumstances where a prolonged illness is involved, an extension of the five-day limit may be
arranged between student and teacher. If a parent wishes to pick up any missed work, they
should call by 8:30 in order to pick up assignments by 3:00. Make-up work will not be sent home
with another student, and any work not picked up by a parent who requested it, will be the
responsibility of the student upon returning to school. Also, parents/students will not be able
to request “early work” to be picked up before a pre-scheduled absence from school. Students
will be given the opportunity to do all assignments missed once they return to school.

Exams missed are to be taken within the make-up period at the convenience of the teacher.
Students are usually informed of exams in advance. Pre-announced exams will be taken when
the student returns to school.

**In-School Suspension (ISS) and Out-of-School-Suspension (OSS)**

**Makeup Work**

**Completion of Course Work**

While a student is in ISS or OSS, the district will provide the student with all course work for the
student’s foundation curriculum classes that the student misses as a result of the suspension.

**Completion of Courses**

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

**Nondiscrimination Statement**

In its efforts to promote nondiscrimination and as required by law, Montgomery ISD does not
discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or
any other basis prohibited by law, in providing education services, activities, and programs,
including CTE programs, and provides equal access to the Boy Scouts and other designated
youth groups. The following district representatives have been designated to coordinate
compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of sex, including
  sexual harassment or gender-based harassment: Jada Mullins, Director of Special
  Programs, 20774 Eva St., Montgomery, TX 77356, 936-276-2150.
• ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Meredith Burg, Executive Director of Special Education, 20774 Eva St., Montgomery, TX 77356, 936-276-2460.
• All other concerns regarding discrimination: See the superintendent, Dr. Beau Rees, 20774 Eva St. Montgomery, TX 77356, 936-276-2011.

[See policies FB, FFH, and GKD.]

Parent and Family Engagement

Working Together

Both experience and research tell us that a child’s education succeeds best when there is good communication and a strong partnership between home and school. Your involvement and engagement in this partnership may include:

• Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.

• Review the Student Handbook and District Code of Conduct with your child prior to signing and returning to the school the written statement that you understand and consent to the responsibilities outlined in each document. Also understand that during any periods of instruction during the summer months, the Student Handbook and Student Code of Conduct in place for the year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.

• Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.

• Becoming familiar with all of your child’s school activities and with the academic programs, including special programs, offered in the district.

• Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.

• Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.

• Monitoring your child’s academic progress and contacting teachers as needed.

• Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school.
• Becoming a school volunteer.  [For further information, see policy GKG and Volunteers]

• Participating in campus parent organizations

• Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. [For further information, see policies at BQA and BQB]

• Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction and other wellness issues. [See policies at BDF, EHAA, FFA, and information in this handbook at School Health Advisory Council (SHAC).]

• Being aware of the school’s ongoing bullying and harassment prevention efforts.

• Contacting school officials if you are concerned with your child’s emotional or mental well-being.

• Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

**Physical Examinations/ Health Screenings**

**Athletics’ Participation**

A student who wishes to participate in, or continue participation in, the district’s athletics program governed by the UIL must submit certification from a health-care provider authorized under UIL rules that the student has been examined and is physically able to participate in the athletic program.

This examination is required to be submitted annually to the district.

Students should be aware of the rare possibility of sudden cardiac arrest, which in athletes is usually caused by a previously unsuspected heart disease or disorder. A student may request an electrocardiogram (ECG or EKG) to screen for such disorders, in addition to his or her required physical examination.

For more information, see the UIL’s explanation of sudden cardiac arrest.

**Spinal Screening Program**

School-based spinal screening helps identify adolescents with abnormal spinal curvature and refer them for appropriate follow-up by their physician. Screening can detect scoliosis at an early stage, when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities.

All students who meet the Texas Department of State Health Services criteria will be screened for abnormal spinal curvature before the end of the school year. For information on spinal
screening by an outside professional or exemption from spinal screening based on religious beliefs, see policy FFAA(LEGAL) or contact the superintendent.

Spinal screening is non-invasive and conducted following the most recent, nationally accepted and peer-reviewed standards for spinal screening.

**Pledges of Allegiance and a Minute of Silence**

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

State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. In addition, state law requires that each campus provide for the observance of one minute of silence at the beginning of the first class period when September 11 falls on a regular school day in remembrance of those who lost their lives on September 11, 2001.

[See policy EC for more information.]

**Prayer**

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

**Promotion and Retention**

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level, the recommendation of the student’s teacher, the score received on any criterion-referenced or state-mandated assessment, and any other necessary academic information as determined by the district. To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

In grades 2-8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in reading/language arts and mathematics.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.
• In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.

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

If a student in grade 5 or 8 is enrolled in a course that earns high school credit and for which an end-of-course (EOC) assessment will be administered or in a course intended for students above the student’s current grade level in which the student will be administered a state mandated assessment, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. The student will instead take the corresponding EOC assessment.

If a student at any grade level is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state mandated assessment, the student will only be required to take an applicable state mandated assessment for the course in which he or she is enrolled.

[See Standardized Testing on page 72.]

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

Certain students—some with disabilities and some classified as English language learners—may be eligible for exemptions, accommodations, or deferred testing. An admission, review, and dismissal (ARD) committee meeting will be convened if a student receiving special education services in grade 5 or 8 fails to meet satisfactory performance after the first STAAR administrations in reading or math. For more information, see the principal, school counselor, or special education director.

Parents of a student at or above grade level 3 who does not perform satisfactorily on his or her state-mandated exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year. Failure of
a student to attend these programs may result in violations of required school attendance as well as the student not being promoted to the next grade level.

A Personal Graduation Plan (PGP) will be prepared for any student at the middle school or junior high level who did not perform satisfactorily on a state-mandated assessment or is determined by the district as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. The PGP will be designed and implemented by a school counselor, teacher, or other staff member designated by the principal. The plan will, among other items, identify the student’s educational goals, address the parent’s educational expectations for the student, and outline an intensive instruction program for the student. [For additional information, see the school counselor and policy EIF(LEGAL).] For a student receiving special education services, the student’s IEP may serve as the student’s PGP and would therefore be developed by the student’s ARD committee.

**Report Cards/ Progress Reports and Conferences**

Written reports of a student’s grades and absences shall be issued to parents at least once every six (6) weeks. At the end of the first three weeks of a grading period, MISD shall provide notice of progress to the parent or guardian of a student whose grade average in any class is lower than 75 or whose teacher feels he/she is not performing to his/her potential. If a student receives a six-week grade of less than 70 in any class or subject, the parent is encouraged to schedule a conference with the teacher of that class or subject.

Teachers follow grading guidelines that have been approved by the principal pursuant to the board-adopted policy and are designed to reflect each student’s relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district’s grading policy.

Questions about grade calculation should first be discussed with the teacher; if the question is not resolved, the student or parent may request a conference with the principal in accordance with FNG(LOCAL).

**Progress reports will be made available on the following dates:**

<table>
<thead>
<tr>
<th>September 11, 2019</th>
<th>January 29, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 16, 2019</td>
<td>March 11, 2020</td>
</tr>
<tr>
<td>December 4, 2019</td>
<td>April 29, 2020</td>
</tr>
</tbody>
</table>

**Report cards will be made available on the following dates:**

<table>
<thead>
<tr>
<th>September 27, 2019</th>
<th>February 21, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 8, 2019</td>
<td>April 9, 2020</td>
</tr>
<tr>
<td>January 10, 2020</td>
<td>May 28, 2020</td>
</tr>
</tbody>
</table>
The District may report six-week grades to parents as numerical scores or may convert them to letter grades. If the District reports letter grades to parents, it may use pluses and minuses with the letter grades and shall use the following conversion table:

<table>
<thead>
<tr>
<th>Score Range</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 - 100</td>
<td>A</td>
</tr>
<tr>
<td>80 - 89</td>
<td>B</td>
</tr>
<tr>
<td>75 - 79</td>
<td>C</td>
</tr>
<tr>
<td>70 - 74</td>
<td>D</td>
</tr>
<tr>
<td>69 or below</td>
<td>Failing</td>
</tr>
</tbody>
</table>

Incomplete work: If a student has not completed assigned work for a six-week grading period because of absences or other extenuating circumstances, a grade of "I" shall be recorded pending the completion of the work. Unless special arrangements are made with the student's teacher, the student will have two (2) weeks after the end of the six-weeks to complete work to resolve an "I" grade. If the work is not completed during that two-week period, the "I" will be recorded as a "0" and the student's grade will be averaged.

*Final exams – if absent a 0 will be recorded pending completion of a final exam. Final exams may not be taken prior to the exam date for any reason.

**Safety**

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow the behavioral standards in this handbook and the Student Code of Conduct, as well as any additional rules for behavior and safety set by the principal, campus behavior coordinator, teachers, or bus drivers.
- Remain alert to and promptly report to a teacher or the principal any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member. A student may make anonymous reports about safety concerns by texting or calling the helpline at 936-209-8877 for Oak Hills Junior High and 936-262-0001 for Montgomery Junior High.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

**Accident Insurance**

At the beginning of the school year, the District will make available to students and parents a low-cost student accident insurance program. If coverage is desired, parents are responsible for paying premiums and for submitting claims to the insurance carrier. The district shall not be
responsible for costs of treating injuries or assume liability for any other costs associated with an injury. Claim forms may be obtained from the office or the athletic trainer. This insurance is provided by a firm selected by the Board of Trustees with the following provisions and limitations:

1. Students or their parents shall pay their own premiums.

2. The District is not responsible for any cost for the treatment of injuries, which are above and beyond the limits noted in the student insurance policy.

**Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies**

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

Students in grades 7–12 will annually be offered instruction on the use of bleeding control stations to respond to traumatic injury. For more information, see [Homeland Security’s Stop the Bleed](#) and [Stop the Bleed Texas](#).

**Emergency Medical Treatment and Information**

If a student has a medical emergency at school or a school-related activity when the parent cannot be reached, the school may have to rely on previously provided written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, parents are asked each year to complete an emergency care consent form. Parents should keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

**Emergency School-Closing Information**

The district may close schools, delay opening, release students early because of bad weather or restrict access to the building because of emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the district’s facilities. When it becomes necessary to close, delay opening, release students early or restrict access to the building because of an emergency, the following radio and television stations will be notified by school officials;

- **TV:** KPRC Channel 2, KHOU Channel 11, KTRK Channel 13 and Fox 26
- **Radio:** K-STAR 99.7

In addition to the above, announcements will be made through SchoolMessenger, our telephone broadcast system that enables school personnel to notify selected households of
emergencies or events. Further, the district website, www.misd.org, and Twitter will also be used to communicate to staff and community any changes in school operation due to the weather. The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real time or automated messages. It is crucial to notify your child’s school when a phone number previously provided to the district has changed.

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

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place. The following areas are open to students before school, beginning at 6:45 a.m., the cafeteria and main gym. Unless the teacher or sponsor overseeing an activity gives permission, a student will not be permitted to go to another area of the building or campus.

After dismissal of school in the afternoon, unless a student is involved in an activity under the supervision of a teacher or other authorized employee or adult, or unless students are granted permission to remain on campus in accordance with policy FNAB, students must be off campus by 3:00 p.m.

School-sponsored Field Trips
The district periodically takes students on field trips for educational purposes.

A parent must provide permission for a student to participate in a field trip.

The district may ask the parent to provide information about a student’s medical provider and insurance coverage, and may also ask the parent to sign a waiver allowing for emergency medical treatment in the case of a student accident or illness during the field trip.

The district may require a fee for student participation in a field trip to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need.

Searches

District Property
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. Students have no expectation of privacy in district property.
Students are responsible for any item—found in district property provided to the student—that is prohibited by law, district policy, or the Student Code of Conduct.

**Searches in General**

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may occasionally conduct searches.

District officials may conduct searches of students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion, voluntary consent, or pursuant to district policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on district property.

If there is reasonable suspicion to believe that searching a student’s person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a district official may conduct a search in accordance with law and district regulations.

**Telecommunications and Other Electronic Devices (All Grade Levels)**

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

Any searches of personal telecommunications or other personal electronic devices will be conducted in accordance with law, and the device may be confiscated in order to perform a lawful search. A confiscated device may be turned over to law enforcement to determine whether a crime has been committed.

**Trained Dogs**

The district will use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

**Special Programs**

The district provides special programs for gifted and talented students, students who are homeless, students in foster care, bilingual students, migrant students, English language learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the campus principal.
A student who has or is at risk for dyslexia or a related reading difficulty is eligible to participate in the Texas State Library and Archives Commission’s Talking Book Program, which provides audiobooks free of charge to qualifying Texans with visual, physical, or reading disabilities.

Standardized Testing

\textbf{STAAR (State of Texas Assessments of Academic Readiness)}

\textbf{Grades 3–8}

In addition to routine tests and other measures of achievement, students at certain grade levels are required to take the state assessment, called STAAR, in the following subjects:

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Writing, including spelling and grammar, in grades 4 and 7
- Science in grades 5 and 8
- Social Studies in grade 8

Successful performance on the reading and math assessments in grades 5 and 8 is required by law in order for the student to be promoted to the next grade level, unless the student is enrolled in a reading or math course intended for students above the student’s current grade level. Exceptions may apply for students enrolled in a special education program if the admission, review, and dismissal (ARD) committee concludes the student has made sufficient progress in the student’s individual education plan (IEP). [See Promotion and Retention.]

Parents of a student at any grade level at or above grade 3 who does not perform satisfactorily on his or her state-mandated exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year. Failure of a student to attend these programs may result in violations of required school attendance as well as the student not being promoted to the next grade level.

STAAR Alternate 2 is available for eligible students receiving special education services who meet certain state-established criteria as determined by the student’s ARD committee.

STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

\textbf{Steroids}

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for medical use only, and only a physician can prescribe use.
Body building, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

**Students participating in UIL athletic competition may be subject to random steroid testing.**

**Students in Foster Care**

In an effort to provide educational stability, the district will assist any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care) with the enrollment and registration process, as well as other educational services throughout the student’s enrollment in the district.

Please contact Jada Mullins, who has been designated as the district’s foster care liaison, at (936) 276-2140 with any questions.

[See Students in the Conservatorship of the State.]

**Students Who are Homeless**

You are encouraged to inform the district if you or your child are experiencing homelessness. District staff can share resources with you that may be able to assist you and your family.

For more information on services for homeless students, contact the district’s homeless education liaison, Jada Mullins, at (936) 276-2140

[See Students Who Are Homeless.]

**Substance Abuse Prevention and Intervention**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The Texas Department of State Health Services (DSHS) maintains information regarding children’s mental health and substance abuse intervention services on its website: Mental Health and Substance Abuse.

**Suicide Awareness and Mental Health Support**

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

You may also contact the National Suicide Prevention Lifeline at 1-800-273-8255.
**Tardies**

Students are encouraged to practice self-discipline so that they may develop into responsible citizens. This includes accepting the responsibility to arrive at each class on time. Promptness to class is very important and students are expected to be in their seats and ready to work when the tardy bell rings. Habitual tardiness to class may result in the following disciplinary action: lunch detention, after-school detention, Saturday detention or in-school suspension. All tardies are unexcused except for illness. A note from parents should explain illness. Consequences are as follows:

- 1st Offense - Free
- 2nd Offense - Free
- 3rd Offense - Warning
- 4th Offense - 1 day of Lunch Detention
- 5th Offense - 2 days of Lunch Detention
- 6th Offense - 1 day ASD
- 7th Offense - 1 day SDH

For more than 7 tardies, ISS days will be assigned at discretion of principal or assistant principal. A student’s tardy record is cleared at the end of each six-week grading period.

**Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials**

Textbooks and other district-approved instructional materials are provided to students free of charge for each subject or class. Any books must be covered by the student, as directed by the teacher, and treated with care. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives.

If the district does not issue graphing calculators for a course requiring their use, a student may use a calculator application with the same functionality as a graphing calculator on a phone, laptop, tablet, or other computing device in place of a graphing calculator.

A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage paid for by the parent; however, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

**Transportation**

**Daily School Bus Privileges**

The Montgomery Independent School District chooses to provide bus transportation to all eligible students of the District. All policies, rules and regulations pertaining to school bus transportation have been carefully established to enhance the safety of all students who choose to utilize this service. Students are expected to board and depart the bus only at one designated bus stop. Bus routes and stops will be designated annually, and any subsequent changes will be
posted at the school and on the district’s website. For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops. Only M.I.S.D. students will be allowed to ride buses. **Due to the rapid growth of MISD, we will no longer allow extra riders to ride the bus routes. Only registered riders will be allowed on the bus route. No sleepovers, birthday parties, etc.**

The time involved in transporting students to and from school is regarded as an extension of the school day. Riding the school bus is a privilege. Improper conduct on the bus will result in that privilege being denied.

**BUS RULES:**

1. Observe same conduct as in the classroom.
2. Be courteous, use no profane language.
3. Do not eat or drink on the bus.
4. Keep the bus clean.
5. Cooperate with the driver.
6. Do not use tobacco or e-cigarettes (Vapes).
7. Do not be destructive.
8. Stay in your seat.
9. Keep head, hands and feet inside the bus.
10. Remember that the bus driver is authorized to assign seats.

**MINOR OFFENSES**

These offenses include but are not limited to the following:

1. Turning around backwards in seat, sitting on knees, legs or bags.
2. Not sitting in the seat assigned.
3. Talking loudly or making noises.
5. Standing up, crawling over or under seats, getting out of seat before bus stops.
6. Making rude gestures, teasing other students, cursing.
7. Pushing, shoving, tripping (based on the situation it could be considered a Major offense).
8. No food or drinks, except water.
9. Preventing others from being seated.
10. Spitting on the floor or out of the window.
11. Changing clothes on the bus (based on the situation it could be considered a Major offense).
12. Placing body parts out of the window.
13. Leaving the bus at the wrong bus stop.

Video cameras may be used in District vehicles to promote compliance with the rules of conduct. If a student chooses to violate these policies, rules and regulations, it could endanger the safety of other passengers as well as himself/herself, in such event the following procedures will be followed:

**CONSEQUENCES FOR MINOR OFFENSES**
1st Offense: Student is verbally warned and a written warning is issued with a copy sent home to parent with student.

2nd Offense: Bus driver has conference with student and issues second Written Warning, copy sent home to parent with student.

3rd Offense: A written Conduct Report will be forwarded to the Principal or Assistant Principal for disciplinary action.

MAJOR OFFENSES
These offenses include but are not limited to the following:

1. Throwing objects: Rubber bands, pencils, etc.
2. Throwing objects out of the window.
3. Fighting, hitting.
4. Opening the emergency door.
6. Bringing sharp objects onto the bus.
7. Cutting seats or causing other damage to the bus.
8. Threatening the driver with physical harm.
9. Throwing sharp or dangerous objects.
10. Spitting on others.
11. Cursing or making obscene gestures to the driver.
12. Forcing driver to stop bus for any discipline problem.
15. Threats.
16. Intimidation.
17. Drugs.
18. Fighting.
20. Alcohol.

Video cameras may be used in District vehicles to promote compliance with the rules of conduct. If a student chooses to violate these policies, rules and regulations, it could endanger the safety of other passengers as well as himself/herself, in such event the following procedures will be followed:

CONSEQUENCES FOR MAJOR OFFENSES
1st Offense: Student is removed from the bus for 3 days and receives appropriate campus consequences.

2nd Offense: Student is removed from the bus for 5 days and receives appropriate campus consequences.

3rd Offense: Student is removed from the bus for 10 days and receives appropriate campus consequences.

4th Offense: Student is removed from the bus for 30 days and receives appropriate campus consequences.

5th Offense: Student is removed from the bus for the remainder of the school year and receives appropriate campus consequences.

PLEASE NOTE: A student can be removed by Montgomery ISD Police Department for any major offense if the driver feels such action is warranted. All regular school rules apply when riding the bus. Serious infractions such as drugs, alcohol, and weapons will receive the appropriate disciplinary action as indicated by the Student Code of Conduct and by Law Enforcement Officials.
All infractions of bus rules and regulations are handled at the discretion of the Principal or Assistant Principal. Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student’s Individual Education Plan (IEP) or other individually designed program.

**Truancy**

Truancy is defined as being absent for one or more periods without proper permission or parental knowledge and/or consent or prior permission of the campus administrator. Students are classified as truant when:
1. They leave school without permission.
2. They start for but do not arrive at school.
3. They are on or near the campus but do not report to class.
4. They are more than 15 minutes late to a class.

Truancy is recorded as an unexcused absence. The principal or assistant principal may find it necessary to file a complaint against the parents in an appropriate court of law. Consequences for truancy will be issued as per Student Code of Conduct.

**Vandalism**

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

**Video Cameras**

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

The principal will review the video and audio recordings routinely and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which your child receives special education services. For more information or to request the installation and operation of this equipment, speak with the principal, who the district has designated to coordinate the implementation of and compliance with this law.

[See EHBAF(LOCAL).]
Visitors to the School

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must enter the front doors of the main lobby and report to the front office area. Visitors will be required to present a government issued photo identification card (valid driver’s license) that will be scanned through the V-soft Security System and required to sign in and out. If clear, the visitor will then receive a photo visitor’s pass that must be worn while on campus, and returned to the front office when leaving. Visitors must also comply with all applicable district policies and procedures.

Visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Even if the visit is approved prior to the visitor’s arrival, the individual must check in at the main office first.

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

Students shall not bring friends to school during school hours, to after school practices, or to school dances.

Unauthorized Persons

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

- The person poses a substantial risk of harm to any person; or
- The person behaves in a manner that is inappropriate for a school setting and the person 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 FNG(LOCAL) or GF(LOCAL).

Visitors Participating in Special Programs for Students

The district may invite representatives from patriotic societies listed in Title 36 of the United States Code to present information to interested students about membership in the society.

Volunteers

The purpose of a school volunteer program is to provide an opportunity for parents and other interested adults to assist school personnel in the operation of the schools. Volunteers help the Montgomery Independent School District meet its mission of providing a quality educational foundation to successfully prepare students for their future. In short, school volunteers are a valuable, needed, and appreciated resource to our students and staff alike.
All of our children are full of potential and promise. Each and every young person attending our schools must be provided a safe and secure environment that nurtures and enhances their learning. Screening our volunteers provides assurance to our parents and to our community that the District is taking the necessary steps to proactively and reasonably preserve a safe and secure learning situation.

Volunteers who work directly with campuses and with students will be required to complete a MISD Volunteer Services Form and a DPS Computerized CH Verification form. The background check is strictly confidential and will be processed through the MISD office. The continued success of Montgomery’s young people depends on the steady increase of community support for the District’s schools, and volunteerism is an excellent avenue to get involved and support our schools.

If you are interested in volunteering, please refer to the MISD website, under Parent Information and click on Volunteer Information. Please complete both forms and return them to your child’s campus. Also, refer to policy GKG (LEGAL) Community Relations: School Volunteer Program on the MISD website www.misd.org.

**Withdrawing from School**

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent in advance so that records and documents may be prepared. A withdrawal form may be obtained by the parent from the registrar’s office.

When student withdrawals, parent/student is required to pay all outstanding fees, return all books, educational materials, and equipment/uniforms to the registrar.
MONTGOMERY
INDEPENDENT SCHOOL DISTRICT

STUDENT CODE OF CONDUCT

APPROVED BY THE MONTGOMERY ISD BOARD OF TRUSTEES
JULY 30, 2019
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STUDENT CODE OF CONDUCT

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Meredith Burg, Executive Director of Special Education at Meredith.Burg@misd.org.

Purpose

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

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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

This Student Code of Conduct has been adopted by the Montgomery ISD’s Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective 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 office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinator 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; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

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

Please note: The Montgomery ISD Board Policy is available on the Montgomery ISD website (www.misd.org).
School District Authority and Jurisdiction

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

The District has disciplinary authority over a student:

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

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 of the campus 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.misd.org.

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment and 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 of Conduct.

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.

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

To ensure sufficient security and protection of students, staff, and property, the board employs school resource officers (SROs). In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).
The law enforcement duties of school resource officers are:

1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.

2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.

3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer’s presence or under the other rules set out in the Texas Code of Criminal Procedure.

4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.

5. Enforce District policies on District property, in school zones, at bus stops, or at District functions.

6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in administrative hearings concerning the alleged violations.

7. Carry weapons as directed by the chief of police and approved by the Superintendent.

8. Carry out all other duties as directed by the chief of police or Superintendent.

**‘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 for speaking roles at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to fill a speaking role, a student shall not have engaged in any misconduct in violation of the District’s Code, resulting in an out-of-school suspension or removal to a DAEP/JJAEP the two semesters immediately preceding graduation.

See DAEP/Expulsion – Restrictions concerning placement on pages 12 and 18, for information regarding a student assigned to DAEP/JJAEP and participation in 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 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 the person 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 days, unless the complaint is resolved before a board hearing.
Standards for Student Conduct

Each student is expected to:

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

The categories of conduct below are prohibited at school, 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, DAEP Placement, Placement and/or Expulsion for Certain Offenses, and Expulsion, certain 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 in that section.

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on district vehicles.
- Refuse to accept discipline management techniques assigned by a teacher or principal.
- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion)
- Threaten a District student, employee or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, 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 conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors 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.
- Take and/or forward inappropriate pictures of their classmates, such as pictures of their classmates engaging in sex acts, using their cell phones or using District computers and equipment. (See glossary)
- Participate in hazing. (See glossary)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a District student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Verbal abuse, derogatory or offensive remarks addressed to others, name-calling, making ethnic, racial, or religious slurs.
- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)
- 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 Texas Penal Code. (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion)
- 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;
- archery equipment;
- ammunition;
- *A location-restricted knife ;
- A hand instrument designed to cut or stab another by being thrown;
- *A firearm;
- a stun gun;
- a pocketknife or any other small knife;
- martial arts objects including but not limited to the following: shurikan (throwing stars), nunchakus (“nun-chucks”), tonfa (wooden weapon), staff, baton (short stick), bolo (long cord with weights at end), etc.;
- mace or pepper spray;
- pornographic material;
- tobacco products; cigarettes; e-cigarettes; and any component, part, of accessory for an e-cigarette device;
- matches or a lighter;
- a laser pointer for other than an approved use; or
- Any articles not generally considered weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see DAEP Placement and Expulsion. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices
- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.
- Possession and/or distribution of pornographic materials. Possess visual material on a cell phone that depicts a child younger than 18 years of age at the time the image was made engaging in sexual conduct. (See glossary)
- Possess audio headsets, radio, electronic games, or similar electronic devices without permission.

Illegal, Prescription, and Over-the-Counter Drugs
- Possess, use, give, or sell alcohol or an illegal drug. (Also, see DAEP Placement and Expulsion for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana or marijuana substitute 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.
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by District policy.
- Abuse over-the-counter drugs. (See glossary for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties (see glossary for “under the influence”)
- 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, 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.
- 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.
- Send or post visual material that depicts pictures of a child younger than 18, at the time the image was made and who was engaging in sexual conduct. (See glossary)
- 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**

- 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 District student, employee, volunteer, 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**

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Truancy, i.e. skipping school or cutting class without the parent’s knowledge or permission.
- Violate extracurricular standards of behavior.
- Call 911 when no emergency exists.
- 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 will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative discipline 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.

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, 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 out-of-school suspension, DAEP placement, or expulsion, the District will
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 (oral or written) correction.
- 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.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations’ extracurricular standards of behavior.
- 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 the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- Other strategies and consequences as determined by school officials.

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 by the use of 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 or appropriate campus administrator 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 or appropriate campus administrator 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 on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. 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 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 Montgomery ISD website, www.misd.org.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance.

**Removal from the School Bus**

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

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate discipline management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, campus administration 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 administrator's office as a discipline management technique. The administration shall employ alternative discipline
A teacher or administrator may also initiate a formal removal from class if:
1. The student’s behavior has been documented by the teacher as repeatedly interfering with the teacher’s ability to teach his or her class or with the student’s classmates’ ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate campus administrator will 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 campus administrator will 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 has been formally removed from class by a teacher and a conference is pending, the campus behavior coordinator or other campus administrator may place the student in:

- Another appropriate classroom;
- In-school suspension;
- Out-of-school suspension; or
- 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.

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

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

### Out of School Suspension (Suspension)

Students may be suspended for any behavior listed in this 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 Section 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.

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 will have an informal conference with the campus behavior coordinator or appropriate campus administrator who shall advise the student of the alleged misconduct. The student shall have the 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 administration 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.

Suspended students are not allowed to participate or attend any school-sponsored or school-related extracurricular and co-curricular 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 does not 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 to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Speaking at Graduation

In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any misconduct in violation of the District’s Code, resulting in an out-of-school suspension during his or her last two semesters.

Disciplinary Alternative Education Program (DAEP) Placement

The District operates a Disciplinary Alternative Education Program (DAEP) for students who have committed certain serious offenses. The DAEP:

1. Is in a setting other than the student’s regular classroom; and
2. Separates students in the DAEP from students in the regular program.

An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be Kindergarten-Grade 5 and secondary classification shall be Grades 6-12.

Summer programs provided by the District shall serve students assigned to a DAEP in conjunction with other students. Days attended in summer programs do not count towards DAEP assigned days.

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

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

7. Self-defense (see glossary),
8. Intent or lack of intent at the time the student engaged in the conduct,
9. The student’s disciplinary history,
10. A disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct.
11. A student’s status in the conservatorship of the Department of Family and Protective Services (foster care), or
12. A student’s status as homeless.
A student may be placed in a DAEP if the student commits any of the following offenses on or while attending a school-sponsored or school-related activity on or off school property:

- Possession of a knife.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.
- Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.
- Fighting, committing physical abuse, or threatening physical abuse.
- Sexual harassment of a District student, employee, or volunteer.
- Falsification of records, passes, or other school-related materials.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Making or assisting in making threats, including threats against individuals or groups.
- Refusal to accept discipline management techniques proposed by the teacher and principal.
- Possessing or selling look-alike drugs and contraband including drug paraphernalia.
- Possessing look-alike weapons.
- Possession or use of smoke bombs or stink bombs.
- Persistent pattern of violations of school rules after other disciplinary consequences have been tried.

In accordance with state law, a student may be placed in a DAEP for any one 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 a student who is 18 years of age or older without the student’s consent.
- Criminal mischief not punishable as a felony.
- Assault (no bodily injury) with threat of imminent bodily injury. Texas Penal Code §22.01(a)(2)
- Assault by offensive or provocative physical contact. Texas Penal Code §22.01(a)(3)
- Misconduct which includes elements of Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)

Gang-related activity, including but not limited to dress code violations, possession of paraphernalia, graffiti or symbols, tattoos and identifying language or hand signals for the purpose of demonstrating membership of affiliation in any gang, participation as a member of pledge, soliciting another person to become a pledge or member of a gang will be subject to at least the following specific consequences.

- **Level One First Offense** – behavior contract and conference between parent/guardian, administrator, and law enforcement official.
- **Level Two Second Offense** – 45 school days in DAEP. Students who engage in misconduct, which includes elements of gang activity in conjunction with another violation of the Montgomery ISD Student Code of Conduct, will be subjected to the second level consequences delineated. The determination will be based on the severity of the misconduct and the law.

Gang-free zones – Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the District, a gang-free zone includes a school bus and a location in, on, or within 1000 feet of any District-owned or leased property or campus playground.
In accordance with state law, a student may be placed in a DAEP if the superintendent or the superintendent’s designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offense 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, but is not required to, place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

According to state law, or MISD Board Policy placement in a DAEP is required for the following offenses if the student:

- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
  - Possesses, uses, or is under the influence of marijuana or marijuana substitute, 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 the Expulsion section.) (See glossary for “under the influence.”)
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
  - Promoting and/or possessing intimate visual materials of child younger than 18 years of age. (See glossary)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
  - Engages in 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 the Expulsion section of this Code.)
  - 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:
    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.

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim’s parent or another person with the authority to act on behalf of the victim requests that the Board transfer the offending student to another campus, the offending student shall be transferred to another campus in the District. If there is no other campus in the District serving the grade level of the offending student, the offending student will be transferred to a DAEP.

Removals to a DAEP will be made by the appropriate campus administrator after consulting the campus behavior coordinator.

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate campus administrator will schedule a conference within three school days with the student’s parent, the student, and the teacher, in the case of a teacher removal.
At the conference, the campus behavior coordinator or an appropriate campus administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the 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 administrator 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.

**Placement Order**

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

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

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

**Coursework Notice**

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

**Length of Placement**

The 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.

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.

**DISCRETIONARY DAEP PLACEMENTS:**

The length of discretionary (MAY PLACE) DAEP assignments will be determined by the campus behavior coordinator, however, the duration of any assignment to DAEP will be no less than fifteen (15) school days.

**MANDATORY DAEP PLACEMENTS:**

- First offense of alcohol possession or under the influence - minimum of 30 days
- Second offense of alcohol possession or under the influence - not to exceed 90 days
- Sells, gives, or delivers alcohol – not to exceed 90 days
- Any other consequence involving mandatory offenses will range from 15 days DAEP to 90 days DAEP.

Consequences will be assigned based on the offense committed, location (in the building/facility or in the vehicle), use or threaten to use, possession on the person, in the locker, purse, or other types of bag including backpacks, athletic bags, etc. or sells, distributes, or attempts to sell.

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.

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

**Exceeds One Year**

Placement in a DAEP may exceed one year when a review by the 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 in a DAEP so that the students are not assigned to the same campus.

**Exceeds School Year**

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

For placement in a DAEP to extend beyond the end of the school year, the 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
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 will be given notice and the opportunity to participate in a proceeding before the board or the board’s designee.

**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 co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

**Transportation for DAEP**

Bus ridership privileges will be suspended for students, grades 7 through 12, placed in the DAEP, except for a student’s first placement in the DAEP for behavior that does not involve physical abuse of another individual or possession of a deadly weapon. Any disciplinary incident during the first DAEP assignment or any second assignment to the DAEP will result in loss of transportation services during the term of the placement. A student with a disability who has transportation designated as a related service in the student’s IEP, under federal law will not be affected.

**Graduating Seniors in DAEP/Participation and Speaking at Graduation**

When a student commits an offense and receives assignment to the DAEP during the senior year, the District may allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met, and provided that the student has successfully completed all of the days that the student was placed in the DAEP. If the student in question has not completed his or her days in the DAEP for any reason, such as withdrawal or transfer to another school District, the student may not be allowed to participate in graduation ceremonies. Any decision concerning participation in graduation ceremonies will be made by the high school principal.

In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any serious misconduct in violation of the District’s Code, resulting in removal to a DAEP during his or her last two semesters.

**Placement Review**

A student placed in a DAEP will 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 will also be reviewed. At the review, the student or the student’s parent will be given the opportunity to present arguments for the student’s return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher’s consent.

**Additional Misconduct**

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

**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 will 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 will, 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 will 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.

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<th>Withdrawal during Process</th>
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<td>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 reenrolls in the District during the same or a subsequent school year, the District may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the 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.</td>
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<th>Newly Enrolled Students</th>
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<td>The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district. A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district. If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, will reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the 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.</td>
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<th>Emergency Placement</th>
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<td>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.</td>
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<th>Transition Services</th>
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<td>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.</td>
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<th>Appeal of a DAEP Placement</th>
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<td>The student or the student’s parent or guardian may appeal the campus administration’s DAEP placement decision. The request for appeal must be in writing and must be received by the Superintendent within 5 calendar days of the date of the campus DAEP order. The Superintendent will schedule a conference with the student and parent to be held within 10 calendar days, after which a written decision will be issued. At the appeal conference, before the Superintendent or designee, the student is entitled to an adult representative or legal counsel who can provide guidance to the student and who is not an employee of the District. At this conference, the Superintendent or designee will listen to both the student and campus administration, as well as review other pertinent information regarding the matter as he sees fit. Within seven (7) calendar days of hearing the appeal, the Superintendent or designee will communicate his written conclusion to the parent and the campus administration. For DAEP placements assigned for 45 school days or less, the Superintendent’s or designee’s decision will be final and non-appealable. For DAEP placements assigned for more than 45 school days, the parent may appeal the Superintendent’s decision to the District Board of Trustees. The request for appeal must be in writing and be received by the Superintendent within seven (7) calendar days of the date of the Superintendent’s written appeal decision. The appeal will be heard at a board meeting within 30 days of the receipt of the written request to appeal the Superintendent’s decision.</td>
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the Board will review a record of the DAEP placement appeal conference and will provide the parent and/or student, or representative with an opportunity to make a presentation to the Board. The administration will also be asked to speak. No new evidence, including witnesses or documents will be heard or considered. The Board may set reasonable time limits for oral presentations. Any decision by the Board is final and may not be appealed.

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration in accordance with policy FNG(LOCAL). A copy of this policy is available at the Montgomery ISD website, www.misd.org.

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.

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 placement will be in either DAEP or JJAEP for at least one semester.

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest 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 will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee’s recommendation.

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

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

- 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;
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense; or
The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

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.

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.

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.

A student placed in a DAEP or JJAEP under these circumstances 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.

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

Expulsion from school and school services is the most severe consequence provided under this Code and available under the law. Expulsion is reserved for the most intolerable student behavior. 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.

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)

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 a student who is 18 years of age or older without the student’s consent.
- Possessing look-alike weapons, including BB guns and pellet guns.
- 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.

**Mandatory Expulsion:**

<table>
<thead>
<tr>
<th>Misconduct That Will Result in Expulsion</th>
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<tbody>
<tr>
<td>At Any Location</td>
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<tr>
<td>At School, Within 300 Feet of School, or at a School Event</td>
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</table>

A student will be expelled for committing any of the following offenses:
- Breach of computer security.
- Engaging in conduct that contains the elements of the offense of **False Alarm** as defined in the Texas Penal Code or report or a terroristic threat involving a public school. (See glossary.)

A student will 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:
- Felony criminal mischief.
- Sells, gives, or delivers or attempts to sell, give, or deliver to another person marijuana or marijuana substitute, dangerous drugs or controlled substances.
- Promoting and/or possessing intimate visual material of classmates younger than 18 years of age engaging in sexual conduct. (See glossary)
- Engages in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or volunteer.
- Engaging in deadly conduct. (See glossary.)
- Engages in documented serious misbehavior that violates the District’s Code, despite documented behavioral interventions while placed in the 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 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.

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

**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. 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 Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana or marijuana substitute, 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 will not be expelled, but will be placed in a DAEP. A student under age six will not be removed from class or placed in a DAEP unless the student commits a federal firearm offense.

**Expulsion Process**

If a student is believed to have committed an expellable offense, the campus behavior coordinator will request that the Superintendent schedule an expulsion hearing within a reasonable time.

Until a hearing can be held, the campus behavior coordinator or other campus administrator may place the student in:
- Another appropriate classroom;
- In-school suspension;
- Out-of-school suspension; or
- DAEP.

**Hearing Waiver**

At the campus level, parents and students will have an opportunity to waive their right to the above-mentioned hearing.

**Hearing**

The Board of Trustees delegates to the District Discipline Committee, which consists of the Superintendent or a designee, one campus administrator and one other certified campus professional, authority to conduct hearings and expel students.

Before a student is expelled, the student will have an opportunity for a due process hearing that will include the following:

1. At least three days prior written notice of the charges and the proposed sanctions including a written request to the student’s parent or guardian to attend the expulsion hearing. The notice will also include the date, time, and location of the hearing and the names of adult witnesses who will present evidence at the hearing;
2. Right to a full and fair hearing before a District Discipline Committee consisting of the Superintendent or a designee, one campus administrator, and one other certified campus professional;

3. Opportunity to testify and to present evidence and witnesses in his or her defense; and

4. Opportunity to examine the evidence presented by the campus administration and to question the witnesses called by the district at the hearing.

A record of this hearing will be made.

Representative
At the hearing, the student is entitled to an adult representative or legal counsel who can provide guidance to the student and who is not an employee of the District. The District may hold the hearing regardless of whether the student, the student’s parent or guardian, or another adult representing the student attends, provided the District makes a good-faith effort to inform the student and the student’s parent or guardian of the time and place of the hearing.

Evidence
In an expulsion hearing, the District may rely on hearsay evidence of campus administrators who investigate disciplinary infractions. This means that the campus administration may present evidence or statements taken from students without revealing the identity of the student. The decision will be based exclusively on the evidence presented at 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.

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 Superintendent 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 will give notice of the inconsistency.

Review of Expulsion
A decision by a District Discipline Committee to expel a student may be appealed to the MISD Board of Trustees. The request for appeal must be in writing and must be received by the Superintendent within 7 days of the date of the order of expulsion. At the appeal hearing, the Board will review a record of the District Discipline Committee expulsion hearing and will provide the parent and/or student, or representative with an opportunity to make a presentation to the Board. The administration may also be asked to speak. No new evidence, including witnesses or documents, will be admitted. The Board may set reasonable time limitations for presentations.

The student is expelled pending appeal. Appeal of a final District expulsion decision will be to the state judicial system.

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.

An Expulsion Order ranges from 30 days to 180 days JJAEP.

Consequences for expellable offenses will be assigned based on the offense committed, location (in the building/facility or in the vehicle), use or threaten to use, possession on the person, in the locker, purse, or other type of bag including backpacks, athletic bags, etc., or sells, distributes or attempts to sell.

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.

**Graduating Seniors and Expulsion**

When a student commits an expellable offense and receives assignment to the County JJAEP during the senior year, the District may allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met, and provided that the student has successfully completed all the days that the student was placed in the JJAEP and has returned to the high school. If the student in question has not completed his or her days in the JJAEP for any reason, such as withdrawal or transfer to another school district, the student will not be allowed to participate in graduation ceremonies. Any decision concerning participation in graduation ceremonies will be made by the high school principal.

In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any serious misconduct in violation of the District’s Code, resulting in removal to the JJAEP during his or her last two semesters.

**Withdrawal during Process**

When a student has violated the District’s Code in a way that requires or permits expulsion from the District and the student withdraws from the District before the expulsion hearing takes place, the District may conduct the hearing after sending written notice to the parent and student.

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

If the 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 will be earned for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program or another District-approved program.

**Newly Enrolled Students**

The District will 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.

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 will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

**Emergency Expulsion**

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

**DAEP Placement of Expelled Students**

The District may choose to 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(LEGAL) and FODA(LEGAL) for more information.
Glossary

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

Abuse is improper or excessive use.

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

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

Armor-piercing ammunition is 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 is:

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

Assault is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as 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 Texas 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 in Section 37.0832 of the Education Code 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 of 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. A blackjack, nightstick, mace, and tomahawk are in the same category.

**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, 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 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 Section 37.0832 of the Education Code 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. 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.
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 weapon; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

**Firearm Silencer** is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a 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 Section 37.001(b)(2) of the Education Code; 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; and
   d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

**Hazing** is defined by Section 37.151 of the Education Code 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; and
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.
Hit list is defined in Section 37.001(b)(3) of the Education Code 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.

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.

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

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.

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

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

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:
   a. An explosive weapon;
   b. A machine gun;
   c. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.
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, 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 Section 37.121(d) of the Education Code are exempt 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 Article 15.27 of the Code of Criminal Procedure.

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

Serious 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.

Sexual Conduct includes not only sex acts but the lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola. Texas Penal Code §43.25(2)

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 children 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.

[See FOC(EXHIBIT).]

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

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

**Zip gun** is defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.
Procedures for Reporting Allegations of Bullying

Montgomery ISD

The district prohibits bullying on school property, at school-sponsored or school-related activities, or in any vehicle operated by the district. Bullying may be verbal or written expression or expression through electronic means, or physical conduct. Bullying is not tolerated by the district and any student or parent of a student who believes that the student or another student has experienced bullying or that a student has engaged in bullying is encouraged to immediately report the incident. Retaliation against anyone involved in the complaint process is a violation of district policy and is prohibited. Students or parents may report an alleged incident of bullying, orally or in writing, to a teacher, counselor, principal or other district employee. Students or parents may contact the campus or district office or go on the district website under "Parent Information" to obtain an incident report form that may be used to submit the complaint. Please note that after submission of the complaint to the district employee, the district may assign the complaint to a campus administrator to follow up on the submitted complaint and any other important matters pertaining to the complaint. We encourage you to communicate with your designated campus administrator during this time. More information about the district’s bullying policy can be found in Board Policy FFI or at the campus administration office.
Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

### Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

#### Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

### Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

#### Examples

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

### False Claim

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

### Timely Reporting

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

### Reporting Procedures

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

#### Student Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

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

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District’s Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.
The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

**Corrective Action**
Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District’s policy against bullying.

**Transfers**
The principal or designee shall refer to FDB for transfer provisions.

**Counseling**
The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

**Improper Conduct**
If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

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

**Appeal**
A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

**Records Retention**
Retention of records shall be in accordance with CPC(LOCAL).

**Access to Policy and Procedures**
This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District’s website, to the extent practicable, and shall be readily available at each campus and the District’s administrative offices.
### Texas Virtual School Network

The Superintendent or designee shall establish procedures for students to enroll in courses provided by the Texas Virtual School Network (TxVSN).

Enrollment in courses through the TxVSN shall not be subject to limitations the District may impose for other distance learning courses.

### Other Distance Learning

The Superintendent or designee shall establish procedures governing the use of other distance learning courses, including correspondence courses, as a means of earning credit in a subject or course. In order to receive credit, a student shall obtain approval from the principal or designee prior to enrollment in the course.
In order to change an address, district policy states that you will need to provide two proofs of residency:

1. Real Estate tax certificate or home purchase contract in parent/guardian’s name, or lease agreement.

2. Current utility bill, (e.g. satellite, cable TV, water, sewer, gas, electric or telephone) clearly indication parent/guardian’s name and residence address as the service address.

Date ________________________________

Student’s Name (Printed) ___________________________ Date of Birth ________

Campus __________ Montgomery Jr High ___________ Grade Level ________

Previous Address ____________________________________________________________

__________________________________________________________________________

Current Address ____________________________________________________________

__________________________________________________________________________

Current Phone Number (______) ______________________________________________

Parent’s/Guardian Name ______________________________________________________

Parent’s/Guardian Signature __________________________________________________

Please return this form to the registrar. For address change: two proofs of residence are REQUIRED.
Montgomery ISD
Authorization and Permission for Administration of Medication

STUDENT’S NAME __________________________ DOB ____________________________

Last          First               Middle

Teacher/Grade __________________________ Date ___________ Received by ___________

School Name ___________________________ ID# __________________________

General Guidelines:
(1) Any prescription being taken greater than 14 days requires physician's signature.
(2) Parent signed and dated authorization to administer the medication.
(3) The medicine is in the original container as dispensed or the manufacturer's labeled container.
(4) The medication label contains the student name, name of the medication, directions for use and date.
(5) Annual renewal of authorization and immediate notification, in writing, of changes.

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<th>Medication</th>
<th>Dosage</th>
<th>Time</th>
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Special Instructions __________________________

Allergies __________________________

Condition for which drug is to be given __________________________

Other medications student is taking __________________________

PHYSICIAN'S NAME (printed) __________________________ (signature) __________________________

PHONE NUMBER __________________________    START DATE __________________________

I request the above named student be given the medication at school by qualified staff, according to the prescription or non-prescription instructions and a record maintained. The student had experienced no previous side effects from the medication. I further agree that school personnel may contact the physician as needed and that medication information may be shared with school personnel who need to know.

I understand the law provides that there shall be no liability for civil damages as a result of the administration of medication where the person administering the medication acts as an ordinarily reasonably prudent person would under the same or similar circumstances. I agree to provide safe delivery of medication and equipment to and from school and pick up remaining medication and equipment or it will be properly destroyed.

I understand that no student will transport medication or equipment to or from school.

Comments: __________________________

________________________________    __________________________    __________________________

PARENT'S SIGNATURE     DATE    DAYTIME PHONE
Certain information about District students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Montgomery ISD to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within ten school days of your child's first day of instruction for this school year. Montgomery Independent School District has designated the following information as directory information: student's name, photograph, honors and awards received, participation in officially recognized activities and sports, and the weight, height and grade level of members of athletic teams and or other school sponsored groups.

The District uses this type of information about students in publications such as, but not limited to, school directories, yearbooks, playbills, graduation programs, sports activity sheets and programs, Montgomery ISD publications, the Montgomery ISD Web site and news releases to the media. The District is proud to feature students and their accomplishments and uses a variety of resources to publicize district events and school news.

A parent or guardian may not want any types of information within the definition of directory information to be subject to release. A parent or guardian has the right to instruct the District not to designate any or all of the information described above as directory information about the student by using this form to notify the District.

Federal law requires districts receiving assistance under the Elementary and Secondary Education Act of 1965 to provide a military recruiter or an institution of higher education, on request, the name, address, and telephone number of a secondary student unless the parent has requested that the information not be disclosed without prior written consent.
RELEASE OF DIRECTORY INFORMATION

Montgomery Independent School District limits the availability of your child's directory information. Montgomery ISD directory information is available only to the following groups:

- Colleges and Universities
- School Related Entities, such as PTO, graduation-related vendors, campus photographers, booster club organizations
- Military Recruiters

Directory information is limited to:

- Student name
- Participation in officially recognized activities and sports, including grade level and photographs associated with participation
- Weight and height of members of athletic teams
- Honors and awards received

1. Do not sign this paper if you are ok with the release of information as explained in the sections above.

2. No action is necessary for your child’s directory information to be available to the specific groups indicated above, (PTO, yearbook, graduation related vendors, campus photographs) who submit a written request to obtain it from the District.

OR

Actions:

If you choose not to have your child’s student directory information released or if you want to limit the release of directory information to the groups listed above, you must complete the form below and return it to your child’s campus no later than the 10th day of instruction.

1. Sign and return if you do NOT want any of your child's directory information to be released to school-related entities, colleges and universities, or military recruiters.

OR

2. Sign and return if you want to limit the release of your child's directory information. Please check the following items that you do not want to be released as directory information.

   __________ Student Name
   __________ Participation in activities 
   __________ Photographs
   __________ Weight and Height
   __________ Honors and Awards received

I direct the Montgomery Independent School District to limit the release (as indicated on the above checklist) or not to release my child’s directory information without my written consent. I understand that by choosing to make this information confidential that my child’s name and photograph will not appear in yearbooks, campus directories, or MISD publications, nor will his/her information be released to room mothers and he or she may not receive information regarding opportunities from colleges and universities.

________________________________________  ________________________________
Student's Name (Please print)                  Campus

________________________________________  ________________________________
Parent's Signature                            Date

6/22/2009
Montgomery Independent School District
Responsible Use of Technology Resources Agreement for
STUDENTS

Please return this agreement, signed by student and parent, to your teacher.

The Montgomery Independent School District provides an array of technology resources for student use. This agreement outlines appropriate use and prohibited activities when using technology resources. Every student is expected to follow all guidelines stated below, as well as those given orally by the staff, and to demonstrate good digital citizenship and ethical behavior at all times.

In accepting this agreement, students and their guardians acknowledge the following rules and conditions:

GOVERNMENT LAWS:
I will use computers in conformity with laws of the United States and the State of Texas. Violations include, but are not limited to, the following:

- **Criminal Acts** – These include, but are not limited to, "hacking" or attempting to access computer systems without authorization, harassing email, cyber-bullying, cyber-stalking, child pornography, vandalism, and/or unauthorized tampering with computer systems. (A list of Federal statutes from the United States Department of Justice is below as Appendix A).
- **Libel Laws** - Publicly defaming people through the published material on the internet, email, etc
- **Copyright Violations** - Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using other’s words or ideas as your own).

NETIQUETTE and APPROPRIATE USE GUIDELINES:
NETWORK RESOURCES - The use of the network and related technology resources is a privilege, not a right, and may be revoked if abused. The student is personally responsible for his/her actions when utilizing the school’s or personally owned computer resources. Despite our best efforts and beyond the limits of filtering technology, your child may run across areas of adult content and some material you might find objectionable.

PRIVACY – All data stored on any device connected to the network including but not limited to computers, removable data drives, and network storage areas are the property of the school district. The district administrative staff and or technical staff may review any storage device or area of the school network or email to maintain system integrity and to ensure that faculty, staff and students are using these resources responsibly. No one can claim a right to privacy or unrestricted speech in the use of the technology resources. There is no assumption of privacy for any form of data residing on or passing through the Montgomery ISD network regardless of who owns the tools used to create, view, or modify that data.

COPYING/DOWNLOADING - Students are NOT permitted to download or install any software, shareware, or freeware onto the school’s computers regardless of source (Internet, thumb or flash drive or disk). Students are NOT permitted to copy others’ work or intrude into others’ files.

INAPPROPRIATE MATERIALS OR LANGUAGE – Students are NOT permitted to transmit, retrieve or store materials that are discriminatory, harassing, obscene, pornographic, or inappropriate. Should students encounter such material by accident, they should report it to their teacher immediately. The use of district online systems for personal gain, political lobbying or any other purpose which is illegal or against district policy or contrary to the district's best interest is NOT permitted.

STUDENT UNDERSTANDING:
- I understand that it is my responsibility to behave properly as a good digital citizen. I understand that passwords are private and I will not allow others to use my account name and password, nor will I try to use that of others. I understand that my school network and associated accounts are owned by the District and are not private. Montgomery ISD has the right to access my information at any time including data transmitted over the Montgomery ISD network through personally owned devices.
- If I bring any storage media device to school including but not limited to floppy disks, zip disks, hard drives, CDs, DVDs, flash drives, or any form of mobile smart device, I understand that the supervising teacher, district
administration and or the district technology department personnel may scan the media for viruses and check for appropriate content. There is no assumed right to privacy regarding any data accessible from or connected to the district network regardless of who owns the device.

- I will be polite and use appropriate language in my email messages, multi-user role-playing and/or virtual learning environments (e.g. Second Life), online postings, and other digital communications with others. I will refrain from using profanity, vulgarities or any other inappropriate language as determined by school administrators.

- I will use email and other means of communications (e.g. but not limited to blogs, wikis, podcasting, chat, instant-messaging, discussion boards, virtual learning environments, etc.) responsibly regardless if it is district provided or personally acquired. I will not use computers, handheld computers, digital audio players, cell phones, personal digital devices or the Internet to send or post hate or harassing mail, pornography, make discriminatory or derogatory remarks about others, or engage in bullying, harassment, or other antisocial behaviors either at school or at home.

- I understand that I represent the school district in all my online activities. I understand that what I do on social networking websites such as but not limited to YouTube, MySpace, Bebo, Twitter, Snapchat, Instagram and Facebook should not reflect negatively on my fellow students, teachers, or on the District. I understand that I will be held responsible for how I represent myself and my school, department or District on the Internet. I understand that all internet activities are logged and may be reviewed at any time by district administration and or the technology department.

- I understand that masquerading, spoofing, or pretending to be someone else is forbidden. This includes, but is not limited to, sending out e-mail, creating accounts, or posting messages or other online content (e.g. text, images, audio or video) in someone else's name as a joke.

- I will use all technology resources responsibly. I will not retrieve, save, or display hate-based, offensive or sexually explicit material using any technology resources regardless of who owns the resource. I am responsible for not pursuing material that could be considered offensive. I understand that I am to notify an adult immediately if by accident I encounter materials which violate appropriate use.

- I will use technology resources productively and responsibly for school-related purposes. I will avoid using any technology resource in such a way that would disrupt the activities of other users.

- I will refrain from attempting to bypass, or circumvent, security settings or Internet filters, or interfere with the operation of the network by installing illegal software, or web-based services and software not approved by the Montgomery ISD Administrators or Technology Department.

- I understand that vandalism is prohibited. This includes but is not limited to modifying or destroying equipment, programs, files, or settings on any computer or other technology resource.

- I will respect the intellectual property of other users and information providers. I will obey copyright guidelines. I will not plagiarize or use other's work without proper citation and permission.

- I will refrain from the use of or access of files, software, or other resources owned by others without the owner’s permission. I will use only those school network directories that are designated for my use or for the purpose designated by my teacher.

- I will follow all guidelines set forth by the District and/or my teachers when publishing schoolwork online (e.g. but not limited to a website, blog, wiki, discussion board, podcasting or video server).

- I understand the Internet is a source for information that is both true and false; and that the school is not responsible for inaccurate information obtained from the Internet. I agree to abide by all Internet safety guidelines that are provided by the school and to complete all assignments related to Internet safety.

- I understand that District administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.

- I understand that the user of personally owned technology-related devices may be allowed or restricted by individual teachers depending on the lessons planned for any given day and that the device may be confiscated by any authorized staff member if the technology is being used without prior permission. When in doubt, ask first.

- I understand that the district assumes no responsibility for the loss of or damage to any personally owned device. I further understand that if my device is confiscated by any authorized staff member for inappropriate or unauthorized use that I may lose the privilege to use any personal device in the future, I may not be able to
receive that surrendered device back within the same calendar day even if that device is used for communication, and or me or my parent may be required to pay a fine to receive the device back as outlined by campus policy.

- I understand that any violation of this agreement may result in the loss of technology-related privileges while on district property which could affect the completion of or the final grade assigned for specific courses requiring the use of technology resources.

- I understand as a student or as a parent / guardian of a student that Montgomery ISD may issue technology resources to a student for use in the normal course of instruction such as, but not limited to, an Apple iPad that has geo-tracking capabilities installed on that device. I further understand that this agreement serves to fulfill any legal requirement Montgomery ISD has to notify a parent or guardian and by signing this agreement you give your permission for the student to use a technology device that has geo-tracking capabilities installed.

Parents:
For additional information concerning resources you can access in order to help your student be a responsible technology user and / or to get more information on federal laws related to online conduct, please go to our district website www.misd.org. Click on “Parent Information” and select either “Parent Internet Resources” or “Unlawful Online Conduct and Applicable Federal Laws”. You may also request a printed copy of these documents from your student’s campus or the district office.
MONTGOMERY INDEPENDENT SCHOOL DISTRICT

PARENT/STUDENT ACKNOWLEDGEMENT FORM

To Parents and Students:

In an effort to reduce non-instructional costs, we are making the M.I.S.D. Student and Parent Handbook and Student Code of Conduct available on-line. It can be accessed on the Montgomery Independent School District website (www.misd.org). Please indicate below whether you will access the M.I.S.D. Student and Parent Handbook and Student Code of Conduct on-line or need a hard copy.

________ Yes, I have access to the internet, and will access the M.I.S.D. Student and Parent Handbook and Student Code of Conduct on-line.

Instructions for accessing the handbook:
Go to www.misd.org
Click on Parent Information
Click on Student Handbooks
Click on Montgomery Junior High School Student Handbook

________ No, I do not have access to the internet, and I need a hard copy of the M.I.S.D. Student and Parent Handbook and Student Code of Conduct.

This handbook and Student Code of Conduct are an attempt to develop positive communication among students, parents, and faculty; it was developed by representatives from each group. The contents herein reflect the Montgomery Independent School Board Policy and will be in effect during the 2019-2020 school year, unless pre-empted by law.

I understand and agree that students shall be held accountable for their behavior and consequences outlined in the Student Code of Conduct at school and at school-sponsored and school-related activities, including school-sponsored travel and for any school-related misconduct, regardless of time or location. I understand that any student who violated the Student Code of Conduct shall be subject to disciplinary action, up to and including referral for criminal prosecution for violations of law.

RESPONSIBLE USE TECHNOLOGY AGREEMENT

As the parent or guardian of this student, I have read the Network and Internet Use Policy and the Responsible Use Technology Agreement for Students. I understand the conditions for use of the network and Internet resources provided by the Montgomery ISD and that access to technology resources are provided for the purpose of promoting education excellence in keeping with the academic goals of the District, and that student use for any other purpose is inappropriate. I recognize it is impossible for the District to restrict access to all controversial materials, and I will not hold the school responsible for materials acquired on the school network. I understand that children’s computer activities at home should be supervised as they can affect the academic environment at school.

I understand that my child is responsible for any transactions that occur under his or her user ID or account, that any violation of that policy will be considered a violation of the Student Code of Conduct, and that my child may be denied access to the district’s technology resources in addition to any other disciplinary action.

I understand as a parent or guardian of this student that Montgomery ISD may issue technology resources to this student for use in the normal course of instruction such as, but not limited to, an Apple iPad that has geo-tracking capabilities installed on that device. I further understand that this agreement serves to fulfill any legal requirement Montgomery ISD has to notify a parent or guardian and by signing this agreement I give my permission for this student to use a technology device that has geo-tracking capabilities installed.

I understand that from time to time the school may wish to publish examples of student projects or photographs of students on the School District’s website.

______ I DO / ______ I DO NOT give permission for my child to use technology resources at the Montgomery Independent School District.

In compliance with COPPA regulations:

By signing below I also specifically give my permission to Montgomery ISD to establish an email account for my student’s use should MISD elect to offer such a service to my student. I further understand that this email content is not private and may be retrieved, reviewed, recovered or archived as needed by MISD.
PLEASE SEE STUDENT INSURANCE INFORMATION AND PARENT SIGNATURE SECTION ON THE BACK OF THIS FORM

STUDENT INSURANCE

_____ I choose to insure my child through the school insurance program and will pick-up the form in the Main Office.

_____ I will provide insurance for my child and choose to waive school insurance.

My signature indicates that I have been made aware of and my student and I will be held responsible for the information communicated in the 2018-2019 Parent-Student Handbook.

Campus: ________________________________

Student Name: (Please print) ______________ Teacher: _________________________

Parent Name (Please print) __________________________________________________

Parent Signature ____________________________ Date ______________


2019-2020 STUDENT SIGNATURE PAGE
MONTGOMERY JUNIOR HIGH SCHOOL

Student Name (Printed) ___________________________ Grade ______

PARENT-STUDENT HANDBOOK/STUDENT CODE OF CONDUCT

I have received a copy of the 2019-2020 Parent-Student Handbook/Student Code of Conduct.

The contents therein reflect the Montgomery Independent School Board Policy which now can be found on the MISD website at misd.org and will be in effect during the 2019-2020 school year, unless preempted by law.

RESPONSIBLE USE TECHNOLOGY AGREEMENT

ALL STUDENTS ARE REQUIRED TO SIGN AND RETURN THIS PAGE BEFORE THE USE OF ANY TECHNOLOGY EQUIPMENT (PERSONAL OR DISTRICT-OWNED) IS ALLOWED AT MONTGOMERY ISD.

STUDENT AGREEMENT:
As a user of the School’s technology resources, I understand and agree to comply with the appropriate use guidelines outlined in the Responsible Use Technology Agreement for Students.

CONSEQUENCES FOR VIOLATION OF THIS AGREEMENT:
Should I commit a violation, I understand that consequences of my actions could include suspension/loss of computer privileges or data and files, disciplinary action, and/or referral to law enforcement.

My signature indicates that I have been made aware of and am held responsible for the information communicated in the 2019-2020 Parent-Student Handbook.

Student Signature ____________________________________________

Date _________________________________________________________

PLEASE RETURN THIS PAGE TO YOUR THIRD PERIOD TEACHER