MONTGOMERY ISD
PRE-KINDERGARTEN – 5TH GRADE

Keenan Elementary
19180 Keenan Cut-Off
Montgomery, TX 77316
936-276-5500

Lone Star Elementary
16600 FM 2854
Montgomery, TX 77316
936-276-4500

Montgomery Elementary
13755 Liberty Street
Montgomery, TX 77316
936-276-3600

Lincoln Elementary
700 Martin Luther King Jr. Dr.
Montgomery, TX 77356
936-276-4700

Madeley Ranch Elementary
3500 Madeley Ranch Road
Montgomery, TX 77356
936-276-4600

Stewart Creek Elementary
18990 Stewart Creek Road
Montgomery, TX 77356
936-276-3500

2023-2024
STUDENT / PARENT HANDBOOK

INTRODUCTION

This handbook has been prepared to be a source of information for students and parents. Students are responsible for the contents. Parental signatures are required to show that a copy of this document has been reviewed. A parental acknowledgement will be completed during student enrollment and/or during the completion of beginning of year required electronic updates. 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.

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Student Code of Conduct

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THROUGHOUT MISD HANDBOOKS, THERE ARE NUMEROUS REFERENCES TO THE MISD SCHOOL BOARD POLICIES.
EXAMPLE: ABC(LEGAL/LOCAL) ALL BOARD POLICIES CAN BE FOUND ON OUR WEBSITE, WWW.MISD.ORG , UNDER THE "ABOUT MISD" TAB AND THEN THE "BOARD OF TRUSTEES" TAB.

August 2023

To Students and Parents:

Welcome to the 2023-2024 school year! Education is a team effort. Students, parents, teachers, and other staff members working together will make this a successful year. The Montgomery ISD student handbook is designed to help us do this.

Parents please understand this handbook is intended to serve as a reference and guide for your use. **However, during the school year it is impractical to address every situation or circumstance that could possibly occur.** Therefore, the campus principal has the authority to make decisions in the best interest of the students, faculty, and school.

Please be aware that the term “parent" refers to the parent, legal guardian, a person granted lawful control of a student, or other person who has agreed to assume school-related responsibility for a student.

Both students and parents must be familiar with the Montgomery Independent School District Student Code of Conduct, required by state law and intended to promote school safety and an atmosphere for learning. That document may be found in the Student Code of Conduct located in Section VIII of this book and on the website at www.misd.org and is available in hard copy upon request.

This student handbook is designed to align with law, Board policy and the Student Code of Conduct. Please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year.

Changes in policy that affect student handbook provisions will be made available to students and parents through newsletters and other communications.

In case of conflict between Board policy or the Student Code of Conduct and any provisions of student handbooks, the provisions of Board policy or the Student Code of Conduct that were most recently adopted by the Board are to be followed and will legally prevail.

We strongly recommend that parents review the entire handbook with their children and use it as a reference during this school year. If you or your child have questions about the material in this handbook, please contact your child’s teacher, the counselor, or the principal. It is important to acknowledge the receipt and understanding of the handbook. This can be accomplished online or via hard copy.

Please note that references to alphabetical policy codes are included so that parents can refer to current policy. A copy of the District's policy manual is available online at www.misd.org.

Sincerely,

Carrie Fitzpatrick

MISD BOARD MEMBERS

Laurie Turner - President
Nate Robb - Vice President
Linda Porten - Secretary
Matt Fuller - Trustee
Trey Kirby - Trustee
Shawn Denison - Trustee
Eddie Winn - Trustee

SUPERINTENDENT

Dr. Amy Busby, Interim Superintendent

Keenan Elementary School
Principal: Mallory Kirby
Assistant Principal: Melissa Freeman
Assistant Principal: Kate Norsworthy
Counselor: Kim Wunderlich

Lone Star Elementary School
Principal: Chris Stowe
Assistant Principal: Courtney Katkoski
Counselor: Dawn Walls

Montgomery Elementary School
Principal: Robert Ingalls
Assistant Principal: Kim Campbell
Counselor: Natalie Skrehot

Lincoln Elementary School
Principal: Kerri Ashlock
Assistant Principal: Cheryl Mallant
Counselor: DeAnna Peterson

Madeley Ranch Elementary School
Principal: Shelby Smith
Assistant Principal: Dallas Tucker
Counselor: Tracie Vickery

Stewart Creek Elementary School
Principal: Michele Salter
Assistant Principal: Debra Dodd
Counselor: Elaine Clevenger

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 Specialized Learning
  Kerri Clark
  936-276-2460 ~ kerri.clark@misd.org

  20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

- **Dyslexia**
  Contact:
  Executive Director of Specialized Learning
  Kerri Clark
  936-276-2460 ~ kerri.clark@misd.org

  20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

- **Title I, Parent Involvement Coordinator, Liaison for Homeless Children / Youth**
  Contact:

  Director of Community Services
  Courtney Dyer
  936-276-2160~ courtney.dyer@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:

  Assistant Superintendent of Human Resources
  Denise Miner
  936-276-2100 ~ denise.miner@misd.org

  20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

Montgomery Independent School District
20774 Eva Street P.O. Box 1475
Montgomery, TX 77356
936-276-2000

Steps To Eliminate Problem Situations

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.

Athletic Director	276-2400
Business & Finance	276-2040
Child Nutrition (Meals)	276-2600
Curriculum & Instruction	276-2140
Human Resources	276-2100
Maintenance/Custodial	276-2360
Keenan Elementary	276-5500
Lincoln Elementary	276-4700
Lone Star Elementary	276-4500
Madeley Ranch Elementary	276-4600
Montgomery Elementary	276-3600
Stewart Creek Elementary	276-3500
Montgomery Jr. High	276-3300
Oak Hills Jr. High	276-4300
Lake Creek High School	276-4000
Montgomery High School	276-3000
Specialized Learning	276-2460
Superintendent	276-2000
Transportation	276-2300
Technology	276-2500

1

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.

2

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.

3

CONTACT THE APPROPRIATE DISTRICT ADMINISTRATOR
This may be the Director of Athletics, Technology, Child Nutrition, Curriculum, Transportation, or Special Education; Assistant Superintendent of Human Resources, Assistant Superintendent of Student Services, Assistant Superintendent of Elementary Education; 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.**

4

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

Montgomery Independent School District

2023-2024

DISTRICT ACADEMIC CALENDAR

www.misd.org

Legend

- District-Wide Holiday
- Student Holiday
- District-Wide Early Release
- Work Day
- Campus PD
- District PD

August

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

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1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

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					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January

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	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

First Day of School

Thursday, August 10

Last Day of School

Wednesday, May 22

Grading Periods

Nine Weeks

August 10-October 5
October 11-December 21
January 9-March 7
March 18-May 22

Student Holidays

Labor Day	September 4
Fall Break	October 6-10
Thanksgiving Break	November 20-24
Winter Break	Dec 22-Jan 8
Martin Luther King, Jr. Day	January 15
Holiday	February 16
President's Day	February 19
Holiday	March 8
Spring Break	March 11-15
Good Friday	March 29
Holiday	April 1

Early Release Days

December 20 and 21
May 21 and 22

February

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March

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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

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			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

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						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

MONTGOMERY
INDEPENDENT SCHOOL DISTRICT

MONTGOMERY INDEPENDENT SCHOOL DISTRICT

Student Culture Creed

In Montgomery ISD,

- I will be civil, kind and respectful in ALL interactions
- I have a story and high value, and so do my peers
- I will seek first to understand, then to be understood
- I will resolve conflict with communication, using mutual respect
- I will take responsibility for my behaviors, knowing they are a model for others
- we are One Team

#BePremier

SECTION I: Parental Rights

This section of the MISD Student Handbook includes information related to certain right of parents as specified in state or federal law.

CONSENT, OPT-OUT, AND REFUSAL RIGHTS

Consent to conduct a Psychological Evaluation

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

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

Consent to Human Sexuality Instruction

Annual Notification

As a part of the district's curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

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. Topics will only be covered according to the Texas Education Agency (TEA) developed TEKS for each health, science, or psychology course offered in MISD.

In accordance with state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials.
- Remove his or her child from any part of the human sexuality instruction without academic, disciplinary, or other penalties.
- Become involved in the development of this curriculum by becoming a member of the district's SHAC or attending SHAC meetings. (See the campus principal for details.)
- Use the district's grievance procedure concerning a complaint. FNG(LOCAL)

Consent Before Human Sexuality Instruction

Before a student receives human sexuality instruction, the district must obtain written consent from the student's parent. Parents will be sent a request for written consent at least 14 days before the instruction will begin.

Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking

Before a student receives instruction on the prevention of child abuse, family violence, dating violence and sex trafficking, the district must obtain written consent from the student's parent. Parents will be sent a request for written consent at least 14 days before the instruction will begin.

Annual Notification

Students in junior high school and high school receive instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

In accordance with state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials. As required by law, any curriculum materials in the public domain used in this instruction will be posted on the district's website at the location indicated above.
- Remove his or her child from any part of this instruction without academic, disciplinary, or other penalties.

- Become involved in the development of this curriculum by becoming a member of the district's SHAC or attending SHAC meetings. (See the campus principal for details.)
- Use the district's grievance procedure concerning a complaint. FNG(LOCAL)

Consent to Provide a Mental-Health Care Service

The district will not provide a mental health care service to a student or conduct a medical screening of a student as part of the district's intervention procedures except as permitted by law.

The district has established procedures for recommending to a parent an intervention for a student with early warning signs of mental health concerns, substance abuse, or suicide risk. The district's mental health liaison will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and provide information about available counseling options.

The district has also established procedures for staff to notify the principal or counselor regarding a student who may need intervention.

The Campus Principal or Counselor can provide further information regarding these procedures as well as curriculum materials on identifying risk factors, accessing resources for treatment or support on- and off-campus, and accessing available student accommodations provided on campus.

The Mental Health Liaison can be reached at:

Courtney Dyer, Director of Community Services
936-276-2160
courtney.dyer@misd.org

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. However, the district will 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 material, video or other method of mass communication. To deny displaying artwork, parents should submit a written denial sent to campus administration.

Consent to Video/Audio Record a Student When Not Otherwise Permitted By Law

To grant or deny any written request from the district to make a videotape or voice recording of your child. State law, however, permits the school to make the videotape 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 is 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.

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

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. MISD will only release this “directory information” to Colleges and Universities, School Related Entities, such as PTO, graduation-related vendors, campus photographers, booster club organizations and military Recruiters.

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. Please us the form provided in the appendix entitled “MISD Release of Directory Information.”

The district has identified the following as directory information:

- Honor roll,
- School newspaper,
- Yearbook,
- Recognition activities,
- News releases, and
- Athletic programs.

If a parent objects to the release of the student’s information included on the directory information response form, this objection also applies to the use of that information for school-sponsored purposes.

Release of such protected information is restricted to:

- The parents—whether married, separated, or divorced—unless parental rights have been legally terminated and if the school is given a copy of the court order terminating these rights. Federal law requires that as soon as the student becomes eligible, control of the records goes to the student. However, the parents may continue to have access to the records if the student is a dependent for tax purposes.
- District staff members who have what federal law defines as a "legitimate educational interest" in a student's records. Such persons would include school officials (such as Board members, the Superintendent, and principals), school staff members (such as teachers, counselors, and diagnosticians), or an agent of the District (such as a medical consultant).
- Various governmental agencies, including juvenile service providers or in response to a subpoena or court order and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- A school to which a student transfers or in which he or she subsequently enrolls.
- Release to any other person or agency—such as a prospective employer, or for a scholarship application—will occur only with parental or student permission as appropriate. The District must comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parents have advised the District not to release their child's information without prior written consent. The Principal 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. Records may be inspected by a parent or eligible student during regular school hours. If circumstances effectively prevent inspection during these hours, the District shall either provide a copy of the requested records, or make other arrangements for the parent or student to review the requested records. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

Consent Required before Student Participation in Federally Funded Survey

The Protection of Pupil Rights Amendment (PPRA) provides parents certain rights regarding participation in surveys, the collection and use of information for marketing purposes, and certain physical exams.

A parent has the right to consent before a student is required to submit to a survey funded by the U.S. Department of Education that concerns any of the following protected areas:

- 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.

"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:

- Activities involving the collection, disclosure, or use of personal information gathered from the child for the purpose of marketing, selling, or otherwise disclosing that information to others.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered by the school or its agent, 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 for more information.]

A parent may inspect:

- Protected information surveys of students and surveys created by a third party;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

REMOVING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM A REQUIRED COMPONENT OF INSTRUCTION

See **Consent to Human Sexuality Instruction and Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking** for information on a parent's right to remove a student from such instruction.

Reciting a Portion of the Declaration of Independence

To 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 the week in which September 17th falls 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 United States government extends diplomatic immunity. [See policy EHBK(LEGAL) at misd.org]

Reciting the Pledges to the U.S. And Texas Flags

To request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required moment of silence or silent activity that follows.

Religious or Moral Beliefs

To 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.

RIGHT OF ACCESS TO STUDENT RECORDS, CURRICULUM MATERIALS, AND DISTRICT RECORDS/POLICIES

Instructional Materials

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. The district will provide login credentials to each student's parent for any learning management system or online learning portal used in instruction to facilitate parent access and review.

The district will make instructional materials available for parent review no later than 30 days before the school year begins and for at least 30 days after the school year ends. However, tests that have not yet been administered will not be made available for parent examination.

District Review of Instructional Materials

A parent may request that the district conduct an instructional material review in a math, English Language Arts, science, or social studies class in which the parent's student is enrolled to determine alignment with state standards and the level of rigor for the grade level.

The district is not required to conduct an instructional material review for a specific subject area or grade level at a specific campus more than once per school year.

For more information about requesting an instructional material review, contact [the campus principal OR other administrator].

Notices of Certain Student Misconduct to Noncustodial Parent

To request in writing, if you are a non-custodial parent, that you be provided for the remainder of the school year a copy of any written notice usually provided to a parent related to misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. See policies FL (LEGAL) and (LOCAL), 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.

Tutoring or Test Preparation

A teacher may determine that a student needs additional targeted assistance for the student to achieve mastery in state-developed essential knowledge and skills based on:

- Informal observations,
- Evaluative data such as grades earned on assignments or tests, or
- Results from diagnostic assessments.

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, districts must obtain parental permission before removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

Under state law, students with grades below 70 for a reporting period are required to attend tutorial services—if the district offers these services.

[For questions about school-provided tutoring programs, contact the student's teacher and see policies EC and EHBC.]

STUDENT RECORDS

Accessing Student Records

To review your child's student records when needed. These records include:

- Attendance records
- Test scores
- Grades
- Disciplinary records
- Counseling records
- Psychological records
- Applications for admission
- Health and immunization information
- Other medical records
- Teacher and counselor evaluations

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.
- File a complaint (https://studentprivacy.ed.gov/file-a-complaint) with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements.

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. A parent's rights regarding access to student records are not affected by the parent's marital status.

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 custodian of records 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, the board of trustees determines that 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 the 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 weather 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

- To request, if your children are multiple birth siblings, (e.g., twins, triplets, etc.) assigned to the same grade and campus that they be placed in either 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 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 superintendent for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the district decides to transfer your child to another campus. Transportation is not provided for a transfer to another campus.
- To request the transfer of your child to another 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 that 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.
- To request, if your children are multiple birth siblings, (e.g., twins, triplets, etc.) assigned to the same grade and campus that they be placed in either 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 FDB (Legal).
- 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, it 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 any transportation prior to requesting a transfer for any other children in the home. [See policy FDB (LOCAL).]
- The principal is authorized to transfer a student from one classroom to another.

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.

Student in the Conservatorship of the State (Foster Care)

In an effort to provide educational stability, the district will provide enrollment and registration assistance, as well as other educational services throughout the student's enrollment, to 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).

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 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 does only passes one semester of the two-semester course. For provisions on partial course credit for students who are not in the conservatorship of the state, see EI(LOCAL).The district will assess the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district.

A student who is currently in the conservatorship (custody) 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.

Please contact Courtney Dyer, who has been designated as the district's liaison for children in the conservatorship of the state, at (936) 276-2160, with any questions.

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.

Students 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
- Assessment of the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district;

- 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.

For more information on services for students who are homeless, contact the district's homeless education liaison:

Courtney Dyer, Director of Community Services
936-276-2160
courtney.dyer@misd.org
20774 Eva Street ~MISD District Office ~ Montgomery, TX 77356

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 process 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 within 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 may 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 not 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 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 for 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 individuals to contact regarding options for a student experiencing learning difficulties, or to initiate a referral for an evaluation for special education services, include the campus Child Find Specialist or Kerri Clark at 936-276-2460.

Additional information about Special Education Referrals can be found at this link:

http://www.misd.org/upload/page/0212/docs/SB%20139%20Child%20Find%20Update1.pdf

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 individuals to contact regarding options for a student experiencing learning difficulties, or to initiate a referral for an evaluation for Section 504 services, include the campus Child Find Specialist or Alayna Siemonsma@misd.org.

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

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

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; see **Safety Transfers/Assignments** page 4.

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 the student to make the most of his or her education—to benefit from teacher-led activities, to build each day's learning on that of the previous day, 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 child'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.

Attendance for Credit or Final Grade

To receive credit in a class or a final grade, a student in pre-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 that 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, which 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 policy at FEC)

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 make-up work is completed, absences for the reasons listed above at Exemptions to Compulsory Attendance will be considered days of attendance for this purpose.
- A transfer or migrant student incurs absences only after he or she has enrolled in the district.

- 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 by following 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 offered for one semester or for a full year.

Note After An Absence

Parent's Note after an absence
When a student is absent from school, the parent —upon the child's arrival or return to school—must indicate the reason for the absence in the Skyward that best describes the reason for the absence.

Doctor's Note After an Absence for Illness
When returning to school, a student absent for more than 5 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. [See FEC(LOCAL).]

The campus will document in its attendance records for the student whether the absence is considered by the district to excused or unexcused. Please note that unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence.

Official Attendance-Taking Time

The district must submit attendance of its students to the Texas Education Agency (TEA) reflecting attendance at a specific time each day. Official attendance is taken every day at 10:00 a.m. A student absent for any portion of the day, including at the official attendance-taking time, should follow the procedures above to provide documentation of the absence.

Hours of Operation: 2023-24

SCHOOL	START TIME	END TIME
PK - 5th grade	8:15	3:40

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.

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

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.

Prekindergarten and Kindergarten
Students enrolled in prekindergarten or kindergarten are required to attend school and are subject to the compulsory attendance requirements as long as they remain enrolled.

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;
- Appearing at Government Offices to obtain United States citizenship;
- Taking part in a US naturalization oath ceremony;
- Serving as an election clerk
- Health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student's arrival or return to campus;
- Absences resulting from a serious or life-threatening illness or related treatment that makes a student's attendance infeasible, with certification by a physician;
- 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: 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.

Note that documented health-care appointments may include telehealth appointments. Students who are physically on campus will not be allowed to participate in telehealth or other online appointments without specific authorization from an appropriate administrator. Students should not use district-issued technology, including wifi or internet, for telehealth appointments because use of district-owned equipment and its network systems is not private and will be monitored by the district. For more information, see Telecommunication and Other Electronic Devices.

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.

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.

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 his or her child'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 may 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 campus 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 through 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).]

Accountability under State and Federal Law – All Grades

Montgomery ISD and each of its campuses are help 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 complied 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 the No Child Left Behind Act.

This information can be found on the district's website at http://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 TEA Performance Reporting division and http://www.tea.texas.gov.

BULLYING

The district strives to prevent bullying, in accordance with the district's policies, by promoting a positive school culture; building healthy relationships between students and staff; encouraging reporting of bullying incidents, including anonymous reporting; and investigating and addressing reported bullying incidents.

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.

The district will integrate into instruction research-based content designed to reduce bullying that is appropriate for students' age groups.

Students in elementary grades will participate in:

- Instruction designed so that students can recognize bullying behaviors and how to report them
- Age-appropriate discussions that encourage peers to intervene when they observe bullying occur
- Instruction that characterizes bullying as a behavior that results from the student's need to acquire more mature social or coping skills, not an unchangeable trait

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 visiting Let's Talk on the MISD website (https://www.k12insight.com/Lets-Talk/embed.aspx?k=WT8Y7BLT).

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. The district will provide research-based interventions, which may include counseling options, for students who engage in bullying behaviors, students who are targeted by bullying behaviors, and any student who witnessed bullying behaviors. Any action taken in response to bullying will comply with state and federal law regarding students with disabilities.

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 his or her child be transferred to another classroom or campus within the district.

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).

[Also see Dating Violence, Discrimination, harassment, and Retaliation, Student Transfers, Hazing, policy FFI, and the district improvement plan, a copy of which can be viewed in the campus office.]

CELEBRATIONS

Although a guardian is not prohibited from providing food for a school-designated function (birthdays, classroom activities, celebrations, etc.) 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 guardian of any known food allergies when soliciting potential volunteers to bring food products. If a guardian provides food for a celebration, the food must be store bought or pre-approved by the principal. Also see Food Allergies.

CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN

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 on each campuses counseling website under the resources tab. Trafficking includes both sex and labor trafficking.

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 Trafficking

Child 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. Labor trafficking involves forcing a person, including a child, to engage in forced labor or services.
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.

Additional warning signs of labor trafficking in children include:

- Being unpaid, paid very little, or paid only through tips;
- Being employed but not having a school-authorized work permit;
- Being employed and having a work permit but clearly working outside the permitted hours for students;
- Owing a large debt and being unable to pay it off;
- Not being allowed breaks at work or being subjected to excessively long work hours;
- Being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss;
- Not being in control of his or her own money;
- Living with an employer or having an employer listed as a student's caregiver; and
- A desire to quit a job but not being allowed to do so.

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

COMPLAINTS AND CONCERNS

Usually student or parent complaints or concerns can be addressed simply—by a phone call or a conference with the teacher. For those complaints and concerns that cannot be handled so easily, the District has adopted a standard complaint policy at FNG (LOCAL) in the District's policy manual. A copy of this policy may be obtained in the principal's office, Superintendent's office or on the District's Web site at www.misd.org.

In general, the student or parent should first discuss the complaint with the classroom teacher, then with the campus principal. If unresolved, a written complaint and 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. [Please refer to the S.T.E.P.S. at the front of the handbook]

CONDUCT

Any and all infractions of the Code of Student Conduct, or the rules and regulations of each school, may be handled at the discretion of the principal and assistant principal. The district may impose campus and classroom rules in addition to those found in the Montgomery

Independent School District Student Code of Conduct. Violations of campus and classroom rules may or may not constitute violations of the MISD Code of Conduct.

Applicability of School Rules

As required by law, the District has developed and adopted a Student Code of Conduct that prohibits certain behaviors and establishes standards of acceptable behavior—on and off campus, during remote and in-person instruction, and on district vehicles – and outlines consequences for violation of the standards. Students need to be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules. 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.

To achieve the best possible learning environment for all students, the Student Code of Conduct and other campus rules of behavior will 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 in accordance with the Student Code of Conduct.

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:

- Does not comply with established campus policies and procedures.
- Interferes with the movement of people in an exit, an entrance, or a hallway of a District building without authorization from an administrator.
- Interferes with an authorized activity by seizing control of all or part of a building.
- Uses force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Uses force, violence, or threats to cause disruption during an assembly.
- Interferes with the movement of people at an exit or an entrance to District property.
- Uses force, violence, or threats in an attempt to prevent people from entering or leaving District property without authorization from an administrator.
- Disrupts classes 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; entering a classroom without authorization; and disrupting the activity with profane language or any misconduct.
- Interference with the transportation of students in vehicles owned or operated by the district.

COUNSELING:

The district has a comprehensive school counseling program that includes:

- A guidance curriculum to help students develop their full educational potential, including the student's interests and career objectives;
- A responsive services component to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk;
- An individual planning system to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development; and
- Systems to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students.

The district will make a preview of the program, including all materials and curriculum, available to parents to review during school hours.

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.

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 follow campus procedures. 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.

CREDIT BY EXAMINATION

If a Student Has Taken the Course

A student who has previously taken a course or subject – but did not receive credit or a final grade for that subject – 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 non-accredited 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."

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

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.

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

If a Student Has Not Taken the Course

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 2023–24 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.

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 60 or higher on an exam administered through the CLEP, or a score of 3 or higher on an AP exam, 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.
A student in elementary school will be eligible to accelerate to the next grade level if: (1) the student scores at least 80 on each examination in the subject areas of language arts, mathematics, science and social studies, (2) a district administrator recommends the student be accelerated, and (3) the student's parent gives written approval of the grade advancement.

If a student plans to take an exam, the student (or parent) must register with the school counselor no later than 30 days prior to the scheduled testing date. The district will cover the cost of each test. MISD uses Texas Tech University for all exams.

TESTING AND REGISTRATION DATES

Testing Dates	Registration Deadline
June 1 & 2, 2023	**April 21, 2023**
July 20 & 21, 2023	**June 9, 2023**
November 16 & 17, 2023	**October 6, 2023**
March 21 & 22, 2024	**February 9, 2024**

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 web site www.misd.org. [See policy FFH.]

Dating Violence

Dating Violence will not be tolerated at school. To report dating violence, see **Reporting Procedures**.

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 or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, 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.

In accordance with law, when the district receives a report of dating violence, a district official will immediately notify the parent of the alleged victim and alleged perpetrator.

The counselor's office has information about the dangers of dating violence and resources for seeking help.
For more information on dating violence, see

- Texas Attorney General's office Recognizing and Responding to Dating Violence Flier: https://www.texasattorneygeneral.gov/sites/default/files/files/child-support/papa/session%2010/recognizing-relationship-violence-en.pdf

- The CDC's Preventing Teen Dating Violence. https://www.cdc.gov/violenceprevention/intimatepartnerviolence/teendatingviolence/fastfact.html

See **Consent to Instruction and Prevention of Child Abuse**, **Family Violence**, **Dating Violence**, and **Sex Trafficking**.

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law, that 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 or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Two 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 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, counselor, principal, or other district employee. The report may be made by the student's parent. See policy FFH (LOCAL) for the appropriate district officials.

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 investigation 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 Federal Educational Records 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 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. [Also see **Extracurricular Activities, Clubs, and Organizations** on page 18.] 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. Unless an exception is made by the principal, 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 school.

The additional distance learning opportunities available to district students can be inquired about from the school as well.

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

Publications prepared by and for the school may be posted or distributed, with the prior approval of the principal, sponsor, or teacher. Such items may include school poster, brochures, flyers, etc. All publications are under the supervision of a teacher, sponsor, and the principal.

Student Non-School Materials

Unless a student obtains specific prior approval from the principal, written materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials over which the school does not exercise control may not be posted, sold, circulated, or distributed on any school campus. To be considered, any non-school material must include the name of the sponsoring organization or individual. The decision regarding approval will be made in two school days.
The student may appeal the decision in accordance with policy FNG (LOCAL). Any student, who sells, circulates posts or distributes non-school material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without this approval will be removed.

Non-student Non-school Materials

Written or printed materials, handbills, photographs, pictures, films, tapes, party or other invitations or other visual or auditory materials over which the District does not exercise control shall not be sold, circulated, or distributed by persons or groups not associated with the school or a school support group on school premises unless the person or group obtains specific prior approval from the Superintendent or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual.

The requestor may appeal the Superintendent or designee's decision in accordance with policy GF (LOCAL).

DRESS CODE GUIDELINES

Students will be expected to keep themselves well-groomed and neatly dressed at all times. Any form of dress or hairstyle 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 I.S.D. includes, but is not limited to, the following:

- Shorts, skirts, or dresses must be modest (mid-thigh or longer) with **normal movement**.
- Shorts may be worn provided they are mid-thigh or longer. Shorts, pants and jeans must have no holes or cutouts above the mid-thigh.
- Revealing clothes may not be worn to school, including but not limited to: blouses/dresses that are strapless, transparent, low-cut, backless, off the shoulder, halter top, or spaghetti straps. Undergarments should not be visible. No stomachs should be visible with normal movement.

- No head coverings are to be worn in any school building at any time unless on a designated school spirit day.
- Raincoats, trench coats and other full-length over-garments worn to school due to inclement weather must be stored in the classroom or AP office. Such garments may not be worn inside the building.
- Extreme hair styles or distracting hair colors will be addressed by administration. Mustaches and beards may be worn if neat and trimmed.
- Students may not wear clothing or have visible tattoos 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. All other types of facial piercing, tongue studs and/or visible body piercings are prohibited. Chains of any length or size (including wallet chains) are not allowed. Sunglasses may not be worn in building.
- House slippers, pajamas, or bedclothes are not appropriate for students to wear to school unless on a designated school spirit day. 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 administration of each campus shall apply the dress code and make all final decisions regarding what is acceptable and appropriate.

Violations of the dress code will result in the student being sent to an assistant principal's office. On the first offense, the violation will be corrected as soon as possible, parents/guardians will be contacted and may need to bring compliant article of clothing. The first offense will result in a warning. The second offense will follow the aforementioned procedure except discipline consequence will be issued. The third offense will require an in-person parent conference and student will be placed in ISS for the remainder of the school day. Student may be assigned additional consequences for excessive non-compliance.

No student will be allowed to return to class until they are in compliance with the dress code policy. If a parent/guardian cannot bring clothing to remedy a violation, the student will be placed in ISS for the remainder of the school day.

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

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 RESOURSES (All Grade Levels)

Staff and students use technology resources to facilitate learning, the work environment, and promote communications. These guidelines ensure the proper use of Montgomery Independent School District's (the District's) technology resources (systems). All users have the responsibility to use technology resources in an efficient, effective, ethical and lawful manner.

The following guidelines, rules, and conditions apply to all users of District technology resources and services, wherever the users are located. Violations of this policy may result in disciplinary action, including possible suspension, and/or legal action.

The District has the right, but not the duty, to monitor any and all aspects of the District's technology resources, including e-mail, to ensure compliance with this policy.

The District's network, digital equipment and accounts given to students and employees are for educational purposes only. Users should not have an expectation of privacy in anything they create, view, send, or receive on District systems. Commercial use of District resources is strictly prohibited. The digital equipment, software, and system belong to the District and may be used for educational purposes only.

All users are governed by the following provisions, which apply to all use of technology resources and services. Technology resources and services include, but are not limited to, the following: cloud or hosted services, file servers, workstations, stand-alone computers, laptops, tablets, software, telephones, email accounts, data and databases, and internal or external communication networks (Internet, commercial online services, and email systems) that are accessed directly or indirectly from the district's computer facilities.

These regulations may be amended or revised periodically as the need arise and are implemented pursuant to District policy (CQ Local).

Possession of Personal Electronic and/or Telecommunications Devices at School

In this section of the Student Handbook, a personal electronic or telecommunication device ("personal device") includes, but is not limited to, mobile/cellular phones, smart watches, radios, CD players, iPods, MP3 players, video/audio recorders, portable video games, DVD players, electronic readers, cameras, Google Glass, etc.

The term does not include personal laptops, notebook computers, or tablet computers [See **Bring Your Own Technology for Instructional Use** below].

If a student brings a personal device to school, it is the student's responsibility to keep the item secure. The school will not be responsible for personal devices that are damaged, lost or stolen; however, as with other personal property brought to school, administrators will conduct investigations as time permits to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate.

Possession and Use of Other Personal Electronic Devices

Except as described below, students are not permitted to possess or use personal electronic devices such as MP3 players, video or audio recorders, DVD players, cameras, games, e-readers, smart watches, or other electronic devices at school, unless prior permission has been obtained. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See Searches on page 34 and policy FNF.]

Any disciplinary action will be in accordance with the Student Code of Conduct. The district will not be responsible for any damaged, lost, or stolen electronic device.

Use of Personal Electronic and/or Telecommunications Devices at School

In all grades, wearable technology (such as smart watches or fitness monitors) can be worn at school and remain powered on, but students must follow the below rules for access, use, and non-disruption.

In grades PK-5, students are not permitted to display, turn on, or use a personal device, during the instructional day. For grades PK-5, the instructional day is the time from the morning tardy bell to the daily dismissal bell, including lunch, recess, passing periods, and all activities conducted during the instructional day (field trips, assemblies, etc.).

In grades PK-5, if a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The parent may pick up the confiscated telecommunications device from the principal's office. Confiscated telecommunications devices that are not retrieved by the student's parents will be disposed of after the notice required by law. [See policy FNCE.]

In grades 6-12, students are not permitted to display, turn on, or use a personal device, during instructional class periods. For grades 6-12, an instructional class period is the time from the tardy bell to the dismissal bell for a class period, and does not include lunch, passing periods, and off periods. With specific teacher permission, students can access personal devices to listen to music during independent study or self-paced time. When appropriate for instructional use a department can allow the use of a personal device to supplement the learning, as published in the course syllabus. 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 (1 only) is acceptable, but headphones that cover the ears are prohibited.

In grades 6-12, 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.

In all grades, when not authorized, personal devices (other than wearable technology) should be stored in backpacks or lockers and turned off or silenced. A student leaving the building to use an electronic device is strictly prohibited.

In all grades, a student is authorized to use a personal device if the student's Individual Health Plan, Section 504 Plan or Individualized Education Plan specifies a required academic or health use or applicable accommodation.

In all grades, in the event of a personal or family emergency, a student needing to use or access a personal device may work with campus administration on an appropriate exception to these rules.

Prohibited Activities and Uses of Personal Electronic and/or Telecommunications Devices

Unacceptable and inappropriate uses of technology resources are detailed in the Student Code of Conduct and the District's Responsible Use Guidelines, including:

- Violation of the personal device rules during the administration of any state or major course assessment may result in an invalid assessment and/or will be regarded as cheating.
- Taking pictures or otherwise capturing images is strictly prohibited in locker rooms, restroom areas, or other areas of student privacy, while at school or at a school-related or school-sponsored event.
- Personal devices that negatively impact the District's computing environment or network may be shut down or blocked to prevent disruption of service to others. 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.
- Any telecommunication or electronic device is prohibited if used to cheat, audio/video record, or photograph another student or staff member without that person's permission, or when the use creates a disruption.
- 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.

  This type of behavior may constitute bullying or harassment, as well as impede future endeavors of a student. We encourage parents to review with their child the "Before You Text" Sexting Prevention Course, a state-developed program that addresses the consequences of sexting.

- 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. In some cases, the consequence may be expulsion.

Consequences for Noncompliance

If the use of a personal device is determined by a staff member to be a distraction to a student or the learning environment, or is used in violation of these provisions, all staff will respond in the same manner as any other distraction to the student or learning environment.

Any item that is a distraction to the learning environment may be collected by a staff member and given to a campus administrator. If a personal device is collected by a staff member and given to a campus administrator, a parent or guardian will be responsible for retrieving the item in the office. Confiscated devices that are not retrieved by the student or the student's parent will be disposed of after the notice required by law. [See policy FNCE.]

Students violating these rules may also be disciplined in accordance with the Student Code of Conduct, particularly for multiple, flagrant or egregious violations.

In limited circumstances and in accordance with law, a student's personal device may be searched by authorized personnel. [See Searches and policy FNF.]

Confiscated electronic devices are not the responsibility of the school or its personnel. Montgomery ISD 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.)

Elementary Campuses (Grades PK- 5)

First Offense:
Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day which is defined to be between 3:45 p.m. and 4:15 p.m.
Second Offense:
Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day.
Third and Subsequent Offenses:
Confiscate the device for the day and return only to a parent/legal guardian at the end of the school day.
Note:

- 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.
- 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.

“Bring Your Own Technology” for Instructional Use

In some cases, students in grades K-12 may find it beneficial to use personal laptops, notebook computers, or tablet computers for instructional purposes while at school. When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Students using personal devices at school are subject to the same rules and requirements as District-Issued Technology. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

- Students/Guardians understand that if a personal device is damaged or stolen while on MISD property, or district sponsored event/activity, MISD is not liable to replace or repair the device.
- Students/Guardians understand that any data and/or SMS/MMS (texting) charges will not be reimbursed by MISD.
- Students/Guardians agree to connect personal device only to a MISD designated network, not other (e.g external/neighborhood or personal hotspot) networks.
- Students/Guardians agree to turn off all peer-to-peer (music/video/file-sharing) software or web-hosting services on personal technology while on District property.
- Students/Guardians agree that security, care, connectivity, and maintenance of technology devices are their responsibility, not that of the District’s.

District-Issued Technology for Instructional Use

To prepare students for an increasingly technological society, the District provides technology for instructional purposes. District computer technology includes computer workstations, iPads, applications, databases, library catalog, online resources, Internet access, email and other technologies designated for use by students. Use of these resources is restricted to students working under a teacher's supervision and for approved purposes only. With this educational opportunity comes responsibility. It is important that students and parents read the Responsible Use Guidelines for Technology.

The district's Responsible Use Guidelines for Technology (specialized by level) can be found at the end of this Handbook.

Students and their parents should be aware that e-mail and other electronic communications using District computers are not private and will be monitored by District staff and are subject to Open Records requests. [See policy CQ.]

Acceptable Use of District Technology Resources

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the district’s network systems and use of district equipment, is restricted to approved purposes only. It is important that students and parents read the Montgomery ISD Student Device Policy Handbook, located on the district’s website.

Google G Suite for Education

Montgomery ISD will create accounts for all students to allow for collaborative sharing using Google Workspace. These tools are housed on the Internet and can be accessed from any Internet-connected device. No special software is required.

Google Workspace is a set of online tools for communication, collaboration and document storage. These tools may include products such as: Calendar, Drive, Sites, YouTube, Jamboard and Classroom. As Google continues to add new tools, Montgomery ISD will evaluate each for its educational potential. Montgomery ISD may add additional tools within Google Workspace throughout the school year.

As appropriate, a student’s Google account may also be used as a student identifier to access educationally related software and programs, in accordance with Montgomery ISD curriculum and privacy practices.

Microsoft Office 365

Montgomery ISD will create accounts for all students to allow for collaborative sharing using Office 365. These tools are housed on the Internet and can be accessed from any Internet-connected device. MISD students receive licenses for Office 365.

Microsoft Office 365 is a set of online tools and software for communication, collaboration, productivity, and document storage. As Microsoft continues to add new tools, Montgomery ISD will evaluate each for its educational potential. Montgomery ISD may add additional tools within Office 365 throughout the school year.

As appropriate, a student’s Microsoft account may also be used as a student identifier to access educationally related software and programs, in accordance with Montgomery ISD curriculum and privacy practices.

Student Email Addresses

As part of Microsoft Office 365 services, all Montgomery ISD students will be assigned a Montgomery ISD student email account. Unless another email address is assigned by the District, this account will be considered the student's official email address until such time as the student is no longer enrolled at Montgomery ISD. In addition to being a communication tool for students to use with their teachers as appropriate by grade level, this email address may also be used as a student identifier to access educationally related software and programs, in accordance with Montgomery ISD curriculum and privacy practices.

Use of Social Networking/Digital Tools

Students may participate in District-approved online learning environments related to instruction, curricular projects or school activities and use digital tools, such as, but not limited to: a learning management system, social media, mobile devices, blogs, discussion forums, RSS feeds, podcasts, wikis, and online meeting sessions. The uses of these digital tools are considered an extension of the classroom and governed by the District student handbook. Communications and activity considered inappropriate in the classroom is also inappropriate in all uses of District-approved digital tools. Digitally transmitted content that includes inappropriate language, images, or content is prohibited.

For students under the age of 13, the Children's Online Privacy Protection Act (COPPA) requires additional parental permission for educational software tools. Parents wishing to deny access to these educational tools must do so in writing to the campus principal indicating their child should be denied access to these tools. Examples of these tools include FlipGrid, Adobe Spark, and Discovery Education.

Automated Rostering

Montgomery ISD uses third-party rostering services to provide students with digital curriculum and textbook resources. These accounts will be used at school for school related projects but if allowed may also be accessed outside of school and contribute to achieving instructional objectives. Staff may also use other third-party accounts.

Unacceptable and Inappropriate Use of District 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 on district-owned or personally owned equipment, 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 according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement. The use of a mobile telephone or any device to capture images of any violation of the student code of conduct is strictly prohibited while at school or at a school-related or school-sponsored events. Any disciplinary action will be in accordance with the Student Code of Conduct. The district will not be responsible for damaged, lost, or stolen electronic devices.

Vandalism Prohibited

Users may not engage in any malicious attempt to harm or destroy materials belonging to the District or of another user of the District's system, or of any of the agencies or other networks that are connected to the District. Deliberate attempts to degrade or disrupt system performance will be viewed as violations of District policy and administrative regulations and may be viewed as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creating of computer viruses. The use of any software having the purpose of damaging the District's system or other user's system is prohibited.

CRIMINAL ACTS

These include, but are not limited to:

- Unauthorized tampering
- Cyberstalking
- Vandalism
- Harassing email
- Child pornography
- Cyberbullying

Libel Laws - Publicly defaming people through the published material on the internet, email, et cetera.

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).

CONTENT FILTERING

In compliance with the Children's Internet Protection Act (CIPA), a content filtering solution is in place in order to minimize access to certain sites that may contain inappropriate material, including pornography, weapons, illegal drugs, gambling, and any other topics deemed to be of non-educational value by MISD. The District cannot guarantee that all inappropriate material will be blocked at all times or that acceptable material may be unintentionally blocked. The District is not responsible for the content accessed by users who connect via their own service (cellphones, air-cards, etc.). It is important that students and parents read the Montgomery ISD Student Device Policy Handbook, located on the district's website concerning content filtering off district property.

INFORMATION CONTENT/THIRD PARTY SUPPLIED INFORMATION

Although the District has proper content filtering in place, users and parents/guardians of students with access to the District's system should be aware that use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.

TERMINATION/REVOCATION OF SYSTEM USER ACCOUNT

The District may suspend or revoke a User's access to the District's system upon any violation of District policy and/or administrative regulation. Prior to a suspension or revocation of system access, or as soon as practicable, the principal or District coordinator will inform the system user of the suspected violation and give the user an opportunity to present an appeal. Users may appeal the revocation of access according to district guidelines and policies.

Termination of an employee's access or of a student's access will be effective on the termination or withdrawal date.

Disclaimer

The District's system is provided on an "as is, as available" basis. The District does not make any warranties, whether expressed or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information of software contained therein. The District does not warrant that the functions or services performed by, or that the information of software contained on, the system will meet the system user's requirements, or that the system will be uninterrupted or error-free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the provider and not of the District.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system.

In order to protect the technology assets of Montgomery ISD, to minimize unnecessary system downtime, and to supplement the District's Technology Responsible Use Agreement, the following policies are to be followed by all system users:

a. Setup and repair of computers is to be done in accordance to established processes and procedures.
b. Technology hardware including phones, printers, and computers must not be moved without prior approval from the Campus Desktop Technician and the Technology Services Department unless the hardware is designated as mobile.

Consent

By acknowledging receipt of the Student Handbook (including the Technology Responsible Use Guidelines), parents/guardians are giving consent for their student to use their Montgomery ISD Google Workspace account, Microsoft Office 365/Azure AD account, and related products and services as evaluated and determined to have educational value and provisioned by the district.

EMERGENT BILINGUAL STUDENTS

A student who is an Emergent Bilingual (EB) student 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 placement in the required bilingual or English as a Second Language (ESL) program recommended by the LPAC for an Emergent Bilingual student. 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 the state required English language proficiency assessment. If the student qualifies for services and once a level of proficiency has been established, the LPAC will then designate linguistic instructional accommodations or additional special programs 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. STAAR Spanish is available through grade 5 for students who meet the criteria. In limited circumstances, a student's LPAC may waive certain

graduation requirements related to the English I and II end-of-course (EOC) assessments. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to all students identified as an Emergent Bilingual.

If a student is identified as an Emergent Bilingual student 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

- Participation in school and school-related 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.
- Participation in some of these activities may result in events that occur off-campus. When the district arranges transportation for these events, students are required to use the transportation provided by the district to and from the events. Exceptions to this may only be made with the approval of the activity's coach or sponsor.
- Eligibility for participation in many of these activities is governed by state law as well as rules of the University Interscholastic League (UIL)—a statewide association overseeing, interdistrict competition. Students involved in UIL athletic activities and their parents can access the UIL Parent Information Manual at http://www.uiltexas.org/athletics/manuals: 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 the Texas Education Agency at (512) 463-9581 or curriculum@tea.state.tx.us. [See http://www.uiltexas.org for additional information on all UIL-governed activities.] The following requirements apply to all extracurricular activities:
- A student who receives at the end of a grading period a grade below 70 in any academic class, other than a class identified as honors or advanced by either the State Board of Education or by the local Board, may not participate in extracurricular activities for at least three school weeks.
- A student with disabilities who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but not participate in any competitive activity.
- A student is allowed in a school year up to ten absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the Board, are subject to these restrictions.
- A student who misses a class because of participation in an activity that has not been approved will receive an unexcused absence.
- Please note: Sponsors of student clubs and performing groups such as the 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 local policy will apply in addition to any consequences specified by the organization.
- [For further information, see policies FM and FO.]

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 material 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 or publications.
- Voluntarily purchased student accident insurance.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Fees for lost, damaged, or overdue library books.
- Summer school for courses that are offered tuition-free during the regular school year.
- A fee not to exceed $50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only it the parent or guardian signs a district-provided request form.
- 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 appropriate campus [For further information, see policies at FP.]

FUNDRAISING

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes in accordance with administrative regulations. [See policies FJ and GE for more information.]

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 location in, on, or within 1,000 feet of any district-owned or leased property or campus playground

GRADING GUIDELINES

The 2023-2024 Elementary Grading and Reporting Handbook is accessible on the district website under the "Parents" tab. These guidelines have been developed and reviewed by each applicable department and have been approved by the campus principal. These guidelines establish the minimum number 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 falling grade. Procedures for a student to follow after an absence is also addressed.

Re-teaching and Reassessment

The District's goal is for every student to master standards specified for each grade level. If a student does not demonstrate 70% mastery of concepts and skills on a major assignment/test, reteaching and reassessing shall be provided for the student.

1. Reteaching must occur whenever a student scores below 70% on a major assignment/test. Reteaching should employ instructional strategies different from the original instruction. Strategies for reteaching include, but are not limited to: small group instruction, use of alternate and differentiated materials, computer-assisted/online instruction, multisensory teaching techniques, hands-on and subject appropriate manipulative materials.
2. All students are eligible for one reassessment per major grade if the student completes and submits a major grade as scheduled. For any reassessment, the replacement grade will only be used when it is higher than the original grade.
3. Reassessment should cover the same content at the same level of difficulty as the original assessment. Reassessment may include one of the following methods:
    a. Redo the assessment
    b. Take a comparable alternate assessment
    c. Complete a different project over the same learning standards
    d. Corrections with justification for new responses
4. Reassessment does not constitute reteaching.
5. When recording re-assessment grades in the District gradebook program, the original grade must be noted.

Homework

1. Homework may be assigned to reinforce and practice skills taught at school. Homework will not be graded or assigned for disciplinary purposes.
2. Daily homework assignments should not exceed the following timeframes:
    Pre-K through Grade 1 = 10 minutes
    Grades 2 and 3 = 20 minutes
    Grade 4 and 5 = 30 minutes

Make-Up Work

1. All Students shall be allowed to make up work when they are absent from class.
2. Students have the total number of days absent plus one in which to complete the assignments.
3. In certain circumstances where a prolonged illness or family emergencies are involved, an arrangement will need to be made between student and teacher for additional time to complete make-up work.
4. When an assignment is missing due to being make-up work, the teacher will place an "M" in the online gradebook in place of the numeric grade until the assignment is turned in.

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

Grades PK-5 – Any student who is caught cheating or plagiarizing may receive a grade of "zero" for the academic work involved, and the parent(s) of the students(s) will be notified. When work is copied from another student, both students could be penalized with a grade of "zero". Grades of "zero" which are the result of any form of academic dishonesty are irrevocable. The students may receive a "U" for citizenship during the appropriate grading period and campus administration will be notified. Subsequent offenses will be assigned according to the MIDS Student Code of Conduct.

HAZING

Hazing is defined as any intentional, knowing, or reckless act occurring 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 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

HEALTH-RELATED MATTERS

Bacterial Meningitis

Please see the district's website at www.misd.org under the Parent Information tab for information regarding meningitis.

Diabetes

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 or principal for information. [See policy FFAF(LEGAL) for more information.]

Food Allergies

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 reaction either by breathing, eating, or touching 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. Please contact the school nurse or campus principal if you child has a known food allergy or as soon as possible after any diagnosis of a food allergy. 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 under "Child Nutrition".

For District Policy concerning food allergies see www.misd.org under "About MISD", see FFAF(Local) and celebrations.

Head Lice

Head lice is very common among children. Although not an illness or a disease, it spreads easily through head-to-head contact during play, sports, 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 needs to be picked up from school and to discuss a treatment plan using an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student undergoes one treatment, the parent should contact the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments, how best to get rid of lice, and how to prevent their return.

The district will provide notice to parents of elementary school students in the affected classroom without identifying the student with lice.

More information on head lice can be obtained from the DSHS website Managing Head Lice in School Settings and at Home.

[See policy FFAA for more information.]

HEALTH-RELATED RESOURCES, POLICIES, AND PROCEDURES

Physical and Mental Health Resources

Parents and students in need of assistance with physical and mental health concerns may contact the following campus and community resources:

- The campus full-time nurse.
- The campus counselor department.
- The local public health authority, Montgomery County Public Health District, which may be contacted at https://mcphd-tx.org.
- The local mental health authority, Tri-County Behavioral Healthcare, which may be contacted at www.tricountyservices.org.

Policies and Procedures that Promote Student Physical and Mental Health

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at www.misd.org under About MISD/Board of Trustees/Board Policy Online.

- Food and nutrition management: CO, COA, COB
- Wellness and Health Services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC
- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma-informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF
- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: FFH
- Freedom from Bullying: FFI

In addition, the District Improvement Plan details the district's strategies to improve student performance through evidence-based practices that address physical and mental health

The district has developed administrative procedures as necessary to implement the above policies and plans.

Please contact the Assistant Superintendent of Student Services, Amy Busby, at 936-276-2244 for further information regarding these procedures and access to the District Improvement Plan.

Immunizations

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

2023 - 2024 Texas Minimum State Vaccine Requirements for Students Grades K - 12

This chart summarizes the vaccine requirements incorporated in the Texas Administrative Code (TAC), Title 25 Health Services, §§97.61-97.72. This document is not intended as a substitute for the TAC, which has other provisions and details. The Department of State Health Services (DSHS) is granted authority to set immunization requirements by the Texas Education Code, Chapter 38.

IMMUNIZATION REQUIREMENTS

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

Vaccine Required (Attention to notes and footnotes)	**Minimum Number of Doses Required by Grade Level**													**Notes**
	Grades K - 6th							Grade 7th	Grades 8th - 12th					
	K	1	2	3	4	5	6	7	8	9	10	11	12	
Diphtheria/Tetanus/Pertussis (DTaP/DTP/DT/Td/Tdap)	5 doses or 4 doses							3 dose primary series and 1 booster dose of Tdap/Td *within the last 5 years*	3 dose primary series and 1 booster dose of Tdap / Td *within the last 10 years*					**For K–6th grade:** 5 doses of diphtheria-tetanus-pertussis vaccine; 1 dose must have been received on or after the 4th birthday. However, 4 doses meet the requirement if the 4th dose was received on or after the 4th birthday.[1] For students aged 7 years and older, 3 doses meet the requirement if 1 dose was received on or after the 4th birthday.[1] **For 7th grade:** 1 dose of Tdap is required if at least 5 years have passed since the last dose of tetanus-containing vaccine.* **For 8th – 12th grade:** 1 dose of Tdap is required when 10 years have passed since the last dose of tetanus-containing vaccine.* *Td is acceptable in place of Tdap if a medical contraindication to pertussis exists.
Polio	4 doses or 3 doses													**For K–12th grade:** 4 doses of polio; 1 dose must be received on or after the 4th birthday.[1] However, 3 doses meet the requirement if the 3rd dose was received on or after the 4th birthday.[1]
Measles, Mumps, and Rubella[2] (MMR)	2 doses													**For K–12th grade:** 2 doses are required, with the 1st dose received on or after the 1st birthday.[1] Students vaccinated prior to 2009 with 2 doses of measles and one dose each of rubella and mumps satisfy this requirement.
Hepatitis B[2]	3 doses													For students aged 11 – 15 years, 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax®) was received. Dosage (10 mcg /1.0 mL) and type of vaccine (Recombivax®) must be clearly documented. If Recombivax® was not the vaccine received, a 3-dose series is required.
Varicella[2, 3]	2 doses													**For K–12th grade:** 2 doses are required, with the 1st dose received on or after the 1st birthday.[1]
Meningococcal (MCV4)								1 dose						**For 7th – 12th grade**, 1 dose of quadrivalent meningococcal conjugate vaccine is required on or after the student's 11th birthday. **NOTE:** If a student received the vaccine at 10 years of age, this will satisfy the requirement.
Hepatitis A[2]	2 doses													**For K–11th grade:** 2 doses are required, with the 1st dose received on or after the 1st birthday.[1]

[1] Receipt of the dose up to (and including) 4 days before the birthday will satisfy the school entry immunization requirement.

[2] Serologic evidence of infection or serologic confirmation of immunity to measles, mumps, rubella, hepatitis B, hepatitis A, or varicella 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) had 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.

Information on exclusions from immunization requirements, provisional enrollment, and acceptable documentation of immunizations may be found in §97.62, §97.66, and §97.68 of the Texas Administrative Code, respectively and online at https://www.dshs.texas.gov/immunize/school/default.shtm.

Exemptions

Texas law allows (a) physicians to write medical exemption statements which clearly state a medical reason exists that the person cannot receive specific vaccines, and (b) parents/guardians to choose an 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 should maintain an up-to-date list of students with exemptions, so they may be excluded 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.dshs.texas.gov/immunize/school/exemptions.aspx . The original Exemption Affidavit must be completed and submitted to the school.

For children claiming medical exemptions, a written statement by the physician must be submitted to the school. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

Provisional Enrollment

All immunizations must 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. Student must not be overdue for the next dose in a series to be considered provisional. 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.

Additional guidelines for provisional enrollment of students transferring from one Texas public or private school to another, students who are dependents of active duty military, students in foster care, and students who are homeless can be found in the TAC, Title 25 Health Services, Sections 97.66 and 97.69.

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. Validation includes a signature, initials, or stamp. An immunization record generated from an electronic health record must include clinic contact information and the provider's signature/stamp, along with the vaccine name and vaccination date (month, day, and year). An official record generated from a health authority is acceptable. An official record received from school officials, including a record from another state is acceptable.

TEXAS Health and Human Services | Texas Department of State Health Services

Texas Department of State Health Services • Immunization Unit • MC-1946 • P. O. Box 149347 • Austin, TX 78714-9347 • (800) 252-9152

Medicine at School

- 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.
- **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, or in a student's possession. Any violation will result in disciplinary consequences. The district will not purchase medication to give to your child.**
- 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 may have consequences.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- An elementary or secondary student may possess and self-apply sunscreen to avoid overexposure to the sun. An elementary student's teacher or other district personnel will apply sunscreen to the student's exposed skin if the student brings the sunscreen to school and asks for help applying it. If a secondary student needs assistance with sunscreen application, please address the need with the school nurse.

Mental Health Support

The district has implemented programs to address the following mental health, behavioral health, and substance abuse concerns:

- Mental health promotion and early intervention;
- Building skills to manage emotions, establish and maintain positive relationships, and engage in responsible decision-making;
- Substance abuse prevention and intervention;
- Suicide prevention, intervention, and postvention (interventions after a suicide in a community);
- Grief, trauma, and trauma-informed care;
- Positive behavior interventions and supports;
- Positive youth development; and
- Safe, supportive, and positive school climates.

If a student has been hospitalized or placed in residential treatment for a mental health condition or substance abuse, the district has procedures to support the student's return to school. Please contact the district's mental health liaison for further information.

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 psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication that is intended to alter perception, emotion, mood, or behavior.

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. [See policy FFEB for more information.]

For related information, see handbook sections:

- Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service
- Counseling for the district's comprehensive school counseling program;
- Physical and Mental Health Resources
- Policies and Procedures that Promote Student Physical and Mental Health for board-adopted policies and administrative procedures that promote student health.

Unassigned Epinephrine Auto-Injectors

- In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized [school personnel and/or school volunteers] who have been adequately trained to administer an unassigned epinephrine auto-injector to a person who is reasonably believed to be experiencing a severe allergic reaction (anaphylaxis).
- An "unassigned epinephrine auto-injector" is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector.
- Epinephrine auto-injectors include brand-name devices such as EpiPens®.
- Authorized and trained individuals may administer an epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.
- The district will ensure that at each campus a sufficient number of [school personnel and/or school volunteers] are trained to administer epinephrine so that at least one trained individual is present on campus during regular school hours and whenever school personnel are physically on site for school-sponsored activities.
- Authorized and trained individuals may administer an unassigned epinephrine auto-injector to a person experiencing anaphylaxis ([at an off-campus school event or while in transit to or from a school event]) when an unassigned epinephrine auto-injector is available.
- For additional information, see FFAC (LOCAL).

Unassigned Prescription Asthma Medication

- In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow a school nurse to administer an unassigned prescription asthma medication on a school campus to a student with diagnosed asthma if the nurse, in his or her professional judgment, reasonably believes the student is experiencing symptoms of asthma that warrant administration of the medication and the district has obtained prior written consent from the student's parent or guardian.
- The school nurse may only administer unassigned prescription asthma medication to a student on a school campus. Please be aware that a school nurse will not always be available at a campus to administer this medication.
- "Unassigned asthma medication" means a fast-acting bronchodilator delivered by metered dose inhaler with single use spacer or by nebulizer as a rescue medication, prescribed by an authorized health-care provider in the name of the district with a non-patient-specific standing delegation order for the administration of an asthma medication, and issued by an authorized health-care provider.
- For additional information, see FFAC(LOCAL).

Physical Activity Requirements

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in full-day prekindergarten–grade 5 engage in moderate or vigorous physical activity for at least 30 minutes per day or 135 minutes per week.

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 the principal to obtain the results of his or her child's physical fitness assessment conducted during the school year.

For additional information on the district's requirements and programs regarding elementary school student physical activity requirements, please see the principal.

School Health Advisory Council (SHAC)

During the preceding school year, the district's School Health Advisory Council held four meetings. Additional information regarding the district's School Health Advisory Council is available from Amy Busby, Assistant Superintendent of Student Services and Innovation at the MISD website. Notification of upcoming SHAC meetings will be posted at each campus administrative office at least 72 hours before

the meeting. Notification of upcoming SHAC meetings, meeting minutes, and a recording of each meeting will be posted on the district website at www.misd.org.

Students 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 parent should contact the school nurse if a student has been diagnosed with COVID-19. 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 (TDSHS) or our local/regional health authority. The school nurse can provide information from TDSHS 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.

Student Wellness Policy/Wellness Plan

MISD 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 Amy Busby with questions about the content or implementation of the district's wellness policy plan.

Tobacco And E-Cigarettes Prohibited

Students are prohibited from possessing or using any type of tobacco product, including electronic cigarettes or any other electronic vaporizing device 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 including electronic cigarettes or any other electronic vaporizing device by students and 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 on each campus. If you have any questions or would like to examine the district's plan in more detail, please contact Joe Kinard, 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 United State Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before 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 the MISD Maintenance Department at 936-276-2360.

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, including without parental consent, if necessary, 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 law enforcement personnel 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.
- To comply with a properly issued directive from a juvenile court to take a student into custody.
- 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.
- 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 rises 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 custody action, 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 has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors that occur in school, on school property, or at a school-sponsored or school-related activity on or off school property. These personnel will also be notified if the principal has reasonable grounds to believe the student has engaged in certain conduct.
- All appropriate district personnel in regards to a student who is required to register as a sex offender.

[For further information, see policies FL (LEGAL) and GRAA (LEGAL).]

LEAVING CAMPUS

Please remember that student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a student early on a regular basis results in missed opportunities for learning. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the school day.

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent: For students in elementary school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student’s return. Documentation regarding the reason for the absence will also be required.

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.

In accordance with Title IX, the district does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to admission and employment. Inquiries about the application of Title IX may be

referred to the district's Title IX Coordinator (see below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment: Denise Miner, Assistant Superintendent of Human Resources, 20774 Eva St., Montgomery, TX 77356, 936-276-2100 email: Denise.Miner@misd.org. Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with the process described at FFH (LOCAL).

The following district representatives have been designated to address concerns or inquiries about other kinds of discrimination:

- For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator: Kerri Clark, Executive Director of Specialized Learning, 20774 Eva St., Montgomery, TX 77356, 936-276-2460 email: Kerri.Clark@misd.org.
- For all other concerns regarding discrimination: See the MISD Superintendent, 20774 Eva St. Montgomery, TX 77356, 936-276-2011.

[See policies FB, FFH, and GKD.]

PARENT AND FAMILY ENGAGEMENT

Working Together

A child's education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. 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. Be sure your child comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the District. Discuss with the counselor or principal any questions you may have about the options and opportunities available to your child. Monitor your child's academic progress and contact teachers as needed.
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. A teacher will usually return your call or meet with you during his or her conference period or at a mutually convenient time before or after school.
- Other forms of parent engagement:
- Becoming a school volunteer. (Refer to MISD Website for required forms to be completed new each school year).
- Participating in campus parent organizations (the campus personnel are prohibited from distributing directory information)
- Offering to serve 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.
- Attending board meetings to learn more about district operations. Regular board meetings are held on the 3rd Tuesday of each month at the District Office at 20774 Eva Street, Montgomery, Texas. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at 20774 Eva Street, Montgomery, Texas and online at www.misd.org. [See policies at BE and BED for more information.]
- 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]
- 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.

PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE

- Texas law requires students to recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag each day. Parents may submit a written request to the principal to excuse their child from reciting a pledge.
- State law requires that one minute of silence follow recitation of the pledges. The student may choose to reflect, pray, meditate, or engage in any other silent activity so long as the silent activity does not interfere with or distract others. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. 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 individually, voluntarily, and silently pray or meditate in school in a manner that does not disrupt instructional or other activities of the school. The school will not require, encourage, 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.

1st grade promotion to the next grade level shall be based on evidence of satisfactory progress in Reading-Language Arts and Mathematics that is based on evidence from Standards-based report cards.

In grades 2-5, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 in each of the following, Reading/Language Arts, Mathematics, Science and Social Studies.

A parent/guardian may elect for his/her child to repeat a grade by making a written request to the school principal. Before granting the request, the district may convene a retention committee to meet and discuss the request and will invite the parent to participate.

If a student in grades 3–8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

Remote Instruction

The district may offer remote instruction when authorized by TEA.

All district policies, procedures, guidelines, rules, and other expectations of student behavior will be enforced as applicable in a remote or virtual learning environment.

REPORT CARDS, PROGRESS REPORTS, AND CONFERENCES

Report cards with your child's grades or performance and absences in each class or subject are issued to you electronically at the conclusion of each nine week grading period.

At the end of the first 4 weeks of a of a 9-week grading period, you will be receive an electronic progress report for your child. If your child receives a grade lower than 70 in any class or subject during a grading period, you may be requested to schedule a conference with the teacher of that class or subject.

Please refer to the Elementary Grading and Reporting Handbook (accessible on the district website under the "Parents" tab) for specific report card distribution dates.

Progress Reports / Report Cards

First 9 Weeks Progress Reports	September 12, 2023
Report Cards	October 12, 2023
Second 9 Weeks Progress Reports	November 28, 2023
Report Cards	January 11, 2024
Third 9 Weeks Progress Reports	Feb 20, 2024
Report Cards	March 21, 2024
Fourth 9 Weeks Progress Reports	April 23, 2024
Report Cards	May 30, 2024

SAFETY

Student safety on campus or at school-related events is a high priority of the District. Although the District has implemented safety procedures, the cooperation of students is essential to ensure school safety. Students should:

- Avoid conduct that is likely to put the student or other students at risk.
- Follow the Student Code of Conduct and any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- Remain alert to and promptly report safety hazards, such as intruders on campus.
- 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.

In an effort to ensure student safety, propping doors open is strictly prohibited. Consequences for propping doors include:

1st Offense –student discipline referral, warning, and a parent phone call and/or conference with campus administration.
2nd Offense – student discipline referral, 3 day assignment of ISS, and a parent phone call and conference with campus administration.
3rd Offense – student discipline referral, 3 day assignment of OSS (for upper grade levels), and a face-to-face conference with the campus Principal and School Counselor. An individualized plan for students younger than 3rd grade will be created and will include ISS or DAEP.

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:

- Students or their parents shall pay their own premiums.
- 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 drills of emergency procedures. When the alarm is sounded, students should follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

Emergency Medical Treatment and Information

All parents are asked each year to complete a medical care authorization form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, etc.).

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

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

The emergency care authorization form will be used by the district when a student's parent or authorized designee cannot be contacted. A student may provide consent if authorized by law or court order.

Regardless of parental authorization for the district to consent to medical treatment, district employees will contact emergency medical services to provide emergency care when required by law or when deemed necessary, such as to avoid a life-threatening situation.

Emergency/Bad Weather 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 School Messenger, our telephone broadcast system that enables school personnel to notify selected households of emergencies or events. 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. 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.

SCHOOL FACILITIES

Use by Students Before and After School

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 7:50 a.m.▪ School Cafeteria. 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 leave campus immediately.

Conduct Before and After School

Teachers and administrators have full authority over student conduct at before or after-school activities on district premises and at school-sponsored events off district premises, such as play rehearsals, club meetings, athletic practices, and special study groups or tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the Student Code of Conduct or any stricter standards of behavior established by the sponsor for extracurricular participants.

Cafeteria Services/Food and Nutrition 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 complete 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. At least one serving of fruit/fruit juice must be chosen to complete 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 complete 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. 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.

Method of Payment:

Montgomery ISD uses a district networked computerized system in the cafeterias to track payments and meal consumption. You may pay for a la cartes 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. 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. 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 emailed to pamela.mallory@misd.org 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, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027,
USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf 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.

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 and their belongings 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 suspicion less 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.

If there is reasonable suspicion to believe that searching a student's person or belongings 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

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 to perform a lawful search. A confiscated device may be turned over to law enforcement to determine whether a crime has been committed.

[See policy FNF(LEGAL) and Electronic Devices and Technology Resources for more information.]

SPECIAL PROGRAMS

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency or who are 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 school district personnel at (936) 276-2400. The following websites provide information to those who are seeking information and resources specific to students with disabilities and their families:

- Texas Project First, at http://www.teasprojectfirst.org
- Partners Resource Network, at http://www.partnerstx.org

STATE ASSESSMENT: STAAR for ELEMENTARY GRADES

STAAR Grades 3–8

In addition to routine tests and other measures of achievement, students at certain grade levels will take state-mandated assessments, such as the STAAR, in the following subjects:

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Science in grades 5 and 8
- Social Studies in grade 8

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.

Failure to Perform Satisfactorily on STAAR

Texas law requires all students who do not achieve approaches or higher on STAAR grades 3 through 8 or EOC assessments to be provided accelerated instruction. These requirements, modified by House Bill 4545 of the 87th legislature and recently updated with the passage of House Bill 1416 in the 88th legislature, provide that qualifying students must be provided supplemental instruction in the TEKS for the applicable grade levels and subject areas in the following manner:

- No less than 15 or 30 hours depending on student performance and is provided in the summer or at least once per week in the school year;
- Limited to two subjects per year, prioritizing math and Reading Language Arts;
- Provided in a group of no more than four students unless the parent or guardian of each student in the group authorizes a larger group;

- Designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area and includes effective instructional materials designed for supplemental instruction;
- Provided by a person with training in the applicable instructional materials for the supplemental instruction and provided by one person for the entirety of their accelerated instruction.

Standardized Testing for a Student Enrolled Above Grade Level

If a student in grades 3–8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

A student in grades 3–8 shall be assessed at least once in high school with the ACT or the SAT if the student completes the high school end-of-course assessments in mathematics, reading/language arts, or science prior to high school.

Standardized Testing for a Student in Special Programs

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

SUBSTANCE ABUSE PREVENTION AND INTERVENTION

If you are worried that you 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 TDSHS maintains information regarding children's mental health and substance abuse intervention services on its website: http://www.dshs.state.tx.us/mhsa.aspx

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 http://www.texassuicideprevention.org or contact the school counselor for more information related to suicide prevention services available in your area.

SUMMER PROGRAM INFORMATION

For summer program information, please contact your school principal or counselor.

TEXTBOOKS

Instructional materials are any resources used in classroom instruction as part of the required curriculum, such as textbooks, workbooks, computer software, or online services.

The district selects instructional materials in accordance with state law and policy EFA.

The District provides approved instructional materials 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. A student who is issued a damaged book should report the damage to the teacher. Any student failing to return a book issued by the school loses the right to free textbooks and technological equipment until the item is returned or the damage paid for by the parent. However, a student will be provided the necessary instructional resources and equipment for use at school during the school day.

TRANSPORTATION

Bus Policy

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:

- Observe same conduct as in the classroom.

- Be courteous, use no profane language.
- Do not eat or drink on the bus.
- Keep the bus clean.
- Cooperate with the driver.
- Do not use tobacco.
- Do not be destructive.
- Stay in your seat.
- Keep head, hands and feet inside the bus.
- Remember that the bus driver is authorized to assign seats.

Minor Offenses

These offenses include but are not limited to the following:

- Turning around backwards in seat, sitting on knees, legs or bags.
- Not sitting in the seat assigned.
- Talking loudly or making noises.
- Chewing gum.
- Standing up, crawling over or under seats, getting out of seat before bus stops.
- Making rude gestures, teasing other students, cursing.
- Pushing, shoving, tripping (based on the situation it could be considered a Major offense).
- No food or drinks, except water.
- Preventing others from being seated.
- Spitting on the floor or out of the window.
- Changing clothes on the bus (based on the situation it could be considered a Major offense).
- Placing body parts out of the window.
- 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:

- Throwing objects: Rubber bands, poppers, pencils, etc.
- Throwing objects out of the window
- Fighting, hitting
- Opening the emergency door
- Acts of public lewdness
- Bringing sharp objects onto the bus
- Cutting seats or causing other damage to the bus
- Threatening the driver with physical harm
- Throwing sharp or dangerous objects
- Spitting on others
- Curing or making obscene gestures to the driver
- Forcing driver to stop bus for any discipline problem
- Sexual Acts/Misconduct
- Weapons
- Threats
- Intimidation
- Drugs
- Fighting
- Bullying/Harassment
- 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 MISD 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.

FIELD TRIPS

No student will be permitted to ride to or return from a field trip in a private vehicle. No parents or siblings will be allowed to ride the bus to or return from a field trip.

State law requires that a school district must require a parent to affirm in writing whether a child younger than 12 years of age is able to swim or is at risk of injury or death before the child may participate in any organized water activity in a body of water. If a child is unable to swim or at risk or injury or death, the district must ensure that the child is wearing a properly fitted and fastened Type I, II, or III U.S. Coast Guard approved personal flotation device. The district is not required to provide a flotation device if the child is actively participating in swim instruction or a competition and is closely supervised.

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 equipment is used to monitor student behavior, including on buses, in common areas and in specific special education settings on campus. Students will not be told when the equipment is being used.

The principal may 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 to 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, contact 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.

Classroom Visits

- Visits to individual classrooms during instructional time are permitted only with 24 hour prior approval of the principal and teacher and as long as their duration or frequency does to interfere with the delivery of instruction or disrupt the normal school environment. Parents should be reminded that this is not a conference time. An appropriate amount of time for a classroom visit should not last longer than 45 minutes.
- All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior or violations of student privacy will not be permitted.

Lunch Visits

- School lunch is a routine part of the instructional day, therefore any visitor must legally have access to the child being visited or be be granted written permission prior to the visit.
- Lunch visitor are required to check in at the front office and follow campus procedures.

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).

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.

Subject to exceptions in accordance with state law and district procedures, the district requires a state criminal history background check for each volunteer, including parents, guardians, or grandparents of a child enrolled in the district. The volunteer must pay all costs for the background check.

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.

MONTGOMERY
INDEPENDENT SCHOOL DISTRICT

STUDENT CODE OF CONDUCT

APPROVED BY THE MONTGOMERY ISD BOARD OF TRUSTEES

AUGUST 1, 2023

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STUDENT CODE OF CONDUCT

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Kerri Clark, Executive Director of Specialized Learning at kerri.clark@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.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). 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 CBC. Contact information may be found at www.misd.org .

Threat Assessment and Safe and Supportive School Team

The CBC 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.

Searches

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

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

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

Reporting Crimes

The principal or CBC 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.

Security Personnel

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 CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found 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:

Disregard for Authority

- 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.

Mistreatment of Others

- 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.

Property Offenses

- 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)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

- 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 firearm silencer or suppressor;
- a stun gun;
- Knuckles;
- 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; **(Note: HB 114 now requires a mandatory placement in a DAEP for offenses related to e-cigarette devices.)**
- 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”)

Technology

- Sending, possessing, delivering, or posting electronic messages or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school or infringes on the rights of another student at school, including cyberbullying (see *definitions*) and “sexting”;

- Using any device to copy or capture an image or the content of any District materials (such as tests or exams) without permission of a teacher or administrator;
- Making, participating in the making of, transmitting to another via an electronic device, or posting to the Internet a digital video or audio recording of an actual or simulated act that involves a crime or conduct prohibited by the SCC (Students who are not involved in the prohibited conduct will not be disciplined under this provision so long as they report the incident to a school employee, turn over the recording to a school employee as soon as possible after the incident, and do not provide a copy of the recording to anyone other than the law enforcement or school employees.);
- Using any device or technology that permits recording the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or without the prior consent of the individual being recorded;
- Using any device or technology to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video, or photos that reveal private parts of the body that are normally covered by clothing (also known as "sexting");
- Release or threaten of release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent;
- Using the name, persona, or image of a student, District employee, or volunteer to create a web page or post one or more messages on a website without the other person's consent for purposes of harassing, intimidating, embarrassing, or threatening another;
- Using email, website, or electronic devices to engage in or encourage illegal conduct, violations of the SCC, or to threaten school safety;
- Attempting to or successfully accessing or circumventing passwords or other security-related information of the District, officials, volunteers, employees, or other students by any means;
- Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the District's website; or
- Engaging in any of the above forms of technological misconduct outside of school when such conduct causes a material or substantial disruption at school as determined by school officials.

  NOTE: Students will not be disciplined for technological misconduct related to possessing items described above so long as the student (1) did not contribute to creation of the item in any way, (2) possessed it only after receiving the item unsolicited from another, (3) either promptly destroyed the item or reported it to a school employee as soon as possible, and (4) did not provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student's parent/guardian.

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.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.

- 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.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the 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 Admission, Review, and Dismissal (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 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.
- 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 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 (CBC) 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 CBC 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 CBC, 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 CBC'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. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See Policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office, the CBC's office, or the appropriate campus administrator's office to maintain effective discipline on the bus. The principal, CBC, 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 disciplinary 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 management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher **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 CBC 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 CBC 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 is removed from the regular classroom by a teacher and a conference is pending, the CBC or other campus administrator may place the student in:

- Another appropriate classroom;
- In-school suspension (ISS);
- 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.

Returning Student to Classroom

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 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)

Misconduct

Students may be suspended for any behavior listed in this Code of Conduct 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.

Process

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

Before being suspended, a student will have an informal conference with the CBC 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 CBC 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 ISS 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 CBC 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.

Discretionary Placement: Misconduct That May Result in DAEP Placement

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.
- Inappropriate use of any device capable of recording or capturing images.

Misconduct Identified in State Law

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

According to state law, or MISD Board Policy placement in a DAEP is <u>required</u> 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.)
  - Sells, gives, or delivers to another person or possesses or uses an e-cigarette or similar vape device.
  - 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 to 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.

Sexual Assault and Campus Assignments

If a student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and 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.

Process

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

Conference

When a student is removed from class for a DAEP offense, the CBC 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 CBC 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 and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall 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 of Conduct, the placement order will give notice of the inconsistency.

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

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 for Sells, gives, or delivers to another person or possesses or uses an e-cigarette or similar vape device – minimum of 15 days
- 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.

Withdrawal during Process

When a student violates the District's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the District before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then 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.

Newly Enrolled Students

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

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.

Emergency Placement

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

Transition Services

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

Appeal of a DAEP Placement

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 or Superintendent's Designee within 5 calendar days of the date of the campus DAEP order. The Superintendent or Superintendent's Designee 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 Superintendent's 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 Superintendent's 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 Superintendent's 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 Superintendent's 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. At the meeting, 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 CBC 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;
- 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;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- 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.

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the CBC 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.

Newly Enrolled Students

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

Expulsion

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 CBC shall take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

At Any Location

A student may be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or 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: Misconduct That Will Result in Expulsion

A student will be expelled for committing any of the following offenses:

At Any Location

- 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.)

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

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 disabled individual.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of 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 CBC will request that the Superintendent schedule an expulsion hearing within a reasonable time.

Until a hearing can be held, the CBC 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 CBC 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 CBC 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 CBC 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.
1. 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
2. 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, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is 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: Bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

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

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

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

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

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

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

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

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

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

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

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

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

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

Such term does not include an antique firearm.

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

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

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in 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.
   e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by 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

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.

Sexting: The electronic transfer of a sexually suggestive or sexually explicit photo, video, or message by using a telecommunications or electronic device.

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.

Telecommunications Device: Any type of device that: (1) emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or (2) permits the recording, transmission, and/or receipt of messages, voices, images, or information in any format or media, electronic or otherwise. It does not include an amateur radio under control of someone with an amateur radio license.

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

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;

3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

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

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

- Murder, manslaughter, or homicide under Sections 19.02, – .05
- Kidnapping under Section 20.03
- Trafficking of persons under Section 20A.02
- Smuggling or continuous smuggling of persons under Sections 20.05 – .06
- Assault under Section 22.01
- Aggravated assault under Section 22.02
- Sexual assault under Section 22.011
- Aggravated sexual assault under Section 22.021
- Unlawful restraint under Section 20.02
- Continuous sexual abuse of a young child or disabled individual under Section 21.02
- Bestiality under Section 21.09
- Improper relationship between educator and student under Section 21.12
- Voyeurism under Section 21.17
- Indecency with a child under Section 21.11
- Invasive visual recording under Section 21.15
- Disclosure or promotion of intimate visual material under Section 21.16
- Sexual coercion under Section 21.18
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04
- Abandoning or endangering a child under Section 22.041
- Deadly conduct under Section 22.05
- Terroristic threat under Section 22.07
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[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.

APPENDIX

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

Student Report

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.

Employee 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.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Notice of Report

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.

Prohibited Conduct

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.

Investigation of Report

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.

Concluding the Investigation

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.

Notice to Parents

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.

District Action

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.

Discipline

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.

MONTGOMERY INDEPENDENT SCHOOL DISTRICT
RELEASE OF DIRECTORY INFORMATION

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. This permission is granted/restricted when completing a student's registration information during initial enrollment as well as required annual returning student registration.

Montgomery Independent School District has designated the following information as directory information: student's name, photograph, honors and awards received, grade level participation in officially recognized activities and sports, and the weight, height of members of athletic teams.

The District uses this designated directory information 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 wish for information within the definition of directory information to be subject to release, and 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 restricting this option when completing the electronic Directory Information Release form.

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.

IF YOU DO NOT DENY OR LIMIT THE RELEASE OF DIRECTORY INFORMATION WITHIN 10 DAYS OF YOUR CHILD'S FIRST DAY OF INSTRUCTION, THE DISTRICT WILL RELEASE YOUR CHILD'S DIRECTORY INFORMATION.

RELEASE OF DIRECTORY INFORMATION

Pre-Kindergarten – 5th Grade

Montgomery Independent School District limits the availability of your child's directory information.

Directory Information is limited to:

- Student Name
- Photograph
- Grade level participation in officially recognized activities and sports including grade level and photographs associated with participation
- Honors and awards received
- Artwork

Montgomery ISD directory information is available only to the following groups:

School Related Entities, such as:

- PTA/PTO
- District Website & Publications ~~PTO~~
- Yearbook
- Campus Photographers
- Booster club organizations
- District/Campus website
- Campus Club websites

Actions:

A parent or guardian may not wish for information within the definition of directory information to be subject to release and has the right to instruct the District not to designate any, or all, of the information described above as directory information about the student.

If you choose **NOT** to have your child's student directory information released to the groups listed above, this permission will be restricted when completing your child's registration information during initial enrollment as well as required annual returning student registration. We also ask that you ~~must~~ complete the form below and return it to your child's campus no later than the 10th day of instruction.

PLEASE MARK THE FOLLOWING AND RETURN:

____ **NO**, I do not want my child's name or picture in the yearbook, on campus & district websites, class lists for PTO/PTA, playbills programs, Montgomery ISD publications and news releases to the media.

I direct the Montgomery Independent School District <u>not to release</u> 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 publications, MISD publications, nor will his/her information be released to PTA/PTO members. He or she may also not receive information regarding opportunities from colleges and universities.

_____	_____
Student's Name (Please Print)	Campus/Homeroom Teacher
_____	_____
Parent's Signature	Date

Montgomery I.S.D.

Authorization and Permission for Medication Administration

Student's name _____DOB: _____

Teacher/Grade _____ID# _____School: _____

Received By: _____Date Received: _____

School Medication Policy: (For entire policy, please visit MISD website: www.misd.org)

- Physician's signature is required for any prescribed medication taken >14 days
- Parent signature and date authorized is required prior to administration of the medication
- All medication must be in the original container and cannot be expired
- Prescription medication must contain student name, name of medicine, directions and expiration date
- Medication changes: must be in writing and prescriptions require a new pharmacy bottle
- This form must be completed annually and all medication must be picked up prior to the last day of school

_____

Medication Dosage Time

_____

Medication Dosage Time

_____

Medication Dosage Time

Special Instructions/Allergies: _____

Other medications student is on: _____

Condition for which drug is to be given: _____

Physician's Name: _____**Telephone Number:** _____

Physician's Signature: _____ **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 has 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 that **no student will carry or transport medication to and from school.**

Comments: _____

Parent/Guardian Signature: _____**Date**: _____

_____ _____

email address Daytime Telephone Number

STUDENT NAME:____

Medication:			
Dose/Time:			
DATE:	Time:	Dose:	Initials:

Medication:			
Dose/Time:			
DATE:	Time:	Dose:	Initials:

Medication:			
Dose/Time:			
DATE:	Time:	Dose:	Initials:

Signature: ______________________________ Initials ________ Signature: ________________________________Initials: ________

Signature: _______________________________ Initials ________ Signature: ________________________________Initials: ________

Signature: _______________________________ Initials ________ Signature: ________________________________Initials _________

MONTGOMERY INDEPENDENT SCHOOL DISTRICT
CHANGE OF ADDRESS / PHONE NUMBER

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 _____ **Grade Level** _____

Previous Address _____

_____

Current Address _____

_____

Email 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 Independent School District

Elementary School Responsible Use Guidelines for Technology

Our staff and students use technology to learn. Technology is essential to facilitate the creative problem-solving, information fluency, communication and collaboration that we see in today's global economy. While we want our students to be active contributors in our connected world, we also want them to be safe, legal, and responsible. The Responsible Use Guidelines (RUG) support our vision of responsible technology use and promote a strong sense of digital citizenship. The RUG applies to all Montgomery Independent School District computer networks, digital resources, and all devices connected to those networks (whether they be student owned or otherwise).

With the ability to use technology comes responsibility. It is important you read and discuss the District Responsible Use Guidelines, ask questions if you need help understanding them, and sign the agreement form. It is your responsibility to follow the rules for appropriate use. Irresponsible system use will result in the loss of the privilege of using this educational and administrative tool. Please review the leveled guidelines following this document, which explain in greater detail responsible use expectations for elementary, middle school and high school students in the areas of Internet Safety & Security, Digital Citizenship, and Research & Information Literacy.

Please note that the Internet is a global computer network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While Montgomery ISD will use Internet filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. District provided resources are not private and may be viewed by district officials. The school district will provide you with third party accounts (such as Google Apps) that must also adhere to these Responsible Use Guidelines. Any other third-party accounts that are used for educational purposes, must also adhere to these Responsible Use Guidelines. Montgomery Independent School District will monitor your activity on the network and on school-issued devices.

It will be your responsibility to follow the rules for appropriate use.

Responsible Use and Digital Citizenship

Any use described below is deemed "responsible" and consistentwith the Montgomery ISD Responsible Use Guidelines for Technology. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

- Use is mainly for educational purposes or use furthers personal professional or academic development (Remember that people who receive Email from you with a District address might mistakenly infer that your message represents the District's point of view).
- Use furthers the educational and administrative purposes, goals, and objectives of

Montgomery ISD.

- Use aligns with educational purposes, activities, or instructional requirements.
- Use is limited to your own individual account - you and only you should use that account. You should not share your password with others.
- Use furthers research related to education and instruction.
- Use does not violate the student code of conduct or employee standards of conduct.
- Use of appropriate online names as well as use of polite and appropriate language/content on all online posts.
- Use of websites, content, and media is properly cited with respect to copyright.
- Use and student behavior while using technology is classroom appropriate and aligns with academic norms and expectations.
- Use of technologies, during remote instruction, continues to align with educational purpose and instructional intent.

Unacceptable and Irresponsible Use

Any of the following uses is deemed "unacceptable and irresponsible" and a violation of the Montgomery ISD Responsible Use Guidelines for Technology. This list does not include all possible violations and supplements prohibited behaviors defined in the Student Code of Conduct. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

Disciplinary action may be taken for unacceptable and irresponsible use of the network or Internet.

- Use of district technology, digital resources, and instructional materials as a means to cheat or plagiarize
- Unauthorized use of copyrighted material, including violating district software licensing agreements
- Posting of videos or photos without permission of the individual or group.
- Sending, possessing, delivering, or posting electronic messages or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school or infringes on the rights of another student at school, including cyberbullying
- Use of technology resources such as chat rooms, social sites, and games in a manner that causes disruption to the educational program
- Use of district email to register and use non-MISD approved websites or applications
- Use of school technology resources to encourage illegal behavior threaten school safety
- Use of personal device that conflicts with Board policy and/or the student handbook and code of conduct
- Use of any means to disable or bypass the district's Internet filtering system or other security systems
- Attempt to connect any non-approved or non-district owned equipment to any MISD network other than network specifically designated for purpose of use with such equipment, if any" (e.g. plugging

cell boosters or cradle points into an Ethernet jack, etc.)

- Attempting to alter, destroy, disable or gain unauthorized access to district technology equipment, district data, the data of other users, or district network resources
- Encrypting communications or files to avoid security review
- Posting personal information about yourself or others (such as addresses and phone numbers) other than as needed to conduct school operations
- Forgery of email messages or transmission of unsolicited junk e-mail
- Use related to commercial activities or for commercial gain
- Use that violates the student code of conduct or employee standards of conduct, or is unlawful
- Wasting school resources through the improper use of the computer and/or network systems

Consequences for Inappropriate Use

One or more of the following consequences may be imposed:

- Disciplinary action, in accordance with Board policyand/or the student handbook and code of conduct (as applicable)
- Removal of personal device(s) if applicable by authorized District personnel

Academic Integrity

Montgomery ISD believes maintaining academic integrity is essential for the development of ethical behavior and the pursuit of knowledge. Academic integrity is a guiding principle in education and a choice to act in a responsible way whereby others can have trust in us as individuals. It is the foundation for ethical decision-making and behavior in the production of legitimate, authentic and honest scholarly work.

Academic Integrity and Artificial Intelligence

The use of Artificial Intelligence tools in the classroom is at the sole discretion of the instructor in the classroom. AI can be a potent tool in your learning journey. It can offer personalized learning materials, help you understand complex topics, and give you access to a wealth of knowledge. It can facilitate studying and make learning more interactive and engaging. However, while using AI, it's essential to ensure that your actions remain within the framework of academic integrity.

Plagiarism Plagiarism is claiming to be the original author of language or ideas copies from another author, creator, or composer. This behavior is not acceptable for Montgomery ISD students.

a. AI can assist in finding information and explaining concepts, which is very much like a tutor assisting you. However, you should never use AI to complete your assignments, tests, or any form of graded work entirely on your behalf. This would be equivalent to cheating.
b. Students must understand that submitting someone else’s work as their own is strictly prohibited. Plagiarism includes copying text, ideas, utilizing Artificial Intelligence (AI) tools, or multimedia content without proper attribution.
c. Students must acknowledge all sources used in their academic work through appropriate citations, references, and acknowledgements.

d. Use of AI tools on assessments, major grades, and assignments is only permitted by the instructor. If permitted, students should be transparent about using AI tools and clearly differentiate their own work versus AI generated elements to maintain academic honesty and integrity.

Collaboration

a. Collaboration is encouraged, but students must respect the boundaries set by their teachers, school policy, and district policy. Sharing of work intended to be completed independently is not allowed.
b. Students must always give credit to their collaborators when working on group assignments or projects, even if the collaborator is virtual, i.e. an Artificial Intelligence (AI) tool.

Responsible Use of Artificial Intelligence

a. As long as it aligns with the educational objectives and students have been given permission, students are permitted to use AI as a tool to enhance learning, research, and problem solve. Students should be transparent about using AI tools and clearly differentiate their own work versus AI generated elements to maintain academic honesty and integrity.
b. Students must ensure that any work submitted from the use of AI tools accurately reflects their own ideas, efforts, and understanding of the subject matter. Plagiarism or manipulating AI generated content without proper citation is prohibited.
c. Sharing of their own or other's school owned personally identifiable information when using AI tools is prohibited. Students should also be mindful of sharing their personal information outside of the school environment while using AI tools.
d. AI systems can reflect biases present in the data and students should critically evaluate AI-generated results for potential bias and actively seek diverse perspectives or sources of information to avoid perpetuating those biases.
e. While AI can be very helpful, it's not infallible and shouldn't be wholly relied upon for accuracy. Always cross-verify information from multiple sources and don't hesitate to ask your teachers if you're unsure about something.

Consequences for Misuse of AI

a. The misuse of AI, such as using it to cheat on tests, plagiarize work, or misrepresent one's understanding, will be treated as a serious violation of our school's academic integrity policy. Consequences can range from grade penalties, failing the course, or even suspension or expulsion.
b. In cases of unintentional misuse, a school administrator will help to determine an educational intervention which can be implemented to help students understand and correct their behavior.

Montgomery ISD will periodically review and update the Academic Integrity and Artificial Intelligence Use Policy as needed to ensure its effectiveness and relevance in an evolving educational landscape and to align with legal and ethical considerations.

Digital resources and Remote Learning Environment

Information contained in resources utilized by teachers and students should not be distributed, duplicated, or shared by students, including assignments, tests, quizzes, or documents, unless given permission by the instructor. Students who distribute materials without permission of the instructor will be subject to appropriate discipline procedures and policies.

Copyright

Montgomery ISD receives special permission to make copyrighted materials available to students. The reproduction or distribution of these materials without authorization is strictly prohibited.

Internet Safety and Security

Go Places Safely and Responsibly - The internet can be a great place to discover and visit far-away places to learn new things. Staying safe online is similar to staying safe in the world. Students will choose safe, age-appropriate sites with the guidance of their teachers.

Staying Safe Online - MISD has web filters in place to help steer students clear of inappropriate content; however, students may encounter some inappropriate information and/or content. Students will contact their teacher if they encounter a website that could be inappropriate.

Communicating Safely Online - There are many great ways to collaborate online. Either via discussion boards, posts, comments, chat, email, et cetera. As a reminder, email and the content and attachments included in the email, are not private and students should use the tool with an understanding that district leaders, teachers, or parents may view email as needed. With that collaboration, comes caution. Students will not do any of the following:

- Post private information (such as full name, address, phone number, et cetera) without the permission of a trusted adult.
- Share passwords or usernames.
- Post negative or harassing comments.
- Use inappropriate language including swearing or slang.
- Post derogatory comments including those regarding race, gender, religion, politics, sexual orientation, physical or mental status or ability.

Digital Citizenship

The internet is a powerful community of connected people. That connection requires levels of responsibilities to one another. Part of being a good digital citizen is using technology in a responsible, appropriate way. Below are some specific areas to address with elementary-age children.

Responsible Decision Making and Self-Management - Students will have access to district selected digital and online resources. These should be used for instructional purposes and in accordance with the student code of conduct and district policies.

Email etiquette – The district has issued email accounts to students enrolled in grades K-12. Students will be expected to use this account for academic purposes only and as directed by the instructor. Students may have access to a school email account after receiving basic training on email etiquette. Please know that all email can be viewed by teachers, administrators or parents. Email should be written with thought to the audience and purpose. Abuse or misuse of district email may require disciplinary action.

Commenting Responsibility - Students will be able to make comments on age-appropriate websites or collaborative online workspaces. These comments, like anything else on the internet, have a certain amount of digital permanence. Students will display respect and thoughtfulness online by not posting comments that are negative, inappropriate, or personal about others or themselves.

Digital Footprints - Information you post on the internet can affect your future. The internet can be a powerful collaborative tool, but any information you post on it is accessible by anyone. If you have a question about posting something, you should always consult with your teacher or parent before posting.

Digital Ethics - Students will use the internet and digital tools to produce content for the classroom. Students will not present the work of others as their own work (known as plagiarism). There may be times when other students have left their own work on a computer or that students will collaborate on a digital project. Students will not delete or damage other students' work intentionally. Students will ask for permission prior to posting videos or photos of other students and staff. When working on projects or any other work with online resources, students will follow copyright and creative commons laws.

Cyberbullying (David's Law – HB 306) - Cyberbullying is the use of digital technologies or mobile devices to harass, threaten, embarrass, or torment another student. This can happen both directly and indirectly. Students will practice "think before you send" and will report any cyberbullying they become aware of to a trusted adult. The district will notify the parents or the victim and the parents of the aggressor in a timely manner after the incident has been reported.

David's law protects students on school property, at a school sponsored event/activity, on school owned buses or vehicles being used to transport students, and on property outside of the school setting if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored activity/event.

Research and Information Literacy

Searching - Students will use a variety of search engines to search for information and content. Students will understand the functions of effective keywords and categories to find useful and relevant information online.

Research and Evaluation - Students will choose websites with quality information and when possible, use multiple sources to find their information. Students will be able to identify online advertisements and spam on websites and understand the purpose behind those advertisements.