

Called Meeting
Monday, September 14, 2020 6:30 PM

Cannady Cedar Hill Room
285 Uptown Blvd.
Cedar Hill, Texas 75104

Agenda

- I. CALL TO ORDER
- II. CLOSED SESSION
- III. PUBLIC COMMENTS
The Board encourages comments about the District from members of the public. Anyone who has signed up to speak in advance of the meeting in accordance with procedures may do so at this time. Each participant should address the Board from the podium microphone, stating their name and address before speaking. The Board asks that each participant's comments pertain to District business and be no longer than three (3) minutes. Copies of presentations should be made available to all Trustees and the Superintendent.
- IV. LONE STAR GOVERNANCE
Founded on research, Lone Star Governance (LSG) is a continuous-improvement model for governing teams—boards in collaboration with their superintendents—who choose to focus intensely on only one primary objective: Improving student outcomes. Lone Star Governance accomplishes this intense focus through tailored coaching aligned to the five pillars of the Texas Framework for School Board Development: Vision, Accountability, Structure, Advocacy, and Unity.
 - IV.A. District Motto, Vision and Mission Statement
 - IV.B. Monitoring Calendar
 - IV.C. Goal Progress Measures
- V. INFORMATION
 - V.A. Blueprint Update

**Cedar Hill Independent School District
BOARD OF TRUSTEES**

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent of Schools

Subject: Blueprint Update

Information Item

BOARD GOAL:

- Increase the percentage of scholars graduating college career and military ready.
- Increase the percentage of 3rd grade (all students) scholars reading at/or above grade level.
- Increase the percentage of Algebra I scholars scoring Meets or above.
- Increase the percentage of scholars participating in extra-curricular or co-curricular activities

BACKGROUND INFORMATION:

Updates include distribution of Chromebook devices, current usage of Schoology, support provided to campuses the first week of school, instructional support provided to scholars during the first four weeks of school, and a preview of TEA waivers.

RECOMMENDATION:

N/A

BOARD ACTION REQUIRED:

N/A

POLICY AUTHORIZATION:

N/A

CONTACT PERSON:

Mrs. Janine Fields, Chief of Staff
Dr. Cherron Ukpaka, Executive Director of Teaching and Learning
Mr. Neil Bolton, Executive Director of Technology

FUNDING SOURCE:

None

The Blueprint

PLANS FOR REOPENING CEDAR HILL ISD





TECHNOLOGY & SCHOOL SUPPLY UPDATES



FIRST WEEK TECH SUPPORT

- Families are provided technical support 3 ways:
 - devicesupport@chisd.net
 - 469-272-2082
 - www.chisd.net/intech
- Campus librarians and STRIVE Academy are assisting the technology department in supporting families by taking calls, resetting passwords, and entering helpdesk tickets.
- Librarians and STRIVE were provided troubleshooting steps and trained on resetting passwords.
- On the first day of school, 302 calls were answered and 223 email messages received responses.
- District employees will continue to use helpdesk for support.



DISTRIBUTION UPDATE

- Since Saturday August 29th, 1781 Chromebooks were designated to families, most were distributed by campuses.
- The Special Education department distributed 90 devices on Saturday Sept. 5th.
- Campuses have been distributing Chromebooks during the week of 8-31 to additional families and to those who were not able to pick up on August 29th.
- The 1:1 Chromebooks are still delayed, but will occur similarly on campuses.
- Administration employees delivered 300 Chromebooks to homes the evening of September 8th.



BACK TO SCHOOL RALLY

Saturday, August 29

New to District Scholars -

Backpack with school supplies donated by Cedar Hill Education Foundation

Returning Scholars -

School supply kits donated through Cedar Hill Kroger store.

650+ families attended and picked up supplies.



PRINCIPAL SHOUT-OUTS

- Mr. Miller/CHHS - Delivered Chromebook chargers
- Lake Ridge Elementary - school supplies



Questions?



THE FIRST FOUR WEEKS



BRING YOUR CHILD TO WORK

Guidelines

- Employees expectations:
 - Provide consistent supervision
 - Ensure daily screening and adherence to all safety protocols
 - Continue to fulfill all roles and responsibilities without disruption
 - Maintain privacy of all scholars
- Process
 - Submit application for review
 - Sign agreement to follow guidelines
 - Committee review for eligibility
 - Receive notification of approval through October 5



“VIRTUAL” MEET THE TEACHER

Elementary -

- Live via Google Meet at 5:30 and 6:00
- Scholars met teachers and virtually toured classroom

Secondary -

- Virtual tour of campus
- Welcome videos from principal and every teacher via Flipgrid

*Families were provided office hours, Google Meet links, and Schoology login information



SYNCHRONOUS OPPORTUNITIES

September 8 - October 5

Elementary:

- Teachers are providing live instruction in all core content areas
- Videos of instruction are uploaded to Schoology for those who cannot participate synchronously
- Teachers are provided extended planning and collaboration time

Secondary:

- Teachers upload daily videos for scholars to engage in the content and/or receive instruction
- Teachers will provide increased office hours to support scholars with reteach, modeling, preview of upcoming content 1:1 support, and parent/scholar communication
- Teachers are provided extended planning and collaboration time

***Synchronous supports are optional for families and limited to the first four weeks of school during the fully virtual timeframe.**



FACE-TO-FACE INSTRUCTION

September 8 - October 5

Fine Arts:

- Musical Theatre - Tuesdays and Thursdays 1:00 - 2:30pm
- Drill Team
 - JV Drill - Monday through Friday 12:15-1:15
 - Officers - Monday through Friday 2:10-5:00 pm

Athletics:

- All high school sports will be practicing in person except track and powerlifting
- Fall middle school sports will be practicing in person
- Schedules and exit/entry have been staggered to limit the number of scholars on campus in any location

Special Education:

- 3 campus are providing face-to-face services for students in centralized units
- Scholars participating in Flex learning have been given the opportunity to have work-based learning kits that include hands-on activities that scholars can complete in lieu of web-based activities.
- Scheduled walk-in therapies and dyslexia services available to all eligible students

HOMEBOUND



1. The *Homebound Services Instruction Log*, along with the *Homebound Services Time* report, is submitted on a monthly basis to **Dr. Courtney Jackson or Mrs. Alva Walker** for payroll processing.
2. Homebound teacher will file a weekly attendance log with the student's home campus attendance clerk and campus counselor.
3. On a nine week basis, the campus counselor sends a copy of the attendance logs to Kristin Rooney for PEIMS accounting.
4. The 504 Committee should convene after 8 weeks to re-evaluate a *NEW Physician's Statement of Eligibility* form and the need for Homebound Services if the student is still being served on homebound.

Amount of Time Served Per Week:	Eligible Days Present Earned Per Week:
One Hour	One day present
Two Hours	Two days present
Three Hours	Three days present
Four or more Hours	Four/Five days present



TEA WAIVERS

Class Size Waiver

- Dual role of teachers facilitates consistent and low class size
- Waiver applies to grades K-4 (TEC 25.112)
- Proposed as a safeguard

Extending Virtual Instruction:

- Extends the transition to a fully virtual model an additional four weeks to October 31
- Waiver must include an indication as to the local public health conditions that would warrant a faster end to the transition period
- Teachers, staff, and parents have been consulted about the transition plan
- Districts must provide some in-person instruction
- Proposed as a safeguard as we monitor the COVID-19 situation



Questions?

SCHOOLGY UPDATE

Professional Learning / Support

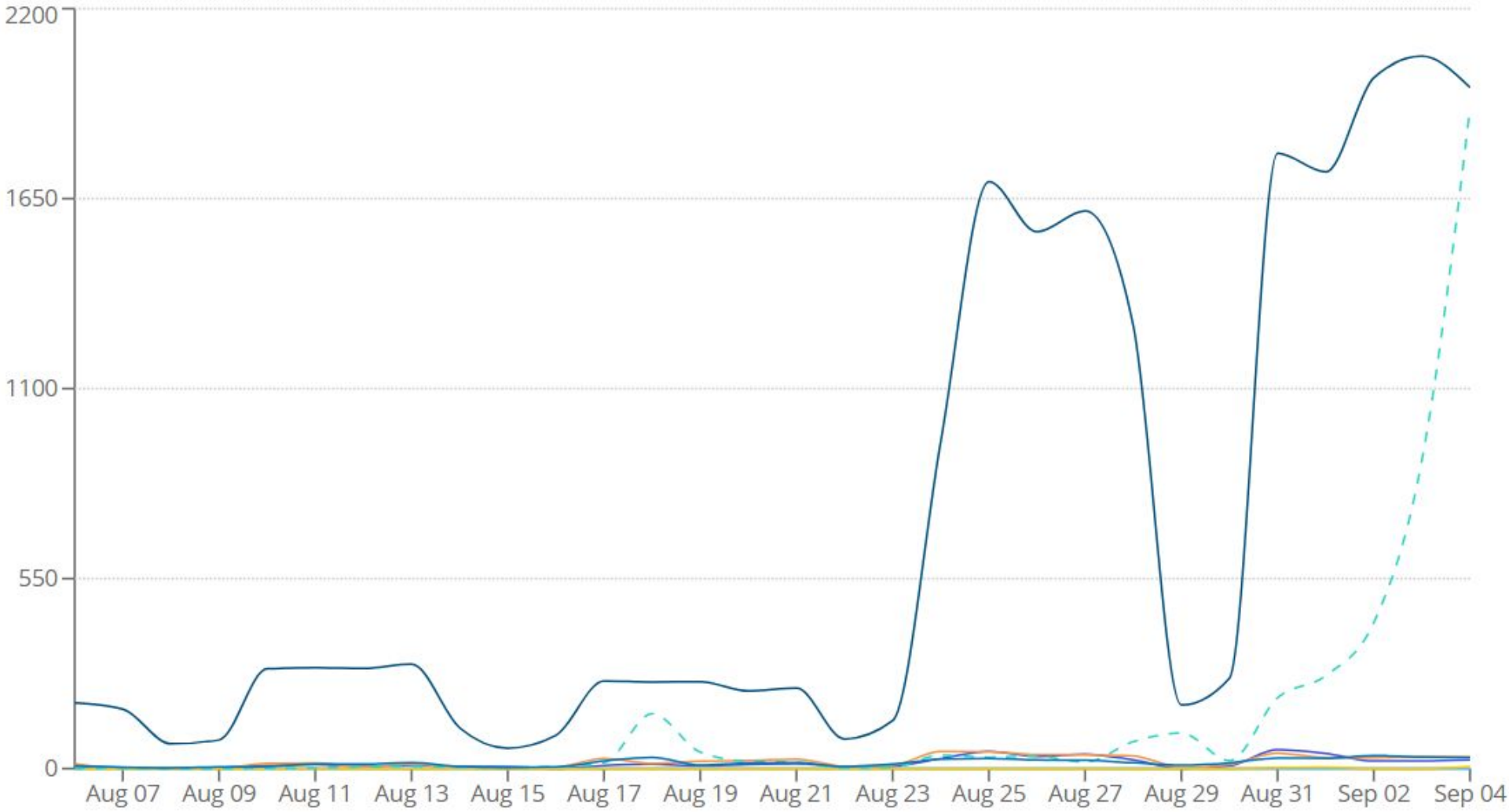
- Schoology 1.0
- Learning Continues
- Schoology 2.0
- Campus Visit Support Instructional Technology / Attendance
- Instructional Facilitators and Academic Interventionist Support - at all campuses
- Curriculum Coordinators - office hours or on-campus support
- Schoology Professional Development Group



SCHOOLGY UPDATE

Personal Account	
Required	<input type="checkbox"/> I can log in to my school/district account on a browser. MyCHISD
Required	<input type="checkbox"/> I can navigate to my Schoology profile . <input type="checkbox"/> Add a profile picture (head and shoulders shot preferred). <input type="checkbox"/> Edit profile information
Required	<input type="checkbox"/> I can navigate and understand the Schoology Home Page .
Required	<input type="checkbox"/> I can access and edit email and mobile device notification settings . <input type="checkbox"/> I can access and recover deleted materials from Recycle Bin .
Required	<input type="checkbox"/> I can access my Personal Resources .
Required	<input type="checkbox"/> I can link my Google Drive account to Schoology using the Resource App.
Access Curriculum and/or Professional Development	
Required	<input type="checkbox"/> I can understand the difference between and know when to use a Course or Group .
Required	<input type="checkbox"/> I can join a PD course or Group with an access code.
Required	<input type="checkbox"/> I can access and copy content from my school or district Curriculum Group Resources into my Courses, Personal Resources or other Group Resources. <i>CHISD Curriculum Resource Group Code VT2B-TG9T-C770D</i>

SCHOODOLOGY STATISTICS



TEACHER AND STUDENT LOGON DATA



SCHOODOLOGY STATISTICS

ROLE TYPE	DATE RANGE TOTAL
● Campus Admin	490
● Coordinator	614
● Help Desk	0
● Parent	14
● Student	4,331
● System Admin	514
● Teacher	20,488
Total Sessions	26,451

ROLE TYPE	DATE RANGE TOTAL
● Student	3,697
● Teacher	8,657
Total Sessions	12,354



DIGITAL PARENT UNIVERSITIES

UPDATE / RESOURCES

- ❑ Mon., Aug. 31 - Digital Parent University - Schoology Pt. 1 (**appx. 600 viewers**)
- ❑ Tue., Sept. 1 - Digital Parent University - Schoology Pt. 2 (**appx. 620 viewers**)

All presentations are located here: <https://www.chisd.net/Page/12752>

Parent Resources:

Schoology Guide for Parents
Schoology Guide for Scholars



Questions?

V.B. CHAT MOU

Memorandum of Understanding between Cedar Hill Independent School District & Cedar Hill Action Team

1. **Parties:** This Memorandum of Understanding (MOU) is entered into by the Cedar Hill Independent School District (“CHISD”) and the Cedar Hill Action Team (“CHAT”) desiring to memorialize the nature of their relationship, ratify and approve past activities and mutually acknowledge the respective obligations and rights of the parties.
2. **School Purpose:** CHAT is a 501 (c) (3) nonprofit organization that provides youth educational and enrichment programs that influence school and life success strategies needed to become responsible citizens and successful contributors in our global society.
3. **Responsibilities of CHISD:** CHISD will:
 - a. Provide meeting and storage space to CHAT without charge.
 - b. Provide a snack each day for children in the program long as the program meets the USDA requirements for eligibility.
 - c. Advertise the educational and enrichment programs to students and parents in all forms of communications allowable under CHISD policies and procedures.
4. **Responsibilities of CHAT:** CHAT will:
 - a. Use its best efforts to solicit and collect funds for CHAT and invest the funds as authorized by law and then distribute funds for educational and enrichment programs, and/or perform services and/or provide materials to the CHISD as is appropriate and fiscally responsible.
 - b. Abide by all policies and procedures of the CHISD related to facility and equipment use, public information and all other applicable policies that would reasonably apply to CHAT.
 - c. Abide by the Texas Public Information Act, and all statutes governing and applicable to non-profit organizations.
5. **CHAT Employees:** Will be subject to a background check conducted by CHISD Human Resources Department. If fingerprinting is required, it will be at the expense of the CHAT employee.
6. **Entire Agreement:** This MOU constitutes the entire agreement between the parties and supersedes all previous Memoranda of Understanding, agreements, promises, representations, understandings, and negotiations, whether written or oral, between the parties with respect to the subject matter hereof.
7. **Applicable Law and Venue:** This MOU shall be governed by, and its provisions construed in accordance with the laws of the State of Texas. Venue for any action arising from or related to this MOU shall be Dallas County, Texas.
8. **Termination:** This MOU shall expire on September 21, 2020 unless renewed by the parties.

Signed and entered into on the 21st day of September 2020.

**CEDAR HILL INDEPENDENT SCHOOL
DISTRICT**

BY:

BY:

Cheryl Wesley, School Board President

Clara McGinnis, President CHAT



Information Item

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent

Subject: Memorandum of Understanding - District and Cedar Hill Action Team

Board Goal: Foster an environment of respect, cooperation, and open communication with parents and community partners.

Background Information: This Memorandum of Understanding informs both parties of their relationship and responsibilities. The District hopes to continue with its beneficial and positive relationship with CHAT.

Recommendation: The Board approves the MOU between the District and the Cedar Hill Action Team.

Board Action Required: A motion to approve the MOU between the District and the Cedar Hill Action Team to memorialize the nature of our relationship, ratify and approve past activities and mutually acknowledge, for the future, the respective obligations and rights of both groups.

Contact Person:

Tierney Tinnin, Chief of Communications & Marketing
Alicia Davis, Director of Family & Community Engagement

Funding Source:

Local Funds

V.C. TASB Policy Update 115

Cedar Hill Independent School District BOARD OF TRUSTEES

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent of Schools

Subject: Local Policy - TASB Update 115

Information

BOARD GOAL:

- Increase the percentage of scholars graduating college career and military ready.
- Increase the percentage of 3rd grade (all students) scholars reading at/or above grade level.
- Increase the percentage of Algebra I scholars scoring Meets or above.
- Increase the percentage of scholars participating in extra-curricular or co-curricular activities

BACKGROUND INFORMATION:

Update 115 focuses on updating and reorganizing several policies in the FFE series of the policy manual addressing student welfare. FFEA continues to focus on counseling, and a new code, FFEB, focuses on mental health provisions. Several policies have been revised to incorporate the new Title IX regulations, effective August 14, 2020, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment.

In addition to these changes, Update 115 includes several other policies affected by legislation from the 86th Legislative Session that were not included in Update 114 and incorporates numerous changes from revised Administrative Code rules.

- Board members participation and eligibility
- Investments and purchasing
- Security issues, including emergency operations plans and security personnel
- Technology resources for district, campus and classroom websites
- Pre-employment Reviews and Terminations
- Counseling and Mental Health
- Title IX Regulations and Requirements
- Local Revenue and Ad Valorem Taxes
- Conduct on School Premises

BF (LOCAL)	BOARD POLICIES
DED (LOCAL)	COMPENSATION AND BENEFITS: VACATION AND HOLIDAYS
DIA (LOCAL)	EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT AND RETALIATION
DMD (LOCAL)	PROFESSIONAL DEVELOPMENT: PROFESSIONAL MEETINGS AND VISITATIONS
EI (LOCAL)	ACADEMIC ACHIEVEMENT
FB (LOCAL)	EQUAL EDUCATIONAL OPPORTUNITY
FD (LOCAL)	ADMISSIONS

FEB (LOCAL)	ATTENDANCE: ATTENDANCE ACCOUNTING
FFG (LOCAL)	STUDENT WELFARE: CHILD ABUSE AND NEGLECT
FFH (LOCAL)	STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT AND RETALIATION
FMF (LOCAL)	STUDENT ACTIVITIES: CONTESTS AND COMPETITION
FNG (LOCAL)	STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES
GF (LOCAL)	PUBLIC COMPLAINTS

RECOMMENDATION:

N/A

BOARD ACTION REQUIRED:

N/A

POLICY AUTHORIZATION:

BF(Local) - Board Policies

CONTACT PERSON:

Janine Fields, Chief of Staff

FUNDING SOURCE:

General Fund (199)

ENCLOSURES:

TASB Explanatory Notes

TASB Policy Comparison Packet



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

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

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

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

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

[Legally referenced policies are not adopted by the Board.](#)

At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms "Trustee" and "Board member" are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for District name terminology.]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent.

Official Policy Manual

The Board shall designate one copy of the local policy manual as the official policy manual of the District. The official copy shall be kept in the central administration office, and the Superintendent ~~or designee~~ shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

Adoption and Amendment

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

BOARD POLICIES

BF
(LOCAL)

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

TASB Localized
Updates

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual, the version contained in the official policy manual shall be regarded as authoritative.

COMPENSATION AND BENEFITS
VACATIONS AND HOLIDAYS

DED
(LOCAL)

Vacation Days
Eligible employees
Paid Holidays

~~Personnel paid on a semimonthly basis and employed~~ in positions normally requiring at least 240 days ~~240 or more days~~ of service annually shall receive paid vacation days in accordance with administrative regulations that address the following: ~~paid holidays, with actual dates established according to the schedule determined annually by the District:~~

1. Eligibility criteria;
2. Accrual rates and availability;
3. Request and approval processes;
4. Accumulation and carryover limits; and
5. Treatment of vacation days upon separation from service.

Holidays

Eligible employees

Holiday	Day(s)
New Year's Day	1
Martin Luther King, Jr. Day	1
Memorial Day	1
Independence Day	1
Labor Day	1
Thanksgiving	2
Winter Break	2

~~In the event that a scheduled holiday is converted to a school day due to inclement weather or another unforeseen event, the observance of a listed holiday shall be rescheduled by the District.~~

Paid Vacation

~~Personnel paid on a semimonthly basis and employed~~ in positions normally requiring at least 240 days ~~240 or more days~~ of service annually shall ~~receive~~ be eligible for paid holidays in accordance with ~~vacation as follows:~~

- ~~1. An employee shall be eligible for five days of paid vacation after being continuously employed by the District for at least six months from the date of employment.~~
- ~~2. An employee shall be eligible for ten days of paid vacation after being continuously employed by the District for at least 12 months from the date of employment.~~
- ~~3. An employee shall be eligible for ten days of paid vacation each year thereafter.~~

COMPENSATION AND BENEFITS
VACATIONS AND HOLIDAYS

DED
(LOCAL)

~~Vacation days shall be earned at a rate of one day for each 25 days of employment. Vacation days shall not be allowed to accumulate. Use of vacation days shall require advance approval by an employee's duty schedule and administrative regulations immediate supervisor. Vacation days shall be taken during the year of eligibility, or as soon thereafter as possible, as approved by the employee's immediate supervisor.~~

~~[See DEAB for overtime pay provisions.] Each supervisor shall establish procedures for use of leave prior to and after holidays. An employee shall not be permitted to consecutively schedule vacation days received in different school years (e.g., an employee cannot schedule a vacation the last five days of the first 12 months of employment, or the next vacation the first ten days of the second year of employment.).~~

~~Due to operational requirements, certain departments must require an employee to use vacation days during specific months of the year. A tentative vacation schedule shall be established by each department supervisor at the beginning of the school year.~~

Note: This policy addresses discrimination, ~~and~~ harassment, ~~and (to include sexual harassment and sexual assault and incidents carried out via electronic communications).~~ ~~This policy also addresses retaliation against~~ raised by District employees, ~~students, or third parties against a faculty or staff member, student, or third party.~~ In this policy, the term “employees” includes former employees and applicants for employment. For Title IX and other provisions regarding discrimination, harassment, and retaliation ~~against~~ involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

Definitions

Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.

Statement of Nondiscrimination

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

Discrimination

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

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Prohibited Conduct

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

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Prohibited Harassment

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

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;

2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

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

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment

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

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

Examples

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

Retaliation

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

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

Examples	Examples of retaliation may include, without limitation, adverse employment action such as termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
Prohibited Conduct	In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
Reporting Procedures	<p>AnyAn employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
Title IX Coordinator	Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]
ADA / Section 504 Coordinator	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
Superintendent	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscriminationantidiscrimination laws.
Alternative Reporting Procedures	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	To ensure the District's prompt investigation, reportsReports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.
Notice of Report	

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.

**Investigation of
Reports Other Than
Title IX ~~the Report~~**

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.

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

Initial Assessment

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

Interim Action

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

District Investigation

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. ~~When appropriate, the investigator shall draw upon his or her judgment and discretion, considering the particular report, in determining the proper steps to conduct a thorough and reasonable investigation. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.~~

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. ~~The complainant and individual against whom the report is filed may each provide witness statements or potential witness names for consideration or other evidence as appropriate.~~ The investigation may also include analysis of other information or documents related to the allegations. ~~The evidence compiled during the investigation shall be reviewed using a preponderance of~~

~~the evidence standard in making a determination of whether prohibited conduct occurred.~~

Concluding the Investigation

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

The investigator shall prepare a written report of the investigation. ~~The report shall include a determination of whether prohibited conduct or bullying occurred.~~ The report shall be filed with the District official overseeing the investigation. ~~Written notification of the findings shall be provided to the complainant and the person against whom the report was filed.~~

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. ~~Should any employee action be taken, the range of action could include everything from a verbal warning up to and including termination.~~

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

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

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Response to Sexual Harassment—Title IX

General Response

For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;

- Consider the complainant’s wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District’s response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

Title IX Formal
Complaint Process

To distinguish the process described below from the District’s general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District’s “Title IX formal complaint process.”

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District’s website. In compliance with Title IX regulations, the District’s Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;

7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

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

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Records Retention

The District shall retain copies of allegations ~~Copies of reports alleging prohibited conduct~~, investigation reports, and related records regarding any prohibited conduct in accordance with ~~shall be maintained by~~ the District's records control schedules, but ~~District~~ for no less than the minimum amount ~~a period~~ of time required by law. ~~at least three years.~~ [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policy and Procedures

Information regarding this ~~This~~ policy and any accompanying procedures shall be distributed annually to District employees. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's ~~District~~ administrative offices. ~~It shall also be available via the District's website⁴.~~

⁴District's website: <http://www.chisd.net>

PROFESSIONAL DEVELOPMENT
PROFESSIONAL MEETINGS AND VISITATIONS

DMD
(LOCAL)

**Meetings,
Conferences, and
Workshops**

~~Professional personnel may attend and participate in meetings, conferences, and workshops that will contribute to their professional growth and development. [See also DMA and DMG]~~

~~When attendance at such events is recommended or required by the administration, the Board, TEA, or UIL, personnel may attend with the Superintendent's approval. No salary deduction or loss of leave shall occur when attendance is recommended or required.~~

~~The Superintendent may grant additional absences to employees for attendance at meetings, conferences, and workshops that are of special interest to the employee.~~

Release Time

~~Requests for release time with pay to attend employee organization meetings, other than any such meetings approved for required staff development purposes, shall be considered on a case-by-case basis. The responsibility for justifying the school-related purpose to be accomplished by attendance shall rest with the employee. Approval shall be given only if the employee is on the program, has some official function, or can obtain specific information related to his or her job description that will assist the District in improving the instructional program.~~

Certificate of Coursework Completion

The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]

Partial Credit

When a student earns a passing grade in only ~~half one semester~~ of a ~~two semester~~ course and the combined grade for ~~both halves~~ ~~the two semesters~~ is lower than 70, the District shall award the student credit for the ~~half semester~~ with the passing grade. ~~The student shall be required to retake only the semester in which he or she earned the failing grade.~~

~~Withdrawal or Late Enrollment~~

~~A migrant or homeless student who enrolls after the first day of instruction or who withdraws early shall be provided opportunities to achieve mastery of the essential knowledge and skills to meet course requirements. Teachers and counselors shall consider the student's particular circumstances in determining appropriate opportunities, which may include, but are not limited to:~~

- ~~1. Individualized work.~~
- ~~2. Tutorial sessions.~~
- ~~3. Testing to verify mastery of the essential knowledge and skills.~~
- ~~4.1. Early final examinations.~~

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

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

ADA / Section 504 Coordinator The District ~~designates and authorizes the~~~~has designated an~~ ADA/Section 504 coordinator for students to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), as amended. [See FB(EXHIBIT)]

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

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

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

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

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

Section 504

Committees

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

Each Section 504 committee shall be composed of a group of persons knowledgeable about the student, the meaning of the evaluation data, placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

Referrals

If a teacher, school counselor, administrator, or other District employee has reason to believe that a student may have a disability as defined by Section 504, the District shall evaluate the student. A student may also be referred for evaluation by the student's parent.

Notice and Consent

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

Evaluation and Placement

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

Review and Reevaluation Procedure

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in the IDEA regulations.

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

Examining Records

A parent shall make any request to review his or her child's education records to the campus principal or other identified custodian of records. [See FL]

Right to Impartial Hearing

A parent shall be given written notice of the due process right to an impartial hearing if the parent has a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with a disability. The impartial hearing

shall be conducted by a person who is knowledgeable about Section 504 issues and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney. The District and the parent shall be entitled to legal representation at the impartial hearing.

Records Retention

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

Persons Age 21 and Over

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

Registration Forms

The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.

*Proof of Residency
Initial Enrollment*

At the time of initial registration, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency as defined by law. The District shall accept the following types of records as proof of residency: **a household utility bill (i.e., gas, electric, or water) in the name of the parent or guardian showing an address within District boundaries; a recently paid rent receipt; or a lease or rental agreement**~~a household utility bill (i.e., gas, electric, or water) in the name of the parent or guardian showing an address within District boundaries; a recently paid rent receipt; or a lease or rental agreement.~~

In accordance with law, the District may make reasonable inquiries to determine whether the student is a resident of the District, including when a document submitted for purposes of proving residency is not in the name of the adult who is enrolling the student. Based on an individual's circumstance, the District may grant exceptions to the requirement to produce a document listed above. When required by law, the District shall waive the requirement to prove residency in the District's boundaries.

Continued Enrollment

After a student's initial enrollment, the District shall verify residency through the annual registration forms and may investigate stated residency as necessary.

Multi-Family Residence

For parents completing a multi-family residence application, the following shall apply:

1. A current driver's license with current address shall be required.
2. The parent and resident must be in attendance when all forms are completed.
3. The name of the parent living with another family residing in the District must appear on at least one utility bill.
4. If the resident is leasing property, the name of the parent residing with the resident of the District must appear on the lease.
5. A Texas identification card shall be required.

Minor Living Apart
Person Standing in
Parental Relation

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

*Power of
Attorney*

As part of the power of attorney application, the following shall be required:

1. Discipline information and excessive absences, which must be verified before the legal guardian completes the enrollment process under power of attorney.
2. History of child's residence(s).
3. Reasons alleged for power of attorney.

Misconduct

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

Exceptions

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

Extracurricular
Activities

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

**Students Not
Enrolled**

A student enrolled in a private school, including a homeschool, shall not be eligible for concurrent enrollment in the District nor for participation in curricular or extracurricular activities, except as required by law. [See EEL and FM] ~~in the following circumstances:~~

- ~~1. The individualized plan of a student receiving special education services requires participation in extracurricular activities or academic programs provided by the District [see EHBAC]; or~~
- ~~2. An eligible student participates in a campus Title I program [see EHB D].~~

**Nonresident Student
in Grandparent's
After-School Care**

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.

“Accredited” Defined

For the purposes of this policy, “accredited” shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

Grade-Level Placement

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

Nonaccredited Schools

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

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

Transfer of Credit

Accredited Texas Public Schools

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

Other Accredited or Nonaccredited Schools

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student’s records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. ~~{See E1}~~

Transition Assistance

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student’s available records and other relevant information

to determine transfer of credit for subjects and courses taken prior to enrollment.

[See E1]

Withdrawal

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

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

**Attendance
Accounting System**

The Superintendent shall be responsible for **designating the official attendance-taking time during the campus's instructional day and** maintaining a student attendance accounting system in accordance with statutory and TEA requirements. [See also FD for admissions and residency requirements.]

Alternative
Attendance-
Taking **Recording**
Time

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

**Parental Consent to
Leave Campus**

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

**Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment**

The District's program to address child sexual abuse, trafficking, and other maltreatment of children, as included in the District improvement plan and the student handbook, shall include:

1. Methods for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;
2. Age-appropriate, research-based antivictimization programs for students;
3. Actions that a child who is a victim should take to obtain assistance and intervention; and
4. Available counseling options for affected students.

Training

The District shall provide training to employees as required by law. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children with significant cognitive disabilities. [See DMA]

[See BBD for Board member training requirements and BJCB for Superintendent continuing education requirements.]

**Reporting Child
Abuse and Neglect**

Any person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

The following individuals have an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect:

1. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
2. A professional who has cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

~~Any~~ ~~by any~~ person is required to ~~shall~~ make a report if the person has cause to believe that an adult was a victim of abuse or neglect ~~im-~~
~~mediately~~ as a child and the person determines in good faith that

disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person. ~~required by law.~~

~~Reports shall be made in accordance with FFG(EXHIBIT).~~

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Restrictions on Reporting

In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the [Texas Abuse Hotline Website](#)ⁱ;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus principal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.

Confidentiality

In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential

and disclosed only in accordance with the rules of the investigating agency.

Immunity

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failing to Report Suspected Child Abuse or Neglect

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Responsibilities Regarding Investigations

In accordance with law, District officials shall be prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;
2. Requiring that a parent or school employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

ⁱ Texas Abuse Hotline Website: <http://www.txabusehotline.org>

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

Statement of Nondiscrimination

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

Discrimination

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

Prohibited Conduct

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

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Prohibited Harassment

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

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

Prohibited harassment includes dating violence as defined by law and this policy.

Examples

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

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment
By an Employee

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

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

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

By Others

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

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

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, [contact](#), or communications, [including electronic communication](#) ~~or contact~~.

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

Gender-Based Harassment

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

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

Examples

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

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these

acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

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

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

Examples

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

~~Retaliation~~

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

~~Examples~~

~~Examples 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 discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.~~

~~Prohibited Conduct~~

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

**Reporting
Procedures**

Student Report

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

Employee Report

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

*Definition of
District Officials*

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

*Title IX
Coordinator*

Reports of discrimination based on sex, including sexual harassment, ~~or~~ gender-based harassment, **or dating violence**, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

*ADA /
Section 504
Coordinator*

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

Superintendent

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

**Alternative
Reporting
Procedures**

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

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

Timely Reporting

To ensure the District's prompt investigation, reports~~Reports~~ of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. ~~A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.~~

Notice to Parents

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

**Investigation of
Reports Other Than
Title IX ~~the Report~~**

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Sexual Harassment—Title IX.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form. ~~The evidence compiled during the investigation shall be reviewed using a preponderance of the evidence standard in making a determination of whether prohibited conduct occurred.~~

Initial Assessment

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

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

Interim Action

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

District Investigation

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

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

Criminal
Investigation

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

ering its evidence, the District shall promptly resume its investigation.

Concluding the Investigation

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation. ~~Written notification of the findings shall be provided to the complainant and the person against whom the report was filed.~~

Notification of Outcome

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA. ~~the Family Educational Rights and Privacy Act (FERPA).~~

District Action

Prohibited Conduct

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

Corrective Action

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

Bullying

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

Improper Conduct

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

Confidentiality

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

witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

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

Response to Sexual Harassment–Title IX

For purposes of the District’s response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

General Response

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant’s wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District’s response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal Complaint Process

To distinguish the process described below from the District’s general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District’s “Title IX formal complaint process.”

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District’s website. In compliance with Title IX regulations, the District’s Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of
Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a

complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.

Examples

Examples of retaliation may include threats, intimidation, coercion, 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 or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records ~~control~~retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policy and Procedures

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

STUDENT ACTIVITIES
CONTESTS AND COMPETITION

FMF
(LOCAL)

UIL Activities

~~State Board and UIL rules shall govern interscholastic activities; however, Board policies and District rules may supplement State Board and UIL rules.~~

~~No event shall be scheduled and no student allowed to participate in any UIL event unless all pertinent rules and regulations are strictly enforced. The Superintendent or designee shall maintain all necessary records and reports. Sponsors and coaches are responsible for knowledge of and compliance with rules for eligibility and participation. [See FM]~~

Athletic Program

~~A well-rounded program of interscholastic athletics shall be maintained in the District secondary schools. The operation of the total program, including the starting and ending dates for each sport, shall be in accordance with regulations set by the UIL and the Board.~~

~~Supervision of the program shall be the responsibility of the Superintendent, but certain responsibilities may be delegated to other staff members. In each school, the principal shall have direct responsibility to maintain the athletic program as an integral part of the educational program of that school.~~

~~Interscholastic competitive athletics shall not be part of the elementary grades' program. To the extent practicable, a program of intra-school sports activities for elementary students shall be maintained as part of the physical education program.~~

Non-UIL Activities

~~Contests and competitive activities that are sponsored by outside organizations shall not be recommended to students unless the activities supplement and do not interfere with the regular school program. Contests and competitive activities shall have the prior approval of the Superintendent or designee, who shall develop the necessary rules and regulations to implement this policy. [See FM]~~

Overnight Trips

~~Students involved in UIL competition that requires an overnight trip shall have their expenses paid by the District. [See also FM, FMG]~~

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, disability, or other protected characteristics [see FFH] religion shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 **calendar** days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Notice to Students and Parents

The District shall inform students and parents of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's email address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, [unless otherwise noted](#). In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent,

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, students and parents shall file Level One complaints with the campus principal.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the

Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be filed in accordance with EF.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with CKE.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 **calendar** days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Guiding Principles

Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

An individual may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on

the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the individual's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual's email address of record, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, [unless otherwise noted](#). In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date

of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and
Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the individual within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other

relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation

from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Update 115 includes new Title IX regulations, effective August 14, 2020, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment. The final Title IX regulations and related materials are available on the U.S. Department of Education [Office for Civil Rights](#) website.

Multiple changes at Update 115 are based on legislation from the Regular Session of the 86th Texas Legislature that impose changes effective with the 2020–21 school year. Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 86th Legislature.

An overview video of the local policy changes is available under Policy Manual Update Resources in the myTASB [Policy Service Resource Library](#). **(LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.**

AF(LEGAL)

INNOVATION DISTRICTS

Revisions to the Administrative Code, effective January 2020:

- Specify that an innovation district may not be exempted from Education Code Chapters 48 (Foundation School Program) and 49 (Options for Local Revenue Levels in Excess of Entitlement); and
- Authorize the commissioner to terminate district of innovation status for a district's failure to comply with the duty to discharge or refuse to hire certain employees or applicants as required by state law.

AIA(LEGAL)

ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS

Administrative rule changes, effective August 2019, specify that districts with a local accountability system must use the local accountability system rating standards established by the commissioner. These standards will be updated annually and published in the *Local Accountability System Manual*.

Definitions for the various accreditation statuses have also been added.

AIB(LEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

TEA has renamed the Performance-Based Monitoring Analysis System (PBMAS) to the Results Driven Accountability (RDA) system, effective December 3, 2019. This was to align with the Office of Special Education Programs (OSEP) framework.

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Beginning with the 2020–21 school year, HB 4205 creates a new option for campuses that are required to submit campus turnaround plans—an accelerated campus excellence (ACE) turnaround plan. The commissioner is required to approve an ACE turnaround plan if the commissioner determines that the plan meets the statutory requirements.

Other changes are from revised Administrative Code rules, effective March 31, 2020. The rules clarify interventions and sanctions provisions, including campus intervention team membership and participation and campus turnaround plan submission, approval, and implementation processes.

Additional detail has been included about the required notice the campus intervention team must provide regarding the public meeting for soliciting input on development of a targeted improvement plan.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

BBA(LEGAL)

BOARD MEMBERS: ELIGIBILITY/QUALIFICATIONS

This legally referenced policy on eligibility and qualifications for board members has been revised to clarify that a person cannot *run* for the board if the person has a final felony conviction from which the person has not been pardoned or had the disabilities removed (see Eligibility). The provision at Ineligibility indicating that a person cannot *serve* as a member of the board if the person has been convicted of a felony remains unchanged.

BBBB(LEGAL)

ELECTIONS: POST-ELECTION PROCEDURES

HB 2640 deleted the requirement for the presiding officer of the board to prepare a report of precinct results for the secretary of state.

BBD(LEGAL)

BOARD MEMBERS: TRAINING AND ORIENTATION

Extensive changes to this legally referenced policy on board member training and orientation are from revised Administrative Code rules, effective March 24, 2020. See the TASB Board Development Services website for helpful overviews of the [training requirements](#).

BDF(LEGAL)

BOARD INTERNAL ORGANIZATION: CITIZEN ADVISORY COMMITTEES

HB 18 revised the list of persons that a board may appoint to the school health advisory council (SHAC). The bill also added requirements for a district to publish in the student handbook and on the district's website certain information on student physical and mental health resources, policies, and procedures and whether each campus has a full-time nurse or school counselor. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

BF(LOCAL)

BOARD POLICIES

A revision to this local policy clarifies that a district's legally referenced policies are not adopted by the board.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

BQ(LEGAL)

PLANNING AND DECISION-MAKING PROCESS

HB 18 revised the list of strategies for improvement of student performance that must be included in the district improvement plan (DIP) to include positive behavior interventions and support and implementation of a comprehensive school counseling program. In addition, the DIP must include:

- Strategies for providing elementary school students information about higher education; and
- The district's procedures on mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention.

Details about dating violence have been moved to FFH addressing harassment; details about sexual abuse, sex trafficking, and other maltreatment of children have been moved to FFG addressing child abuse and neglect.

BQA(LEGAL)

PLANNING AND DECISION-MAKING PROCESS: DISTRICT-LEVEL

Provisions on the district-level decision-making committee's responsibilities have been revised to better match statute.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

BQB(LEGAL) PLANNING AND DECISION-MAKING PROCESS: CAMPUS-LEVEL

Provisions on the campus-level decision-making committee's responsibilities have been revised to better match statute.

CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The Note on page 5 has been adjusted to include a link to a USDA memo addressing micro-purchase and simplified acquisition thresholds for federal child nutrition programs.

CCA(LEGAL) LOCAL REVENUE SOURCES: BOND ISSUES

TASB Policy Service engaged an outside law firm with expertise in the area of bonds to review the federal securities law provisions in this legally referenced policy, which resulted in revisions throughout that section of the policy.

In addition, we have included two existing statutory provisions on:

- Attorney general review and approval of a public security and the record of proceedings, and
- Authority of the issuer of public securities to contract for certain services.

CCG(LEGAL) LOCAL REVENUE SOURCES: AD VALOREM TAXES

At Tax Rate Adoption, we have added information on the maximum compressed rate from HB 3 and new Administrative Code rules effective April 10, 2020.

HB 492 repeals existing law regarding reappraisal of property damaged in a disaster area. However, an amendment to the Texas constitution approved by voters in November 2019 authorizes a temporary exemption for property damaged in a disaster. These new provisions have been added to CCGA(LEGAL) addressing ad valorem tax exemptions.

A board must conduct an efficiency audit before holding an election seeking voter approval to adopt an M&O tax rate. In conducting the audit, the auditor selected by the board must follow the Legislative Budget Board (LBB) guidelines, to which we have included a link.

CCGA(LEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

HB 492 provides for a temporary exemption for property damaged in a disaster, as authorized in an amendment to the Texas Constitution approved by voters in November 2019.

CCGB(LEGAL) AD VALOREM TAXES: ECONOMIC DEVELOPMENT

Revisions to this legally referenced policy reflect amended Administrative Code rules, effective February 6, 2020, and include:

- The exclusion of any employee names or other personal identifying information from the definition of *substantive documents* submitted to the comptroller in connection with economic development applications,
- Clarification of the procedures for an applicant to obtain continued eligibility for a limitation on appraised value, and
- Extended timelines for the comptroller to review a written agreement for a limitation on appraised value.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

CCH(LLEGAL)

LOCAL REVENUE SOURCES: APPRAISAL DISTRICT

Effective September 1, 2020, SB 2 requires an appraisal district board in a county with a population of a million or more to increase the size of the appraisal review board (ARB) to an appropriate number of members. The ARB must establish special panels to conduct protest hearings.

CFA(LLEGAL)

ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

Revisions to the provisions on the Annual Local Debt Report are from amended Administrative Code rules, effective April 5, 2020.

Other revisions are to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CFC(LLEGAL)

ACCOUNTING: AUDITS

This legally referenced policy on audits has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CKA(LLEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: INSPECTIONS

This legally referenced policy on asbestos has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CKE(LLEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

Revisions regarding training are from amended Administrative Code rules, effective February 5, 2020, and require district police officers and school resource officers to receive a school-based law enforcement proficiency certificate within 180 days of commission or placement in the district.

CKEA(LLEGAL)

SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

The addition of provisions regarding reporting on appointment and separation of licensed peace officers was prompted by amended Administrative Code rules, effective February 5, 2020.

CMD(LLEGAL)

EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

Revisions to the provisions prohibiting certain expenditures of funds from the instructional materials allotment are from amended Administrative Code rules, effective February 6, 2020.

CO(LLEGAL)

FOOD AND NUTRITION MANAGEMENT

A Note has been added pointing to the Texas Department of Agriculture's Records Retention List, which can assist districts with retaining documentation to demonstrate program compliance.

CQ(LLEGAL)

TECHNOLOGY RESOURCES

This legally referenced policy has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources. Citations to various laws pertaining to unlawful interception, use, or disclosure of communications have also been added to this policy for reference.

CQA(LLEGAL)

TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Online posting provisions have been updated to:

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

- Clarify that notification by the campus intervention team regarding public input on development of a targeted improvement plan must be published on the district and campus websites,
- Add the requirement to post a completed campus turnaround plan 30 days before the final plan is submitted to the board,
- Add details about posting of the Annual Local Debt Report,
- Add the requirement to post information on designated agents under the Digital Millennium Copyright Act for districts seeking to limit liability, and
- Add the requirement to post the district's family engagement plan.
- Add contact information for the district's Title IX coordinator and the district's policy of nondiscrimination; and
- Add materials used to train the Title IX coordinator and other individuals who are relevant to resolving complaints under Title IX.

CQB(LEGAL)

TECHNOLOGY RESOURCES: CYBERSECURITY

We have removed provisions on the Electronic Communication Privacy Act that address the criminal consequences of the Act. A high-level reference to this information has been added to CQ(LEGAL).

CRE(LEGAL)

INSURANCE AND ANNUITIES MANAGEMENT: WORKERS' COMPENSATION

We have removed case law addressing enforcement of a reasonable absence-control rule because the case is also included in DEC(LEGAL).

CS(LEGAL)

FACILITY STANDARDS

Provisions on termination of LP-gas service have been revised as a result of amended Administrative Code rules, effective January 6, 2020.

CY(LEGAL)

INTELLECTUAL PROPERTY

This legally referenced policy on intellectual property has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

D(LEGAL)

PERSONNEL

The D Section table of contents has been revised to rename DBAA Pre-Employment Reviews.

DAA(LEGAL)

EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

This legally referenced policy has been revised at Bankruptcy Discrimination to better match statute.

The provisions addressing compliance coordinators for federal nondiscrimination laws have been updated in response to the new Title IX regulations.

DBAA(LEGAL)

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: PRE-EMPLOYMENT REVIEWS

This legally referenced policy has been retitled and reorganized to include various pre-employment reviews. As a result, provisions on the required pre-employment affidavit and the Do Not Hire Registry have been moved to this policy from DC(LEGAL).

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

Provisions have been added on the U.S. Department of Transportation's (DOT) national commercial driver license drug and alcohol clearinghouse. A district may not employ a driver subject to DOT drug and alcohol testing who will perform a safety-sensitive function without first conducting a pre-employment inquiry through the clearinghouse.

DC(LEGAL) EMPLOYMENT PRACTICES

As mentioned above, provisions on the required pre-employment affidavit and the Do Not Hire Registry have been moved to DBAA(LEGAL), which now addresses pre-employment reviews.

DED(LOCAL) COMPENSATION AND BENEFITS: VACATIONS AND HOLIDAYS

Recommended revisions to this local policy on vacations and holidays address the board's authorization of these programs, including which employees are eligible for the benefits, and refer to administrative procedures for details to promote consistent application and prevent conflict between policy and administrative procedures. Please confirm that the eligibility information, which was pulled from the district's existing policy, is accurate.

TASB HR Services has a [framework](#) to help districts develop administrative procedures on vacation and holiday programs.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DF(LEGAL) TERMINATION OF EMPLOYMENT

Failure to terminate an employee on the Do Not Hire Registry has been added as a reason for which the State Board for Educator Certification may impose sanctions on an educator. This change is from amended Administrative Code rules, effective March 5, 2020.

DHC(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: REPORTS TO TEXAS EDUCATION AGENCY

Changes to this legally referenced policy on reports to TEA regarding non-certified employee misconduct are from revised Administrative Code rules, effective December 31, 2019. The rules clarify the information that must be in a report and include several relevant definitions.

DHE(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

Information on postaccident alcohol or controlled substances testing has been incorporated from DHE(EXHIBIT), which is being deleted.

Additional detail has been included regarding required Department of Transportation drug and alcohol testing of commercial vehicle operators.

DHE(EXHIBIT) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

This exhibit on postaccident alcohol or controlled substances testing is being deleted, as the content has been incorporated into DHE(LEGAL).

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

DIA(LLEGAL)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

The Note pointing to other relevant policies has been updated to reflect Title IX changes. We have added the recent U.S. Supreme Court case, *Bostock v. Clayton County, Georgia*, which held that firing an employee on the basis of homosexuality or transgender status violates Title VII's prohibition against sex discrimination in employment. Margin notes have also been updated.

DIA(LOCAL)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

We offer for your consideration our recommended local policy language at this code.

Recommended revisions to this policy incorporate the recent United States Supreme Court decision *Bostock v. Clayton County, Georgia*, which held that an adverse employment action against an employee on the basis of homosexuality or transgender status violates Title VII's prohibition on sex discrimination in employment. As a result, the policy clarifies that discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

The policy has also been revised to address the federal Title IX regulations as follows.

- The definition of Prohibited Conduct has been revised to include conduct that meets the Title IX definition of sexual harassment, but the policy retains the broader definitions of prohibited conduct in districts' current policies to ensure that all prohibited conduct is addressed.
- Text at Sex-Based Harassment and Investigation of Reports Other than Title IX directs readers to new provisions on responding to allegations of prohibited conduct that if proved would meet the definition of sexual harassment under Title IX, as the law requires a specific response process for these allegations. Allegations of prohibited conduct not based on sex or that would not meet the definition of sexual harassment under Title IX will follow the district's existing investigation process.
- The Title IX regulations provide that a district has actual knowledge of sexual harassment if notice or allegations are made to any employee; therefore, a new provision at Notice of Report requires *any* employee who receives a report of prohibited conduct based on sex to notify the Title IX coordinator.
- Text at Response to Sexual Harassment—Title IX addresses legally required actions when the district receives notice or allegations of conduct that would meet the definition of sexual harassment under Title IX.
- New provisions direct the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations, as included in FFH(LLEGAL).
- To determine responsibility in a Title IX formal complaint of sexual harassment, the policy designates that the district will use a *preponderance of the evidence* standard. **If the board wishes to instead use the *clear and convincing evidence* standard, which is a higher standard of evidence, please contact the district's policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by students.
- Provisions on retaliation and records retention have been updated.

Policy Service also recommends clarification of the provisions on distribution of the policy and any accompanying procedures.

In addition, based on previous guidance from the Office of Civil Rights, Policy Service recommends including in the policy examples of prohibited conduct.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

TASB's Title IX model procedures are available in [TASB School Law eSource](#).

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

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

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the ADA/Section 504 coordinator, if applicable to your district.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DMA(LLEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

HB 18 revises both optional and required training for district staff development. Required training, which must be provided annually, focuses on various aspects of student mental health, as listed in the policy. Suicide prevention training must address the specific components indicated.

Details about required mental health support programs have been updated in accordance with HB 18 and moved to FFEB addressing student mental health.

Provisions addressing required training on child abuse, trafficking, and maltreatment have been updated based on revised Administrative Code rules, effective November 6, 2019.

DMD(LOCAL) PROFESSIONAL DEVELOPMENT: PROFESSIONAL MEETINGS AND VISITATIONS

Policy Service recommends that the administrative details regarding professional meetings be removed from the local policy manual, as board-adopted policy is not required.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DP(LLEGAL) PERSONNEL POSITIONS

This legally referenced policy on personnel has been revised to include provisions on various physical and mental health professionals, including:

- School nurses,
- Certified school counselors,
- Nonphysician mental health professionals, and
- Licensed specialists in school psychology (LSSPs).

EEL(LLEGAL) INSTRUCTIONAL ARRANGEMENTS: CONTRACTS WITH OUTSIDE AGENCIES

In accordance with new federal provisions, districts that have Junior Reserve Officers' Training Corps programs must permit homeschooled students to participate in the program.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

EHAA(LLEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

Provisions on coordinated health programs have been updated based on HB 18.

HB 18 amends the SHAC's duties to include making recommendations about various aspects of student mental health.

EHB(LLEGAL)

CURRICULUM DESIGN: SPECIAL PROGRAMS

New provisions on dyslexia compliance monitoring are from revised Administrative Code rules, effective December 25, 2019.

SB 2075 requires that a district notify the parent of a student who has or is at risk for dyslexia or a related disorder that the Texas State Library and Archives Commission provides audiobooks free of charge to students with eligible disabilities.

EHBA(LLEGAL)

SPECIAL PROGRAMS: SPECIAL EDUCATION

Provisions on off-campus programs to provide special education and related services during school hours in a non-district facility are from new Administrative Code rules, effective November 10, 2019. The rules address placement in the programs, notification to and review by TEA, contract requirements, and changes of student residence.

EHBAB(LLEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care. For such students who transfer into the district, the rules require the receiving district to:

- Accept a referral done by a previous district for a special education evaluation and complete any written report of a full individual and initial evaluation by the timelines in law, and
- Ensure that the district meets student transfer requirements relating to the ARD committee for a student who is already eligible for services.

EHBE(LLEGAL)

SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL

This legally referenced policy on bilingual education has been revised throughout as a result of amended Administrative Code rules, effective April 10, 2020. The rules address requirements for administering the home language survey, parental notice and consent, and assessment options for students in a two-way dual language immersion program.

Other revisions are to better match statute.

EHBG(LLEGAL)

SPECIAL PROGRAMS: PREKINDERGARTEN

Amended Administrative Code rules, effective February 13, 2020, prompted revisions throughout the high-quality prekindergarten program provisions.

EHBJ(LLEGAL)

SPECIAL PROGRAMS: INNOVATIVE AND MAGNET PROGRAMS

Changes to the application process for requesting approval from the State Board of Education or the commissioner to offer an innovative course are from amended Administrative Code rules, effective December 25, 2019.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

EHDD(LEGAL)

ALTERNATIVE METHODS FOR EARNING CREDIT: COLLEGE COURSE WORK/DUAL CREDIT

Provisions on dual credit agreements have been updated based on amended Administrative Code rules, effective November 24, 2019. We have also added some existing statutory provisions on dual credit programs to address faculty supervision and student transcripts.

EI(LEGAL)

ACADEMIC ACHIEVEMENT

Provisions on partial award of credit have been updated to reflect revised Administrative Code rules, effective March 15, 2020. The rules revised terminology regarding awarding of credit proportionately when a student receives a passing grade in "half" of a course, rather than per "semester."

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care and require districts to:

- Adopt local policy to assist with awarding credit for a course that was earned prior to the student enrolling in or transferring to the district [see FD(LOCAL) recommendations in Update 115],
- Develop credit recovery plans for students who were denied credits outside the district or if the student's credit deficit would impede on-time promotion or graduation,
- Create course transition plans for students who were denied credit,
- Develop and administer personal graduation plans for junior or middle school students, and
- Comply with existing Education Code provisions regarding awarding of diplomas.

EI(LOCAL)

ACADEMIC ACHIEVEMENT

Provisions on partial credit have been updated to reflect revised Administrative Code rules, which changed terminology regarding awarding of credit proportionately when a student receives a passing grade in "half" of a course, rather than per "semester."

To provide flexibility, Policy Service is recommending deletion of the statement that a student shall be required to retake only the portion of the course with a failing grade. The ways a student can earn credit for the failed part of a course can include various methods other than retaking the failed portion, and board policy is not required to specify which particular method may be used.

New Administrative Code rules address transition assistance for highly mobile students who are homeless or in substitute care. Because these new rules address similar concepts as the district's current text on late enrollment or withdrawal of migrant or homeless students and to avoid conflict with the new rules, Policy Service recommends deleting this provision from local policy. Any specific practices in this area will need to align with the new rules and could be included in administrative procedures. See also FD(LOCAL) in this update for recommended changes addressing the new Administrative Code rules.

EIF(LEGAL)

ACADEMIC ACHIEVEMENT: GRADUATION

Beginning with students enrolled in the 12th grade in the 2021–22 school year, HB 3 will require a student to complete and submit a federal or Texas application for financial aid to graduate. The provision has been added to the policy manual now in case the district starts receiving questions about this provision. TEA will be issuing rules with more details.

Details on forming an individual graduation committee, including acceptable alternate members, have been added from amended Administrative Code rules, effective February 10, 2020.

Administrative Code rules effective November 24, 2019, provide that a student who completes the core curriculum of an institution of higher education meets the curriculum requirements for the foundation high

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

school program, earns an endorsement and the distinguished level of achievement, and is entitled to a high school diploma.

Provisions on transitioning to the foundation high school program have been deleted from law.

EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Changes to this legally referenced policy on assessments include:

- Additional detail on end-of-course assessments, for more complete information;
- Deletion of detailed provisions on use of the TSI as a substitute assessment in lieu of a statutory reference; and
- Revisions to testing requirements for accountability purposes based on amended Administrative Code rules, effective February 23, 2020.

EKC(LLEGAL) TESTING PROGRAMS: READING ASSESSMENT

Effective with the 2020–21 school year, HB 3 requires a district to administer the commissioner-adopted reading instrument or the commissioner-approved alternative reading instrument to students at the kindergarten level and report results of reading instruments to parents within 60 calendar days of administration.

ELA(LLEGAL) CAMPUS OR PROGRAM CHARTERS: PARTNERSHIP CHARTERS

This legally referenced policy on partnership charters has been significantly revised in accordance with amended Administrative Code rules, effective March 31, 2020. The rules:

- State that operating partners have final and sole authority over certain campus decisions;
- Add numerous requirements for performance contracts; and
- Update the TEA approval process.

In accordance with amended Administrative Code rules, effective September 1, 2019, a performance contract for a partnership charter only needs to include assurances that the district has consulted with relevant campus personnel if the partnering entity is an open enrollment charter school and not for other partnering entities approved by TEA.

F(LLEGAL) STUDENTS

Update 115 includes reorganization of student mental health provisions. As a result:

- FFE has been renamed Counseling and Mental Health;
- FFEA has been renamed Counseling; and
- FFEB has been renamed Mental Health.

FB(LLEGAL) EQUAL EDUCATIONAL OPPORTUNITY

The provisions on required grievance procedures and retaliation have been updated based on the new Title IX regulations.

FB(LOCAL) EQUAL EDUCATIONAL OPPORTUNITY

The provision on the Title IX coordinator has been updated in response to the new Title IX regulations. Corresponding wording changes were made to the ADA/Section 504 coordinator text.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

FB(EXHIBIT)

EQUAL EDUCATIONAL OPPORTUNITY

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the district's ADA/Section 504 coordinator.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FD(LOCAL)

ADMISSIONS

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care and require districts to adopt local policy to assist with awarding credit to a student who is homeless or in substitute care for a course that was earned prior to the student enrolling in or transferring to the district. See Transition Assistance for recommended text to comply with this local policy requirement.

Additional revisions are recommended to more concisely reflect that a student who is enrolled in a home-school or any other type of private school is not eligible for concurrent enrollment in the district or participation in district activities, except as required by law.

We have retained unchanged your unique text at Multi-Family Residence and Power of Attorney.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FDB(LEGAL)

ADMISSIONS: INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

Clarification has been added regarding transfer of a student with a disability who receives special education services and who engaged in bullying.

FEA(LEGAL)

ATTENDANCE: COMPULSORY ATTENDANCE

From HB 3, we have added a provision, effective September 1, 2020, clarifying that a student is not required to attend school for the additional instructional days for which a district receives a financial incentive under Education Code 48.0051. See FEB(LEGAL) for more information.

FEB(LEGAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

Amended Administrative Code rules, effective December 25, 2019, delete the reference to taking attendance during the second or fifth instructional hour and specify that attendance shall be taken at the official attendance-taking time during the campus's instructional day. There is no requirement to include the official attendance-taking time in policy; it may be designated in district procedures.

From HB 3, we have added a provision, effective September 1, 2020, under which a district may receive a financial incentive for offering an additional 30 days of half-day instruction above the required minimum number of minutes for students in prekindergarten through fifth grade.

FEB(LOCAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

Recommended revisions to this local policy on attendance accounting are to address amended Administrative Code rules that delete the reference to taking attendance during the second or fifth instructional hour and specify that attendance shall be determined at the official attendance-taking time during the

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

campus's instructional day. The recommended text assigns to the superintendent the responsibility of designating the district's official attendance-taking time. Note that there is no requirement to include the official attendance-taking time in policy; it may be designated in district procedures.

See FEB in the [TASB Regulations Resource Manual](#).

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Provisions on nursing peer review committees have been moved to DP(LEGAL).

Provisions on psychotropics and psychiatric evaluations have been moved to FFEB(LEGAL).

FFAE(LEGAL) WELLNESS AND HEALTH SERVICES: SCHOOL-BASED HEALTH CENTERS

HB 18 permits the board (in addition to a local health education and health-care advisory council) to initiate the establishment of a school-based health center at a campus. The bill also expands the list of services that may be provided at school-based health centers to include physical health care, treatment of mental health conditions, and treatment for substance abuse.

Other changes from HB 18 address parental consent for referrals, the membership of the advisory council, and coordination with existing providers.

FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION

Provisions on the recommended best practice programs and research-based practices on student mental health have been moved to FFEB(LEGAL).

FFC(LEGAL) STUDENT WELFARE: STUDENT SUPPORT SERVICES

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care. The rules address processes and practices on the following:

- Transferring student records;
- Developing systems to ease transition for students, including welcome packets, introductions, and mechanisms for receiving school nutrition program benefits;
- Convening enrollment conferences;
- Determining appropriate placement in educational programs and courses;
- Facilitating participation in extracurricular programs;
- Promoting postsecondary information; and
- Notifying the educational decision-maker and caseworker of events that significantly impact the student's education.

FFE(LEGAL) STUDENT WELFARE: COUNSELING AND MENTAL HEALTH

Provisions on counseling have been moved to FFEA.

FFEA(LEGAL) COUNSELING AND MENTAL HEALTH: COUNSELING

This legally referenced policy has been reorganized to focus on both behavioral and academic counseling programs. As a result:

- Personnel provisions on school counselors and their duties have been moved to DP(LEGAL), and

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

- Various provisions regarding consent to counseling services previously at FFE(LEGAL) have been moved to this code.

From HB 18, we have added a provision requiring a school counselor to work with various stakeholders to plan, implement, and evaluate a comprehensive school counseling program.

From HB 114, we have added a provision applicable with the 2020–21 school year requiring a school counselor to provide information regarding availability of college credit for military experience, education, and training obtained during military service.

FFEB(LEGAL) COUNSELING AND MENTAL HEALTH: MENTAL HEALTH

This legally referenced policy has been added to focus on student mental health programs. As a result, provisions on psychotropics and psychiatric evaluations previously at FFAC(LEGAL) have been moved to this code.

The policy now addresses the various mental health programs, as revised by HB 18, for which the district must develop practices and procedures. The practices and procedures must be included in the student handbook and district improvement plan. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

FFG(LEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

This legally referenced policy on child abuse and neglect has been significantly revised based on amended Administrative Code rules, effective November 6, 2019. The rules address the required policy on sexual abuse, trafficking, and other maltreatment of students that must be included in the district improvement plan and the student handbook. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement. The rules also revise the elements of the required child abuse and neglect reporting policy.

FFG(LOCAL) has been revised to comply with these rule changes.

FFG(LOCAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

This local policy on child abuse and neglect has been significantly revised based on amended Administrative Code rules.

Recommended text is included to provide the required policy addressing sexual abuse, trafficking, and other maltreatment of students that must be included in the district improvement plan and the student handbook. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

The rules also revise the elements of the required child abuse and neglect reporting policy. To ensure all the policy elements are addressed in board-adopted local policy, we have revised and moved provisions from FFG(EXHIBIT) into this local policy and recommend deletion of the exhibit.

The [Legal Issues in Update 115](#) memo describes common legal concerns and best practices specific to [this policy topic](#).

FFG(EXHIBIT) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

As mentioned at FFG(LEGAL), Administrative Code rules on child abuse and neglect were recently revised. To ensure that all required policy elements are addressed in board-adopted local policy, we have revised and moved provisions from this exhibit into FFG(LOCAL). This exhibit is recommended for deletion.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

FFH(LEGAL)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

This legally referenced policy addressing discrimination, harassment, and retaliation against students has been significantly revised to include the new Title IX regulations, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment.

The final Title IX regulations and related materials are available on the U.S. Department of Education [Office for Civil Rights](#) website.

Provisions on dating violence have been moved from BQ(LEGAL) to this code on discrimination, harassment, and retaliation.

FFH(LOCAL)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Based on the new Title IX regulations, recommended revisions include the following.

- The definition of Prohibited Conduct has been revised to include conduct that meets the Title IX definition of sexual harassment, but the policy retains the broader definitions of prohibited conduct in districts' current policies to ensure that all prohibited conduct is addressed.
- Text at Sex-Based Harassment and Investigation of Reports Other than Title IX directs readers to new provisions on responding to allegations of prohibited conduct that if proved would meet the definition of sexual harassment under Title IX, as the law requires a specific response process for these allegations. Allegations of prohibited conduct not based on sex or that would not meet the definition of sexual harassment under Title IX will follow the district's existing investigation process.
- The provision requiring an employee to report prohibited conduct has been updated to include either direct or indirect reports.
- Text at Response to Sexual Harassment—Title IX addresses legally required actions when the district receives notice or allegations of conduct that would meet the definition of sexual harassment under Title IX.
- New provisions direct the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations, as included in FFH(LEGAL).
- To determine responsibility in a Title IX formal complaint of sexual harassment, the policy designates that the district will use a *preponderance of the evidence* standard. **If the board wishes to instead use the *clear and convincing evidence* standard, which is a higher standard of evidence, please contact the district's policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by employees.
- Provisions on retaliation and false claims have been updated and moved to the end of the policy.

Policy Service also recommends updates to the examples for harassment to include cyberharassment and electronic communications.

TASB's Title IX model procedures are available in [TASB School Law eSource](#).

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

FFH(EXHIBIT)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the district's ADA/Section 504 coordinator.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FM(LEGAL)

STUDENT ACTIVITIES

The detailed list of honors classes for purposes of eligibility to participate in extracurricular activities has been deleted in lieu of a reference to the Administrative Code.

Existing statutory provisions on before- and after-school programs for elementary and middle school grades have been added.

FMF(LOCAL)

STUDENT ACTIVITIES: CONTESTS AND COMPETITION

This local policy on student contests and competition is recommended for deletion. There is no requirement for board policy on these issues; the district's practices can be included in administrative procedures.

FNG(LOCAL)

STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Policy Service has reordered the list of protected characteristics at Other Complaint Processes, item 1, to align with the list at FFH(LOCAL), above. We also have included text to acknowledge other locally designated protected characteristics listed at FFH(LOCAL).

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This is an exception to how other timelines are calculated in the policy, which are based on "business" days in accordance with how days are defined.

See FNG in the [TASB Regulations Resource Manual](#) for updated complaint forms.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

GBAA(EXHIBIT)

INFORMATION ACCESS: REQUESTS FOR INFORMATION

This exhibit referring to the attorney general's guidelines for charges under the Public Information Act is being deleted. The citation to the Administrative Code where these charges are found has been added to GBAA(LEGAL).

See GBAA in the [TASB Regulations Resource Manual](#) for updated forms related to requests for information.

Explanatory Notes

TASB Localized Policy Manual Update 115

Cedar Hill ISD

GF(LOCAL)

PUBLIC COMPLAINTS

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This is an exception to how other timelines are calculated in the policy, which are based on "business" days in accordance with how days are defined.

See GF in the [TASB Regulations Resource Manual](#) for updated complaint forms.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

GKA(LEGAL)

COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

Provisions on drones have been updated based on changes to federal law and replace previous provisions on model aircraft.

V.D. Policy EIC (Local)

Cedar Hill Independent School District BOARD OF TRUSTEES

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent of Schools

Subject: Recommended Revision to Board Policy EIC (Local)

Information

BOARD GOAL:

- Increase the percentage of scholars graduating college career and military ready.
- Increase the percentage of 3rd grade (all students) scholars reading at/or above grade level.
- Increase the percentage of Algebra I scholars scoring Meets or above.

BACKGROUND INFORMATION:

The Board of Trustees adopted revisions to EIC(Local) on April 6, 2020 to ensure that students who graduate from CHISD meet the CHISD Profile of a Learner. TASB reviewed the local policy and offered suggestions to ensure that the policy is inclusive and easily understood. The enclosed document reflects TASB's recommendations. TASB also recommended that the policy as revised be presented for approval to ensure an accurate record of the policy's adoption. This proposed change was vetted with the Policy Review Committee on August 20, 2020.

RECOMMENDATION:

N/A

BOARD ACTION REQUIRED:

N/A

POLICY AUTHORIZATION:

BF(Local) - Board Policies

CONTACT PERSON:

Janine Fields, Chief of Staff
Charlotte Ford, Assistant Superintendent of Academics

FUNDING SOURCE:

General Fund (199)

ENCLOSURES:

EIC (Local) Revised

PROPOSED REVISIONS

Purpose

~~The purpose of the District's class rank policy is to promote rigorous academic standards and readiness for college, career, and life in a globally competitive economy. Class rank shall be used to determine District honors and awards and will shall not be submitted to colleges unless otherwise addressed in this policy.~~

Consistent Application for Graduating Class

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

For Collegiate Early College High School, a student's class rank shall not be automatically reported, except for the top ten percent of a given class. Class rank shall not appear on any student's academic achievement record (transcript). The District shall provide to each student in the top ten percent of his or her class, and any other student who requests it, a certification of class rank containing the student's numerical rank in class.

Calculation

For students in the graduating classes of 2021, 2022, and 2023, the District shall include in the calculation of class rank semester grades earned in all high school credit courses taken at any grade level, unless excluded below.

~~Career and technical education (CTE) courses that receive 2 or 3 credits per year shall be included in the semester average two or three times, as appropriate.~~

The semester averages for career and technical education (CTE) courses that earn a student two or three credits per year shall be proportionately adjusted for the calculation of class rank.

The calculation shall not include failing grades.

Beginning with students in the graduating class of 2024, the District shall include in the calculation of class rank semester grades earned in high school credit courses taken at any grade level, in the following subject areas only, unless excluded below:

- 8 semesters of English language arts
- 8 semesters of mathematics
- 8 semesters of science
- 8 semesters of social studies
- 4 semesters of languages other than English (all semesters must be in the same language)

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If a student completes more than the required number of semesters within the categories listed above, the student's weighted grade point average (GPA) used for class rank shall be calculated using the grades within each category with the highest grade point value. However, the courses required for graduation, as noted in appropriate District publications shall take precedence over other classes for inclusion in the class rank calculation.

The calculation shall not include failing grades.

Exclusions

The calculation of class rank shall exclude grades earned in summer school; any course for which credit is earned outside the regular school day or regular school year; an assigned remediation or tutoring course; any course for which a pass/fail grade is assigned; any homeschool course or a nonaccredited school; and any course taken in a foreign country with the exception of courses taken at a U.S. Department of Defense Education Activity (DoDEA) school.

Weighted Grade System

Categories

The District shall categorize and weight eligible courses as Advance Placement (AP) / Dual Credit, Honors, and Regular in accordance with provisions of this policy and as designated in appropriate District publications, such as the Program of Study.

AP / Dual Credit

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

Honors

Eligible Pre-AP courses and other courses locally designated as honors shall be categorized and weighted as Honors courses.

Regular

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

Weighted Grade Point Average

The District shall convert semester grades earned in eligible courses to grade points in accordance with the following chart and shall calculate a weighted GPA:

<u>Grade</u>	<u>AP / Dual Credit</u>	<u>Honors</u>	<u>Regular</u>
<u>100</u>	<u>6.0</u>	<u>5.0</u>	<u>4.0</u>
<u>99</u>	<u>5.9</u>	<u>4.9</u>	<u>3.9</u>
<u>98</u>	<u>5.8</u>	<u>4.8</u>	<u>3.8</u>
<u>97</u>	<u>5.7</u>	<u>4.7</u>	<u>3.7</u>
<u>96</u>	<u>5.6</u>	<u>4.6</u>	<u>3.6</u>
<u>95</u>	<u>5.5</u>	<u>4.5</u>	<u>3.5</u>
<u>94</u>	<u>5.4</u>	<u>4.4</u>	<u>3.4</u>
<u>93</u>	<u>5.3</u>	<u>4.3</u>	<u>3.3</u>
<u>92</u>	<u>5.2</u>	<u>4.2</u>	<u>3.2</u>

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ACADEMIC ACHIEVEMENT
CLASS RANKING

EIC
(LOCAL)

<u>Grade</u>	<u>AP / Dual Credit</u>	<u>Honors</u>	<u>Regular</u>
<u>91</u>	<u>5.1</u>	<u>4.1</u>	<u>3.1</u>
<u>90</u>	<u>5.0</u>	<u>4.0</u>	<u>3.0</u>
<u>89</u>	<u>4.9</u>	<u>3.9</u>	<u>2.9</u>
<u>88</u>	<u>4.8</u>	<u>3.8</u>	<u>2.8</u>
<u>87</u>	<u>4.7</u>	<u>3.7</u>	<u>2.7</u>
<u>86</u>	<u>4.6</u>	<u>3.6</u>	<u>2.6</u>
<u>85</u>	<u>4.5</u>	<u>3.5</u>	<u>2.5</u>
<u>84</u>	<u>4.4</u>	<u>3.4</u>	<u>2.4</u>
<u>83</u>	<u>4.3</u>	<u>3.3</u>	<u>2.3</u>
<u>82</u>	<u>4.2</u>	<u>3.2</u>	<u>2.2</u>
<u>81</u>	<u>4.1</u>	<u>3.1</u>	<u>2.1</u>
<u>80</u>	<u>4.0</u>	<u>3.0</u>	<u>2.0</u>
<u>79</u>	<u>3.9</u>	<u>2.9</u>	<u>1.9</u>
<u>78</u>	<u>3.8</u>	<u>2.8</u>	<u>1.8</u>
<u>77</u>	<u>3.7</u>	<u>2.7</u>	<u>1.7</u>
<u>76</u>	<u>3.6</u>	<u>2.6</u>	<u>1.6</u>
<u>75</u>	<u>3.5</u>	<u>2.5</u>	<u>1.5</u>
<u>74</u>	<u>3.4</u>	<u>2.4</u>	<u>1.4</u>
<u>73</u>	<u>3.3</u>	<u>2.3</u>	<u>1.3</u>
<u>72</u>	<u>3.2</u>	<u>2.2</u>	<u>1.2</u>
<u>71</u>	<u>3.1</u>	<u>2.1</u>	<u>1.1</u>
<u>70</u>	<u>3.0</u>	<u>2.0</u>	<u>1.0</u>
<u>Below 70</u>	<u>0</u>	<u>0</u>	<u>0</u>

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Transferred Grades

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

When a student transfers semester grades for courses that would be eligible to receive additional weight under the District's weighted grade system, the District shall assign additional weight to the grades based on the categories and grade weight system used by the District.

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Local Graduation Honors

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

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

Valedictorian and Salutatorian

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

1. Have been continuously enrolled in the same District high school for the four semesters immediately preceding graduation; and
- 1.2. Have completed the foundation program with the distinguished level of achievement.

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Breaking Ties

In case of a tie in weighted GPAs after calculation to the fourth decimal place, the District shall calculate a weighted GPA using eligible grades earned in AP/Dual Credit and Honors courses.

If the tie is not broken after applying these methods, the District shall recognize all students involved in the tie as sharing the honor and title.

Other Recognitions

The District shall recognize at the graduation ceremony the students in the graduating class with the 12 highest class ranks, including valedictorian and salutatorian, who completed the last two consecutive semesters in the District.

Honor Graduates

Students who graduate with a cumulative GPA of 4.70 – 6.00 or higher shall be designated summa cum laude graduates.

Students who graduate with a cumulative GPA of 4.25 – 4.69 shall be designated magna cum laude graduates.

Students who graduate with a cumulative GPA of 3.70 – 4.24 shall be designated cum laude graduates.

Early Graduates

A student who completes the high school program requirements in fewer than four years shall be ranked in the class with which he or she actually graduates and shall be eligible for all honors including, but not limited to, valedictorian, salutatorian, highest-ranking graduate, and honor graduate.

Cedar Hill ISD
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ACADEMIC ACHIEVEMENT
CLASS RANKING

EIC
(LOCAL)

In the event that an early graduate earns valedictorian honors, the early graduate shall be designated as valedictorian, and the four-year graduate who would have been valedictorian shall be designated as covaldictorian. In the event that an early graduate earns salutatorian honors, the early graduate shall be designated as salutatorian, and the four-year graduate who would have been salutatorian shall be designated as cosalutatorian.

**Highest-Ranking
Graduate**

[The local eligibility criteria for recognition as the valedictorian shall not affect recognition of the highest-ranking graduate for purposes of receiving the honor graduate certificate from the state of Texas.](#)

V.E. Policy DC (Local)

Cedar Hill Independent School District BOARD OF TRUSTEES

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent of Schools

Subject: Recommended Revision to DC (Local)

Information

BOARD GOAL:

- Increase the percentage of scholars graduating college career and military ready.
- Increase the percentage of 3rd grade (all students) scholars reading at/or above grade level.
- Increase the percentage of Algebra I scholars scoring Meets or above.
- Increase the percentage of scholars participating in extra-curricular or co-curricular activities

BACKGROUND INFORMATION:

The proposed change to DC (Local) removes a provision permitting the school board to question a candidate prior to final approval for employment. This proposed change was vetted with the Policy Review Committee on August 20, 2020.

RECOMMENDATION:

N/A

BOARD ACTION REQUIRED:

N/A

POLICY AUTHORIZATION:

BF(Local) - Board Policies

CONTACT PERSON:

Janine Fields, Chief of Staff

FUNDING SOURCE:

General Fund (199)

ENCLOSURES:

DC (Local) Revised

Personnel Duties	The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
Posting Vacancies	The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.
Applications	<p>All applicants shall complete the application form supplied by the District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.</p> <p>[For information related to the evaluation of criminal history records, see DBAA.]</p>
Hiring Authority	<p>The Board delegates to the Superintendent final authority to employ all personnel below the level of campus principal.</p> <p>The Board retains final authority for the employment of the following central administration personnel: assistant superintendents, executive directors, directors, chief financial officer, chief of police, head football coach, and executive assistant to the Board and Superintendent.</p> <p>The Board retains final authority for employment of all new principals, including those hired from outside the District and those promoted from within the District. The Superintendent is authorized to make lateral moves of principals within the District without Board approval.</p> <p>The Superintendent has sole authority to make personnel recommendations to the Board, where the Board retains final authority for employment. Once the Superintendent has identified a candidate for a position requiring Board approval, the candidate shall be introduced to the Board, and the Board shall be given an opportunity, but is not required, to question the candidate.</p> <p>[See DCA, DCB, DCD, and DCE as appropriate.]</p>
Employment Assistance Prohibited	No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DH(EXHIBIT) for the Educators' Code of Ethics.]

V.F. TEA Asynchronous Application

Cedar Hill Independent School District BOARD OF TRUSTEES

Meeting Date: September 14, 2020
Presented by: Dr. Gerald Hudson, Superintendent of Schools
Subject: Application for Asynchronous Plan

Information Item

BOARD GOAL:

Increase the number of third grade scholars at or above grade level in reading.
Increase the number of scholars at or above grade level in Algebra I.
Increase the number of scholars that are college, career, and/or military ready.

BACKGROUND INFORMATION:

CHISD must submit an application to the Texas Education Agency (TEA), which includes attestations in reference to the instructional schedule, material design, scholar progress, and the implementation of asynchronous instruction. This application must be reviewed and approved by the CHISD school board before submitted to TEA. In the event virtual instruction must be extended beyond the first four weeks of school or in the future due to factors related to the pandemic. This application will allow CHISD to remain compliant with TEA guidelines and receive funding for asynchronous attendance.

RECOMMENDATION:

Administration recommends review of the application to extend asynchronous instruction during the 2020-2021 school year if necessary.

BOARD ACTION REQUIRED:

N/A

POLICY AUTHORIZATION:

N/A

CONTACT PERSON:

Dr. Cherron Ukpaka, Executive Director of Teaching and Learning
Dr. Kisha McDonald, Executive Director of Secondary School Leadership
Jill Vincent, Executive Director of Elementary School Leadership
Alva Walker, Executive Director of Special Education Services
Dr. Charlotte Ford, Assistant Superintendent of Curriculum, Instruction, and Accountability
Mr. Tellauance Graham, Assistant Superintendent of Student Support and Administration

FUNDING SOURCE:

NA

ENCLOSURES:

Attestation Waiver Form
Asynchronous Application Presentation



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

Instructional Schedule: Describe (or attach a description of) the structure of your asynchronous schedule highlighting any differences by grade level and / or content area.

Component	Explanation
What are the expectations for daily scholar interaction with academic content?	<p>Teachers will structure the asynchronous instructional day to ensure there are enough minutes devoted to each subject area.</p> <ul style="list-style-type: none">● Asynchronous daily screen time instructional activities may include but not limited to activities such as:<ul style="list-style-type: none">○ Read alouds○ Phonics instruction○ Number talks○ Direct instruction by teacher (mini-lesson)● Asynchronous daily non-screen (independent) work/assignments are to be completed in addition to the required daily screen time. These may include but not limited to activities such as:<ul style="list-style-type: none">○ Choice boards○ Scholar self-selected reading○ Writing assignments○ Independent practice○ Scavenger hunts <p>Regular communication and the partnership between teachers and parents will be crucial to the success of scholars during the remote Flex Learning. Parents may be needed at home to assist their scholar with tasks such as:</p> <ul style="list-style-type: none">○ Logging into Schoology○ Monitoring their participation and progress in the learning○ Ensuring completion and submission of activities <p>Classroom teachers will document consistent communication with parents and maintain records in Schoology. Teachers are responsible to contact any scholar who is not demonstrating proficiency on a weekly basis. They will make a courtesy phone call or email to parents to remind them of the instructional support opportunities. This required communication will serve as checkpoints with the classroom teacher during Flex Learning. Teachers will ensure that they have virtual office hours daily so that scholars and parents may communicate with them when tutoring is needed.</p>



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

PREK - 5TH GRADE Flex Learning (Sample Content)

PK - 2 MINUTES	3 - 5 MINUTES	CONTENT
30	30	Breakfast at home
5	10	Morning Message (SEL Activity)
20	20	ELAR Time
20	20	ELAR Independent Assigned Activities
10	10	Stretch, move, and take a brain break
20	35	ELAR
20	25	Engage in PE, Art, Music (assigned by your teacher)
30	30	Eat lunch / free time / recess at home
25	40	Math
20	20	Math Independent Assigned Activities
20	-	Science or Social Studies
20	20	Science or Social Studies Independent Assigned Activities
-	40	Social Studies
10	10	Stretch, move, and take a brain break
-	40	Science
	20	Science or Social Studies Independent Assigned Activities
10	25	IXL or Achieve 3000 - Intervention
10	10	ELAR Writing
Enrichment or Extended Lessons		

CHART KEY - Maximum Daily Screen Time and Non-Screen Time Minutes for Flex Learning

PK - 2nd (2.0/1.1)	SCREEN Time 120 Min	NON-SCREEN Time 70 min	BREAK time 80 Min
3rd - 5th (3.5/1.5)	SCREEN Time 210 Min	NON-SCREEN Time 90 min	BREAK Time 80 Min



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

6TH - 12TH GRADE Flex Learning (Sample Content)

6 - 12 MINUTES	CONTENT
30	Breakfast
15	Daily message
20	Complete and submit Bell Ringer
35	ELAR
10	Stretch, move, and take a brain break
20	ELAR
20	ELAR Independent Assigned Activities
30	Eat lunch / free time / movement at home
35	Math
20	Math Independent Assigned Activities
35	Science
20	Science Independent Assigned Activities
10	Stretch, move, and take a brain break
20	Achieve 3000 or IXL - Intervention
35	Social Studies
20	Social Studies Independent Assigned Activities
20	ELAR Writing
30	Electives - Engage in PE, Art, Music, Band, Spanish, ROTC etc.
15	Electives
	Enrichment or Extended Lessons

CHART KEY- Maximum Daily Screen Time and Non-Screen Time Minutes for Flex Learning

(3.75/2.25) | **SCREEN Time 225 Minutes** | **NON-SCREEN Time 135 Minutes** | **Breaktime 80 Minutes**

How will you ensure all scholar groups and grade levels will have the opportunity to engage in approx. a full day of academic content every day?

Scholars will complete asynchronous activities assigned each day by:

- Participation in daily virtual instruction and satisfactorily completing assignments to demonstrate evidence of scholar learning, e.g., video, picture or activities submitted as lessons and/or completing assignments.
 - Daily Screen time (video mini lessons, submitting assignments, etc.) PK-2 (2.0hrs), 3-5 (3.0hrs), 6-12 (3.5hrs)
 - Daily Non-Screen time (independent work) PK-2 (1.0hr), 3-5 (1.5hrs), 6-12 (2.0hrs)
 - Total Academic Screen + Non-Screen time per day PK-2 (3.0hrs), 3-5(4.5hrs), 6-12(5.5hrs)
 - Work must be completed/submitted by 11:59 p.m. each day.
- Flex Learning Design for Grades 6-12



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan

The Blueprint for Re-Opening

	<p>Classes within this environment will follow the schedule of classes at the scholar's home campus. Cedar Hill ISD will structure the scholar's learning schedule to participate in asynchronous learning. Teachers will structure the instructional day to follow their campus bell schedule reducing at home screen time. Within each course/subject, teachers will plan for scholars to participate in asynchronous learning.</p> <ul style="list-style-type: none">• All courses will be offered in both settings, including advanced level courses such as Honors, AP.• Some elective courses for scholars who select CHISD Flex Learning may require the scholar to perform, or complete assignments/projects at the campus if the course requires assignments that cannot be reasonably completed remotely, e.g., Career and Technical Education classes, Fine Arts classes, and/or athletic classes. <p>Scholars in grades 6-12 choosing CHISD Flex Learning may be able to participate in on-campus classes for extra-curricular activities (in accordance with UIL requirements).</p>
<p>What are the expectations for teacher/scholar interactions?</p>	<p>Instructional Support is a designated time that will provide scholars with academic support by the classroom teacher. This time will be scheduled by the campus and communicated to the scholars' parents by the classroom teacher. Any content teacher assigned to your scholar will provide scholars and parents a Google Meet link to join in on the virtual instructional support. A minimum of 50 minutes per day is the recommended time of daily instructional support.</p> <p>Instructional support includes activities such as:</p> <ul style="list-style-type: none">○ Modeling○ Direct Teach○ Demonstration○ Activating background knowledge○ Review prior lesson○ Making connections
<p>How will teacher/scholar interactions be differentiated for scholars with additional learning needs?</p>	<p style="text-align: center;">Special Education - Exceptional Scholars</p> <p>Special Education Support Cedar Hill ISD will ensure that scholars with disabilities have access to a Free and Appropriate Public Education (FAPE). We will ensure that, to the greatest extent possible, each scholar with a disability can be provided the special education and related services identified in their Individualized Education Program (IEP). All scholars who participate in FLEX Learning will have a Contingency Plan developed within the first three weeks of instruction.</p> <p>PROVISION FOR SELF-CONTAINED, RESOURCE, AND INCLUSION SERVICES</p> <ul style="list-style-type: none">• Special education teachers will follow the general education guidance and complete lesson plans for each resource class whether virtual or face-to-face.• Special and general education teachers will collaborate to ensure lessons are designed to meet the needs of all scholars.• Special education teachers are required to complete differentiated lesson plans to meet the needs of the IEP-entitled scholars they support, whether instruction is virtual or face-to-face.• For scholars who choose Flex Learning, general education teacher in collaboration with the special education teacher will:<ul style="list-style-type: none">○ Develop individualized lessons.○ Provide direct instruction through scheduled synchronous sessions based on scholars IEP. <p>If a scholar is unable to participate during synchronous time and unable to access the lessons, the scholar's case manager will review the Contingency Plan that was developed for Flex</p>



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

	<p>Learning.</p> <ul style="list-style-type: none"> ○ Provide links to virtual platforms for lesson participation. ○ Upload weekly lesson materials to the district-designated virtual platforms. ○ Document scholar participation and attendance on the scholar's log. ○ Collect data and monitor progress. ○ Request an ARD/IEP committee meeting to address any concerns with progress on IEP goals/objectives or in the general education curriculum. <p style="text-align: center;">Dyslexia</p> <p>All scholars will receive all accommodations and support as outlined in the Individual Accommodation Plan (IAP) under Section 504 or through the Individualized Education Plan (IEP) under Special Education. Scholars receiving Dyslexia Instruction will receive services as indicated in their IEP or IAP. Dyslexia programming will follow guidelines as stated in the Texas Dyslexia Handbook, 2018.</p> <p style="text-align: center;">Bilingual/ English as a Second Language</p> <p>All scholars identified as English Learners (Bilingual, ESL, or Parent Denial) shall be provided a full opportunity to participate in their respective program. The district will ensure that appropriately certified staff are assigned to scholars identified as English Learners.</p> <p style="text-align: center;">Bilingual (Dual language)</p> <p>Virtual content and interactions will be done in the language of instruction (English/Spanish) following a program schedule. Scholars will have access to state adopted curriculum resources as well as supplemental resources where scholars may practice their listening, speaking, reading, and writing skills. During instruction teachers will bridge the two languages together, guiding scholars to engage and transfer the academic content they have learned from one language to the other.</p> <p style="text-align: center;">ESL (Content Based/ Pull Out)</p> <p>Virtual content and interactions will be presented in English. Teachers will provide instructional best practices support virtually by: providing visuals, sentence stems, pre teaching vocabulary, adapted texts etc. Scholars will be taught how to use their technology to find images, cognates, and translations of the content presented to them. Scholars will be provided with supplemental resources to practice their listening, speaking, reading, and writing skills in English.</p> <p style="text-align: center;">GT (Gifted & Talented)</p> <p>All scholars identified as Gifted and Talented will receive their services through the full-inclusion model from TEA and will be offered weekly enrichment through their classroom instruction. The district will ensure that appropriately certified staff are assigned to scholars identified as Gifted & Talented. Scholars will receive services including engagement with Type III Schoolwide Enrichment Model Projects and various Social Emotional Learning Lessons specific to gifted & talented learners.</p>
<p>Expectations and pre-planned times for teacher/ scholar interactions are clear in instructional schedule</p>	<p>Campus principals will develop a daily schedule for instructional support during the asynchronous environment. The schedules will be shared with the parents and scholars.</p>
<p>Expectations and pre-planned times for teacher/ scholar interactions are adequate for all scholars</p>	<p>Campus principals will develop a schedule for instructional support during the asynchronous environment. The schedules will be shared with the parents and scholars. All scholars will have access to daily instructional support.</p>
<p>Expectations and pre-planned</p>	<p>The campus principals will develop a schedule conducive to differentiated instruction. See</p>



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

times for teacher/ scholar interactions are differentiated for scholars with additional learning	above for special populations.
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Material Design: Describe (or attach a description of) how your instructional materials support your asynchronous environment, including how all scholars can access instructional materials

Subject Course	Grade Level	Research / Evidence-based Instructional Materials	Progress Monitoring and Assessment	Is it TEK aligned or Adapted	What resources are included to support scholars with disabilities?	What resources are included to support ELs?
Math	PK - 5th	enVision; TEKS Resource System; PreK-Frog Street; Renzulli Learning Platform	Curriculum Based Assessments, NWEA, IXL, Circle Progress Monitoring (PreK) TX KEA (Kindergarten)	Yes	Hand2Mind manipulatives; Click on TEKS IXL Math Support Differentiated Math Center Kit	ELPS integrated in curriculum; Differentiated Math Center Kits; Audio recording in Schoology
ELAR	PK - 5th	Into Reading by Houghton Mifflin Harcourt (Grades K-5), Targeted Phonics by Teacher Created Materials (Grades 1-2) PreK-Frog Street; Renzulli Learning Platform	Curriculum Based Assessments; NWEA Reading, Circle Progress Monitoring (PreK) TX KEA (Kindergarten)	Yes	Into Reading by Houghton Mifflin Harcourt (K-5) with teacher made accommodations that are aligned to scholar's IEPs Achieve 3000 Smarty Ants	Into Reading by Houghton Mifflin Harcourt (Grades K-5), Targeted Phonics by Teacher Created Materials (Grades 1-2) ELPS embedded within the curriculum.
SLA	PK - 5th	Ariba La Lectura by Houghton Mifflin Harcourt (Grades K-5); Renzulli Learning Platform	Curriculum Based Assessments	Yes	Ariba La Lectura by Houghton Mifflin Harcourt (Grades K-5),	Ariba La Lectura by Houghton Mifflin Harcourt (Grades K-5)
Science	PK - 5th	STEMscopes TEKS Resource System Pearson Textbook PK-Frog Street;	Curriculum Based Assessments; NWEA Science	Yes	STEMscopes TEKS Resource Teacher made manipulatives and	TEKS Resource System Pearson Textbook STEMscopes



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

		Renzulli Learning Platform			accommodations aligned to scholar's IEPs. Achieve 3000	
Social Studies	PK - 5th	TEKS Resource System: Social Studies Weekly (Texas Edition); United States History: 1565 to Modern Times - Grade 5, Texas PK-Frog Street; Renzulli Learning Platform	Curriculum Based Assessments	Yes	Teacher made manipulatives and accommodations aligned to scholar's IEPs Achieve 3000	TEKS Resource System: United States History: 1565 to Modern Times - Grade 5, Texas
Math	6th - 8th	TEKS Resource System; HMH Go Math! 6-8 Texas Edition; TPSP Platform	Curriculum Based Assessments NWEA Math IXL	Yes	TX Go Math 6-8 Illustrated Math Schoolology test, quiz, and assessment tools	Spanish resources available resources in print and digital. Translate options using online textbook resources.
ELAR	6th - 8th	TEKS Resource System; HMH Into Literature; TPSP Platform	Curriculum Based Assessments NWEA Reading	Yes	HMH Into Literature Intervention and Review Resources; Achieve 3000; Teacher-made manipulatives and accommodations aligned to the scholars' IEPs.	Spanish resources available resources in print and digital. Translate options using online textbook resources. ELPS embedded within the curriculum.
Science	6th - 8th	STEMscopes TEKS Resource System HMH Textbook; TPSP Platform	Curriculum Based Assessments: NWEA Science	Yes	STEMscopes TEKS Resource System Teacher made manipulatives and accommodations aligned to scholar's IEPs. Achieve 3000	STEMscopes Spanish resources available resources in print and digital. Translate options using online textbook resources
Social Studies	6th - 8th	TEKS Resource System; McGraw Hill Texas Edition	Curriculum Based Assessments	Yes		TEKS Resource System; McGraw Hill Texas Edition



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

		Textbooks; TPSP Platform				Textbooks
Math	9th-12th	TEKS Resource System; McGraw Hill Algebra 1,2 Geometry, Precalculus Texas Edition Textbooks, Cengage AP ,Calculus textbook, OpenStax; AP Classroom/College Board TPSP Platform	Curriculum Based Assessments NWEA Math IXL TSI2 Math	Yes	McGraw Hill OpenStax Cengage Illustrated Math Schoology test, quiz, and assessment tools	Spanish digital resources available.. Translate options using online textbook resources.
ELAR	9th-12th	TEKS Resource System; HMH Into Literature; SpringBoard (9th-10th Pre-AP); AP Classroom/College Board TPSP Platform	Curriculum Based Assessments NWEA Reading TSIA Reading/Writing	Yes	HMH Into Literature Intervention and Review Resources; Achieve 3000; Teacher-made manipulatives and accommodations aligned to the scholars' IEPs.	HMH Into Literature program - Translate options using online textbook resources. ESL Scaffolding supports embedding within the Curriculum.
Science	9th-12th	STEMscopes TEKS Resource System Biology, Physics and Environmental Science Pearson Textbook Chemistry McGraw Hill Textbook; AP Classroom/College Board TPSP Platform	Curriculum Based Assessments	Yes	STEMscopes TEKS Resource System Teacher made manipulatives and accommodations aligned to scholar's IEPs.	STEMscopes TEKS Resource
Social Studies	9th-12th	TEKS Resource System; McGraw Hill Texas Edition Textbooks; AP Classroom/College Board TPSP Platform	Curriculum Based Assessments	Yes	Teacher made manipulatives and accommodations aligned to scholar's IEPs.	TEKS Resource System; McGraw Hill Texas Edition Textbooks



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan

The Blueprint for Re-Opening

scholar Progress: Describe (or attach a description of) how you're tracking scholar engagement and progress in your asynchronous environment.

Component	Explanation
<p>What is the expectation for daily scholar engagement?</p>	<p>Scholars are required to be engaged daily with work. Evidence of the scholar engagement must be verifiable with a time stamp in the districts Learning Management System (LMS).</p> <p>Daily scholar engagement expectations and progress are clearly defined, measurable, and published online for parents and scholars.</p> <p>Engagement expectations are defined by grade level and/or subjects/courses.</p> <p>scholars participate daily by completing instructional tasks, answering questions, submitting assignments, completing projects, or submitting pictures of assignments and tasks.</p> <p>scholars will experience both on screen and off screen academic expectations.</p> <p>scholars are also encouraged to actively participate in instructional support time for any additional support and answers to questions they may have.</p>
<p>What is the system for tracking daily scholar engagement?</p>	<p>Tracking engagement will, at a minimum, follow guidance from TEA ADA funding method</p> <p>3 possible attendance markers:</p> <ol style="list-style-type: none"> 1. Daily Progress in the Learning Management System Schoology- Scholar Analytics will be tracked. 2. Daily Progress via scholar-teacher interaction 3. Completion / Submission of assignments Grades PK-12: <ul style="list-style-type: none"> - By default, scholars are marked "Present-Remote Asynchronous." - Daily attendance is taken at a predetermined time (3:00 pm). - Teachers monitor and check for scholar "engagement" each day. - scholars that are not actively "engaged" and do not have documentation of completing the minimum targeted activities will be marked absent. - Additionally, scholars have a late night engagement option for Flex Learning, where scholars will have until 11:59pm of each day to be considered "engaged"; if a scholar was reported engaged in Schoology from 3:00pm to 11:59pm and had been marked absent by the teacher on the previous day, the teacher will submit an attendance change to present. <p>However, CHISD intends to set a high bar for our scholars as it relates to daily engagement; we believe that scholars should demonstrate more than basic progress daily.</p> <p>While we recognize that the 20-21 school year will represent a significant departure from "normal" for our scholars and families, we cannot afford to miss a single opportunity for our scholars to learn and grow.</p>
<p>How are the expectations for daily scholar engagement consistent with progress that would occur in an on-campus environment?</p>	<p>Scholar engagement will be taken daily using the district's LMS, Schoology, using the same process and protocol as is used during on-campus instruction.</p> <p>Scholars who fall below a 90% attendance for the time that the course is offered will not</p>



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan

The Blueprint for Re-Opening

	<p>receive credit for the course, regardless of level of “engagement”, consistent with on-campus expectations. In addition, any scholar who falls below the 90% daily attendance will be given credit if the scholar completes the principal's plan.. These methods require engagement that is consistent within the Flex Learning environment because they mimic the ways in which scholars would interact with their teachers and classmates on-campus though duration, learning objectives achieved, activities completed, and courses.</p> <p>Instructional Support is a designated time that will provide scholars with academic support by the classroom teacher. This time will be scheduled by the campus and communicated to the scholars' parents by the classroom teacher. Any content teacher assigned to your scholar will provide scholars and parents a Google Meet link to join in on the virtual instructional support. A minimum of 50 minutes per day is the recommended time of daily instructional support.</p> <p>Instructional support includes activities such as:</p> <ul style="list-style-type: none">○ Modeling○ Direct Teach○ Demonstration○ Activating background knowledge○ Review prior lesson○ Making connections
<p>What is the system for tracking scholar academic progress?</p>	<p>Scholar progress will be tracked daily in the LMS Schoology through daily assignments, activities, interaction with a teacher and other markers.</p> <p>Parents have full access to scholar work, interactions with teachers, assignment submissions and feedback through the parent portal of LMS. Parents can designate either weekly or daily progress reports.</p> <p>Currently, the district is planning for a 1:1 device roll-out. In the meantime, the district is developing a plan to address the needs of scholars who may still face device and access gaps.</p> <p>The district will follow the board approved grading guidelines to measure academic progress..</p> <p>Emails and phone check-ins to inform parents and scholars.</p>
<p>What is the system for providing regular (at least weekly) feedback to all scholars on progress?</p>	<p>Teachers are expected to provide regular feedback in at least one capacity within Schoology. Specific feedback from teachers to scholars is conducted through a variety of methods, via Schoology lessons, activities, or small group instruction and teacher instructional support time. The regular feedback mechanism allows scholars to have a clear understanding of their academic progress on a consistent and frequent basis. In addition, scholars will complete a daily bell ringer.</p> <p>All classroom teachers are expected to host 50 minutes of instructional support. Teachers will review each individual scholar’s progress and conduct outreach for small group sessions where and when appropriate.</p> <p>It is important to emphasize to teachers that feedback engagement is not limited to synchronous F2F; it can be done through discussion forums, chat features, email correspondence and other channels in accordance with what their scholars may prefer or find most effective.</p>



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

	The district will also conduct entry diagnostic assessments of math and reading at the beginning of the year and will continue (at the district level) the cadence of district common assessments.
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Implementation: Describe (or attach a description of) specific supports for educators and families to implement effective remote asynchronous instruction.

I. Provide a sample of Professional learning Calendar (may vary by campus, grade level, content area, and teacher).

Dates	Key Topics	Key Staff	Follow up Support
May 2020	Collins Writing	Content Coordinator Instructional Facilitators Academic Interventionist	Beat the Heat PD
June 22, 2020	Schoology	Content Coordinators	Jumpstart Your Year
June 23, 24, 25 BEAT the HEAT	IXL Achieve 3000 Collins Writing NWEA	Principals Assistant Principals District Administrators Teachers	Jumpstart Your Year Brick or Click: Preparing for Our Scholars
Jumpstart Your Year July 6 - July 31, 2020	<p>Schoology - learn the basics of navigating our new Learning Manage System. Upon completing this course, you will earn a certificate and badge from EdPuzzle. Takes approximately 1 hour.</p> <p>TEKS Resource System - This course is recommended for all core-content teachers. Whether you're new to TRS or just need a refresher, complete this Nearpod course presented by Region 10 and earn 2 hours of PD credit.</p> <p>IXL - A new math diagnostic program. Get a quick overview of this new program. Course will take about 30 minutes.</p>	Principals Assistant Principals District Administrators Teachers	Brick or Click: Preparing for our Scholars August 3, 4, 5, 2020
New Teacher Orientation July 27, 28, 29, 2020	<p>Schoology Platform- Overview of Schoology LMS - Introduction to Schoology Groups for course structures</p> <p>Educators will be provided with an overview and training on the tools needed to help deliver online course material and to facilitate</p>	New Teachers	Brick or Click: Preparing for our Scholars August 3, 4, 5, 2020



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

	interactions with scholars. This orientation will be hosted through a Schoology course and focus on Schoology, Google Applications, and available district resources and programs.		
Brick or Click: Preparing for our Scholars August 3, 4, 5, 2020	Content Elementary and Secondary Sessions Collins, IXL, Achieve 3000	Principals Assistant Principals District Administrators Teachers	Week of August 10, 2020 Week of August 17, 2020
Week of August 10, 2020	Content Elementary and Secondary ELAR, Social Studies, Science, Math Collins Writing, IXL, Achieve 3000 District Expectations Virtual Learning Supports Teaching Virtual Phonics Embedding Tools and content into Schoology Schoology Q&A	Principals Assistant Principals District Administrators Teachers	August 24, 25, 26, 27, Brick or Click: The Learning Continues professional development August 31, Sept. 1, 2, 3 Brick or Click: The Learning Continues professional development
Week of August 17, 2020	Content Elementary and Secondary ELAR, Social Studies, Science, Math Collins Writing, IXL, Achieve 3000 District Expectations Virtual Learning Supports Teaching Virtual Phonics Embedding Tools and content into Schoology Schoology Q&A	Principals Assistant Principals District Administrators Teachers	August 24, 25, 26, 27, Brick or Click: The Learning Continues professional development August 31, Sept. 1, 2, 3 Brick or Click: The Learning Continues professional development
August 24, 25, 26, 27, Brick or Click: The Learning Continues professional development	Academic Content Focused Professional Development - Bringing it all together	Principals Assistant Principals District Administrators Teachers	Support Plan Flex Learning - Instructional Facilitators and Academic Interventionist
August 31, Sept. 1, 2, 3 Brick or Click: The Learning Continues professional development	Academic Content District Assessments Norms for Virtual Assessments NWEA- MAP Growth and MAP Fluency	Principals Assistant Principals District Administrators Teachers	Support Plan Flex Learning - Instructional Facilitators and Academic Interventionist Coordinator Virtual Support

II. Describe your professional development for educators to support asynchronous instruction:	
Content	Explanation
How will both initial and ongoing,	The PD calendar above outlines the primary methods of delivery for initial and ongoing



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan

The Blueprint for Re-Opening

<p>job-embedded educator development opportunities occur?</p>	<p>professional development along with the skills and tools professionals are expected to become proficient in:</p> <ul style="list-style-type: none"> ● Schoology: Continuing educators will have most of their digital onboarding hosted through a Schoology course ● Google sites: Educators new to CHISD will initially have their training hosted through an accessible Google site and eventually transition to Schoology ● Nearpod: A scholar engagement platform educators can leverage to create interactive lessons ● Trainer the trainer model: Educators proficient in the relevant asynchronous course delivery platforms can help train educators who need help with learning about the technology. Timeline for other ongoing training and support (leadership teams will attend these meetings and are responsible for replicating this virtual training with their respective campuses during District Staff Development days) is found on the table above. <p>Instructional Facilitators and Academic Interventionist are assigned to every campus to provide the following ongoing educator development and support:</p> <ul style="list-style-type: none"> ● Provide on-going personalized professional development and instructional coaching through real-time feedback ● Model core content lessons with guidance on content specific instructional strategies and resources ● Develop content knowledge through the facilitation of collaborative planning and monitoring the alignment of instruction, assessment, and scholar outcomes to district and state requirements ● Assist teachers in disaggregating, analyzing, and disseminating progress monitoring data to drive decisions on instructional placement and responsive action to address scholars' academic needs ● Assist teachers in developing on-time responsive interventions for scholars with academic needs ● Guide teachers in the implementation of the district's adopted language arts curriculum and literacy framework ● Model high-quality literacy lessons aligned to the district instructional expectations and curriculum ● Implement the district coaching cycle by observing teachers and providing real-time feedback ● Provide targeted professional development to teachers. <p>Campus administrators will continue to coach educators throughout the school year and provide feedback on practices and on the job training, with consistent and frequent real-time feedback.</p>
<p>How will professional development experiences develop educator content knowledge to support internalizing the asynchronous curriculum and analyzing and responding to data?</p>	<p>Through the initial digital onboarding process and ongoing topical discussions throughout the fall semester on how to effectively leverage Schoology, educators will learn how to deliver course content and respond to the data provided by the LMS feedback system.</p> <p>Principals will use LMS progress markers and reports to understand scholar engagement with their course offerings and how to adapt materials, activities and pacing to the needs of the individual scholars with whom they work. The opportunity to replicate the virtual training modules outlined above with their respective campuses during District Staff Development will also help to instill best practices for asynchronous course delivery.</p>

I. Describe your communication and support plan for families engaging with asynchronous learning: Cedar Hill ISD has a plan for explicit communication and support of families to support asynchronous work at home.



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan

The Blueprint for Re-Opening

Component	Explanation
<p>How will you communicate the expectations for asynchronous instruction to families?</p>	<p>Communication with parents will be facilitated through platforms such as the CHISD website, social media, Blackboard, "Let's Talk!", and Schoology parent portal as outlined below:</p> <ul style="list-style-type: none"> • Website and social media: CHISD will be using these platforms to provide quick and easily accessible announcements pertaining to all scholars in the CHISD. • Blackboard: CHISD will use this platform to post announcements for scholars' families • Virtual Staff Meetings: Platform to monitor and respond to parent questions in a timely manner. • Podcast • Parent University • Schoology parent portal: Parents/guardians/custodians will have access to a parent portal through Schoology, which will enable them to oversee their own scholar's progress on academic assignments, engagement with lessons, and their interactions with teachers. This portal also serves as a two-way communication channel between parents and teachers.
<p>What are the expectations for family engagement/support of scholars?</p>	<p>Timeline for parent/guardian/custodian engagement this summer: - 7/13/2020 through 7/19/2020</p> <ul style="list-style-type: none"> o Parents responsible for completing the re-entry selection process on July 13 by completing a scholar Commitment Form (posted on district and campus websites) for each child o Commitment Form will outline the commitments, expectations, and requirements for parents supporting their scholar's remote asynchronous learning o Parents will continue to receive additional reminders via Blackboard (text, call, and email) - 7/20/2020 through 7/22/2020 o Campus teams contact parents who have not completed commitment form and assist parents with completion if needed - 7/23/2020 through 8/14/2020 o Student Services team will work with campus teams to ensure scholars are scheduled in the appropriate setting, "Learning on Campus" or "Learning at Home" - 8/15/2020 o Parent digital onboarding will be launched initially on a Google site and transition to being hosted through Schoology o Parents will be introduced to the Schoology platform and specifically the tools available to them as a parent such as the parent portal o Parents will also be taught how to leverage several available CHISD devices and tools <p>Parents/guardians/families will be provided the following resources to support their scholars pursuing the "Learning at Home" track:</p> <ul style="list-style-type: none"> - Parent on-boarding such as instructional videos and support through platforms outlined above - Schoology's parent portal and other tools to monitor scholar progress: <ul style="list-style-type: none"> o Signing up through Schoology's parent portal to receive weekly or daily progress reports on scholar's engagement with learning materials and face-to-face interactions with teachers - Parent learning website that has easy access to support systems
<p>What additional supports, training, and/or resources will be provided for families who may need additional support?</p>	<p>As outlined above, district staff will continuously monitor "Virtual Staff Meeting" to respond to parent questions in a timely manner. Announcements and resources for parents will be posted on Blackboard and relevant district-wide progress and news will be released through social media and the CHISD website.</p> <p>The CHISD Family and Community Engagement Department will partner with campus leaders to provide the following support and resources to our families:</p> <ul style="list-style-type: none"> • Distributing additional resources and support to each campus i.e., school supplies for scholars



Cedar Hill Independent School District

Attestation Waiver 2020-2021

Asynchronous Plan
The Blueprint for Re-Opening

	<ul style="list-style-type: none">• Identifying health and human services support for families in need• Increasing school staff capacity to effectively connect, engage, and partner with families• Creating opportunities for parent leaders to engage directly with the Superintendent to inform and validate district strategies• Developing more systems and opportunities for parents to be active partners at the campus level Parent Engagement Nights will be provided at each campus for ongoing support and training. Additionally, there will be dedicated time within teacher's daily office hours to support the needs of individual parents
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CHISD
Asynchronous
Plan
Application
2020-2021



- Instructional Schedule
- Material Design
- Scholar Progress
- Implementation Plan



4 Components

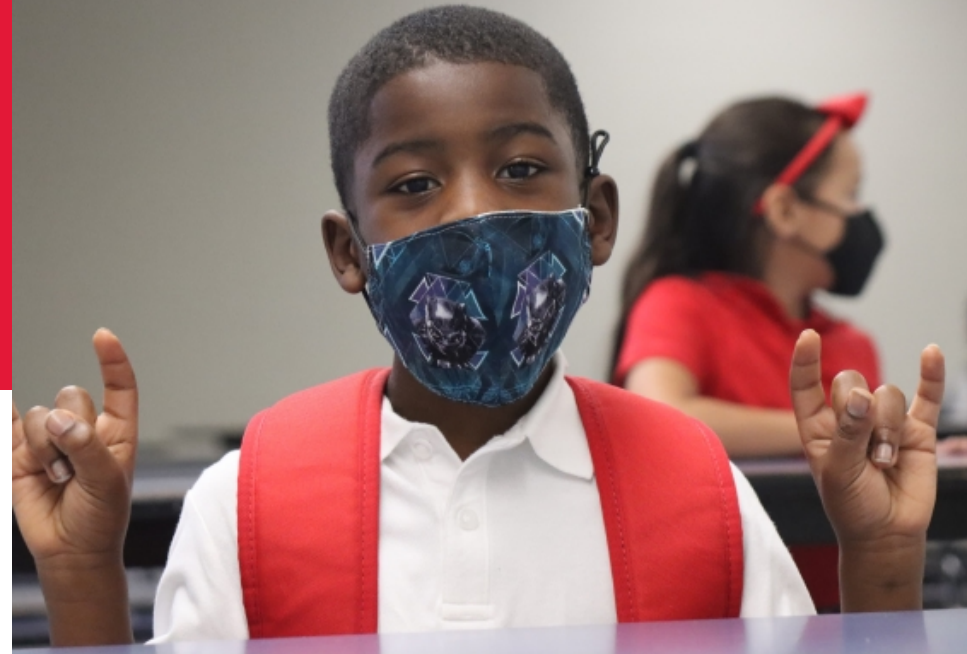
- Asynchronous with Synchronous Support
 - Flex Learning
 - PK-2
 - 3-5
 - 6-12
 - Instructional Support Times
 - Elementary
 - Secondary



Instructional Schedule

Instructional Support

- academic support by the classroom teacher
- ask clarifying questions regarding the assigned daily lessons
- scheduled by the campus and communicated to the scholars' parents by the classroom teacher
- Google Meet
- minimum of 45 minutes per day
 - No less than 30 min increments



Instructional Schedule

Special Populations

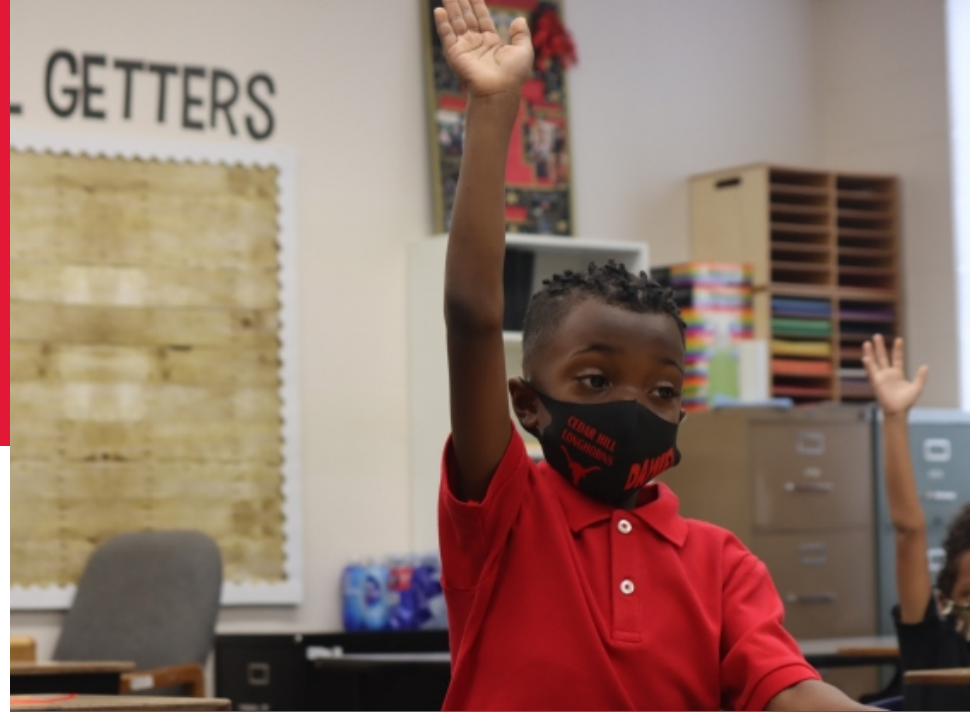
- SPED - Exceptional Scholars
- Dyslexia/504
- Bilingual/ ESL (English as a Second Language)
- Gifted and Talented



Instructional Schedule

Exceptional Scholars

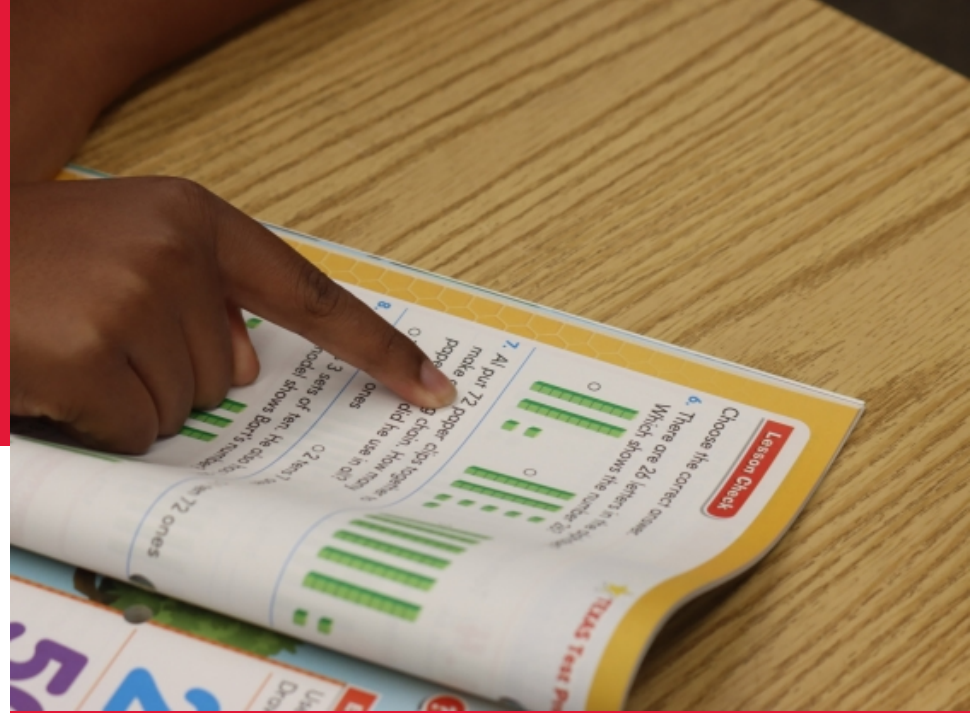
- Free and Appropriate Public Education (FAPE)
- Collaboration between SPED and Academics
- Resource teachers will follow the TEKS/SEs
 - Differentiated instruction based on IEP (Individualized Education Program)
 - For flex learning - synchronous supports based on IEP



Instructional Schedule

504/Dyslexia

- IAP (Individualized Accommodation Plan) or IEP will be followed.
- Texas Dyslexia Handbook 2018



Instructional Schedule

Bilingual/English as a Second Language

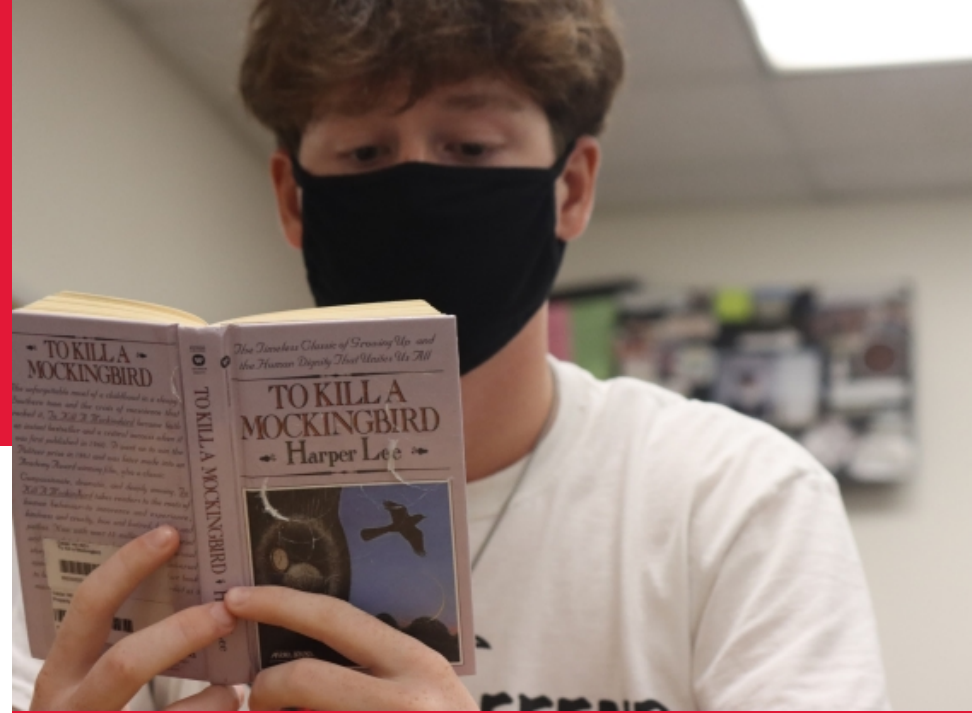
- Dual Language: Virtual content will be conducted in language of instruction (Spanish/ English)
- English Language Learners:
 - Virtual Content is delivered in English
 - Scholars will receive supplemental resources to practice listening, speaking, reading and writing.



Instructional Schedule

Gifted and Talented

- Enrichment support provided weekly by the classroom teacher
- Virtual pull-out/push-in (Campus-based decision)
 - Google Meet
 - 30-45 minutes per week



Instructional Schedule

Materials are all accessible via the districts SIS platform for all scholars.

Campuses held material distribution days

District Curriculum - Schoology



Materials Design

- Daily progress must be clearly measured
- Highly encouraged to participate in the daily instructional support sessions
- Track Scholar Engagement different ways:
 - Progress in Schoology
 - Daily Bell Ringer
 - Submit an assignment
 - Student - Teacher interaction
 - Email
 - Phone
 - Interaction with counselor or campus administration



Scholar Progress

Beat the Heat - June 23-25, 2020

Jumpstart Your Year- July 6-31, 2020

New Teacher Orientation- July 27-29, 2020

Brick or Click: Preparing for our Scholars August 3-5, 2020

Brick or Click: The Learning Continues August 10-21, 2020

Back to School PD - Virtual: The Learning Continues August 24 - September 4, 2020 District Professional Development

Campus Support September 8, 2020



**Implementation/
Professional Learning**

Over the course of SY 20-21, CHISD will receive:

1. Ongoing, customized technical assistance partner/ coaching and professional development
2. Remote learning resources and best practices
 - a. Evaluate the effectiveness of our Flex Learning
 - b. Support the implementation of co-developed improvements
 - c. Support in crafting improvements to the Flex Learning
3. RSSP cohort learning opportunities across the network
4. Direct line to TEA support and consultation
5. Only 40 districts were selected to participate in RSSP



Resilient Schools Support Plan

Support / Event	Duration	Frequency
RSSP Launch Webinar	90 min	Once (start of program)
TA partner collaboration	60 min (minimum)	Weekly
LEA RSSP Team collaboration	60 min (minimum)	Biweekly
Improvement Review	90 min	Four times, quarterly
TEA progress check-in	30 min	Every ~3 weeks

RSSP Team Role	Guidance
Senior Project Sponsor <i>*Superintendent or Chief Academic Officer recommended</i>	Required
RSSP Lead / Primary Contact	Required
Curriculum & Instruction Lead	Required
Technology Lead	Recommended
Data Lead	Recommended
Diverse Learner Lead <i>*Special education or multi-tiered system of supports lead recommended</i>	Recommended
Focal School Leader(s) <i>*Recommend including at least 2-3 school leaders who will be highly involved</i>	Required
Teacher Advisory Group <i>*Recommend including at least 2-3 teachers</i>	Recommended



Resilient Schools Support Plan

Questions



Waiver Submission Due
October 1, 2020

V.G. Employee Handbook

**Cedar Hill Independent School District
BOARD OF TRUSTEES**

Meeting Date: September 14, 2020
Presented by: Dr. Gerald Hudson, Superintendent
Subject: Employee Handbook

Information Item

BOARD GOAL:

Recruit, develop and retain highly qualified employees in an environment that embraces diversity.

BACKGROUND INFORMATION:

Yearly TASB provided updates to the Employee Handbook based on recent legal updates. The attached document outlines the substantive changes.

RECOMMENDATION:

None – Information Item Only

BOARD ACTION REQUIRED:

None

POLICY AUTHORIZATION:

N/A

CONTACT PERSON:

Dr. Violet Dean, Assistant Superintendent of Human Resources

ENCLOSURES:

Under separate covers

V.H. Student Code of Conduct

**Cedar Hill Independent School District
BOARD OF TRUSTEES**

Meeting Date: September 14, 2020

Presented by: Dr. Gerald Hudson, Superintendent of Schools

Subject: Student Code of Conduct

Consent Item

BOARD GOAL:

Provide a safe, efficient, healthy, and orderly learning environment

BACKGROUND INFORMATION:

The Board of Trustees is required to approve a Student Code of Conduct each year. As a rule, substantive changes occur in odd numbered years following adjournment of the Texas Legislature. In 2020 no changes were added. The Code is permanently available on line at www.chisd.net.

RECOMMENDATION:

Staff recommends review of any legislative changes to the Code of Conduct as presented herewith followed by approval of the 2020-2021 Student Code of Conduct wherein those changes are appropriately incorporated. Board approval also covers the Spanish version, which will be simultaneously updated at the CHISD website.

BOARD ACTION REQUIRED:

Motion to approve 2020-2021 Student Code of Conduct

POLICY AUTHORIZATION:

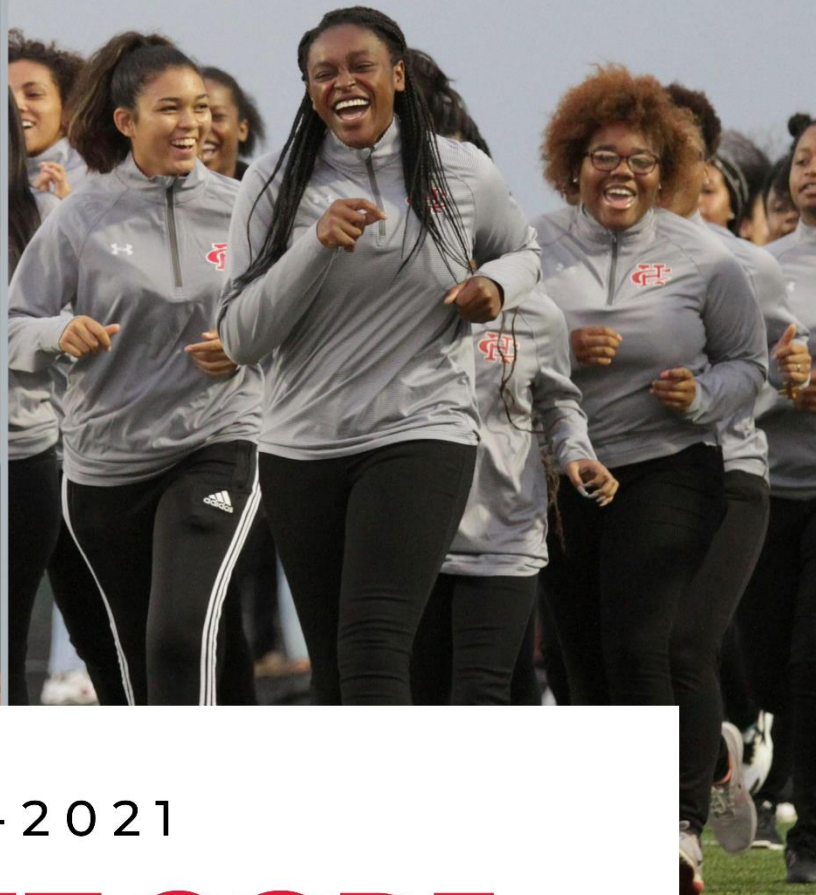
FO(Legal) – Student Discipline

CONTACT PERSON:

Mr. Tellauance L. Graham, Assistant Superintendent of Student Services

FUNDING SOURCE:

N/A



2020-2021

STUDENT CODE OF CONDUCT



CEDAR HILL INDEPENDENT SCHOOL DISTRICT

ACKNOWLEDGMENT

Student Code of Conduct

Dear Student and Parent:

As required by state law, the Board of Trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or appropriate campus administrator.

Thank you,

Mr. Tellauance L. Graham
Assistant Superintendent of Administration/Student Services

Table of Contents

ACKNOWLEDGMENT	2
STUDENT CODE OF CONDUCT	6
ACCESSIBILITY	6
PURPOSE	6
SCHOOL DISTRICT AUTHORITY AND JURISDICTION	7
CAMPUS BEHAVIOR COORDINATOR	7
THREAT ASSESSMENT AND SAFE AND SUPPORTIVE SCHOOL TEAM	8
SEARCHES	8
REPORTING CRIMES	8
SECURITY PERSONNEL	8
HOW CHISD POLICE DEPARTMENT SERVES YOU:	9
“PARENT” DEFINED	9
PARTICIPATING IN GRADUATION ACTIVITIES.....	9
UNAUTHORIZED PERSONS	10
STANDARDS FOR STUDENT CONDUCT	10
GENERAL CONDUCT VIOLATIONS.....	10
DISREGARD FOR AUTHORITY	11
MISTREATMENT OF OTHERS	11
PROPERTY OFFENSES	12
POSSESSION OF PROHIBITED ITEMS	12
POSSESSION OF TELECOMMUNICATIONS OR OTHER ELECTRONIC DEVICES	13
ILLEGAL, PRESCRIPTION, AND OVER-THE-COUNTER DRUGS	13
MISUSE OF TECHNOLOGY RESOURCES AND THE INTERNET	13
SAFETY TRANSGRESSIONS.....	14
MISCELLANEOUS OFFENSES.....	14
DISCIPLINE MANAGEMENT TECHNIQUES	15
STUDENTS WITH DISABILITIES.....	15
TECHNIQUES.....	15
PROHIBITED AVERSIVE TECHNIQUES.....	16
NOTIFICATION	17
APPEALS.....	18
REMOVAL FROM THE SCHOOL BUS.....	18
REMOVAL FROM THE REGULAR EDUCATIONAL SETTING.....	18
ROUTINE REFERRAL	18
FORMAL REMOVAL	19
RETURNING A STUDENT TO THE CLASSROOM	19
OUT-OF-SCHOOL SUSPENSION	20
MISCONDUCT	20
PROCESS.....	20
COURSEWORK DURING SUSPENSION	21
SUCCESS THROUGH RESPONSIBLE INDIVIDUALIZED VIRTUAL EDUCATION	

(STRIVE), FORMALLY (DAEP)..... 21

- DISCRETIONARY PLACEMENT: MISCONDUCT THAT MAY RESULT IN STRIVE PLACEMENT 22
- MISCONDUCT IDENTIFIED IN STATE LAW 22
- MANDATORY PLACEMENT: MISCONDUCT THAT REQUIRES STRIVE PLACEMENT 22
- SEXUAL ASSAULT AND CAMPUS ASSIGNMENTS 23
- PROCESS 24
 - Conference* 24
 - Consideration of Mitigating Factors* 24
 - Placement Order* 24
 - Coursework Notice* 25
- LENGTH OF PLACEMENT 25
 - Exceeds One Year* 25
 - Exceeds School Year* 25
 - Exceeds 60 Days* 26
- APPEALS 26
- RESTRICTIONS DURING PLACEMENT 26
- PLACEMENT REVIEW 27
- ADDITIONAL MISCONDUCT 27
- NOTICE OF CRIMINAL PROCEEDINGS 27
- WITHDRAWAL DURING PROCESS 28
- NEWLY ENROLLED STUDENTS 28
- EMERGENCY PLACEMENT PROCEDURE 28
- TRANSITION SERVICES 29

PLACEMENT AND/OR EXPULSION FOR CERTAIN OFFENSES..... 29

- REGISTERED SEX OFFENDERS 29
 - Review Committee* 29
 - Newly Enrolled Student* 29
 - Appeal* 30
- CERTAIN FELONIES 30
 - Hearing and Required Findings* 30
 - Length of Placement* 31
 - Placement Review* 31
 - Newly Enrolled Students* 31

EXPULSION 31

- DISCRETIONARY EXPULSION: MISCONDUCT THAT MAY RESULT IN EXPULSION 32
 - Any Location* 32
 - At School, Within 300 Feet, or at a School Event* 32
 - Within 300 Feet of School* 33
 - Property of Another District* 33
 - While in STRIVE* 33
- MANDATORY EXPULSION: MISCONDUCT THAT REQUIRES EXPULSION 34
 - Under Federal Law* 34
 - Under the Penal Code* 34
- UNDER AGE TEN 35
- PROCESS 35
 - Hearing* 36
 - Board Review of Expulsion* 36
 - Expulsion Order* 36
- LENGTH OF EXPULSION 37
- WITHDRAWAL DURING PROCESS 37

ADDITIONAL MISCONDUCT.....38
RESTRICTIONS DURING EXPULSION38
NEWLY ENROLLED STUDENTS.....38
EMERGENCY EXPULSION PROCEDURES.....38
STRIVE PLACEMENT OF EXPELLED STUDENTS.....39
TRANSITION SERVICES39
GLOSSARY 40

STUDENT CODE OF CONDUCT

ACCESSIBILITY

If you have difficulty accessing the information in this document because of disability, please contact Tellauance Graham, Assistant Superintendent of Administration/Student Services at tellauance.graham@chisd.net or 972-291-1581.

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 the Success Through Responsible Individualized Virtual Education program (STRIVE), placement in a Juvenile Justice Alternative Education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Cedar Hill Independent School District 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 STRIVE 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.

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

CAMPUS BEHAVIOR COORDINATOR

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

THREAT ASSESSMENT AND SAFE AND SUPPORTIVE SCHOOL TEAM

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code 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 campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

SECURITY PERSONNEL

To ensure sufficient security and protection of students, staff, and property, the board employs police officers, school resource officers (SROs), and/or security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL). The law enforcement duties of the District's Police Department and the Security Personnel are: www.chisd.net/page197.

HOW CHISD POLICE DEPARTMENT SERVES YOU:

- Assisting campus administrators in providing safe and secure campuses
- Enforcing all laws, including Board Rules & Regulations, municipal ordinances, county ordinances, and state laws within the territorial boundaries of the District, when it affects the safety and welfare of the students, employees and/or District property
- Maintain direction and control of the school crossing guard program
- Enforcing school zone traffic laws, when reduced school zone speed limits are in effect
- Cedar Hill ISD police officers have the primary responsibility for law enforcement on all property owned, leased, or rented by the District. When Cedar Hill ISD police officers are working with officers of the Cedar Hill Police Department, the jurisdiction of the Cedar Hill ISD police officers also include all territories within the jurisdiction of the City of Cedar Hill police officers.
- Dispatch Number: 469-272-2088

“PARENT” DEFINED

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

PARTICIPATING IN GRADUATION ACTIVITIES

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

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

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

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

UNAUTHORIZED PERSONS

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

1. The person poses a substantial risk or 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 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 the board hearing.

See **STRIVE-Restrictions During Placement** on page 25, for information regarding a student assigned to STRIVE at the time of graduation.

STANDARDS FOR STUDENT CONDUCT

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, 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. Chapter 37 requires the Code to include standards that schools expect from students. Modify the list to emphasize conduct the district would like to encourage.

GENERAL CONDUCT VIOLATIONS

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In

the subsequent sections on **Out-of-School Suspension** on page 19, **STRIVE Placement** on page 21, **Placement and/or Expulsion for Certain Offenses** on page 29, and **Expulsion** on page 31, 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 on page 18.

DISREGARD FOR AUTHORITY

Students shall not:

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

MISTREATMENT OF OTHERS

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see STRIVE—Placement and/or Expulsion for Certain Offenses on page 29)
- 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, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- 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 individual being recorded or in any way that disrupts the educational environment or invades the privacy of

others.

PROPERTY OFFENSES

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **STRIVE—Placement and/or Expulsion for Certain Offenses** on page 29)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **STRIVE—Placement and/or Expulsion for Certain Offenses** on page 29)

POSSESSION OF PROHIBITED ITEMS

Students shall not possess or use:

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

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

POSSESSION OF TELECOMMUNICATIONS OR OTHER ELECTRONIC DEVICES

Students shall not:

- Display, turn on, or use a telecommunications device, including a cellular telephone, or other electronic device on school property during the school day without permission of school personnel.

ILLEGAL, PRESCRIPTION, AND OVER-THE-COUNTER DRUGS

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **STRIVE Placement** on page 21, and **Expulsion** on page 31 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

MISUSE OF TECHNOLOGY RESOURCES AND THE INTERNET

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.

- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including cyberbullying and “sexting,” either on or off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

SAFETY TRANSGRESSIONS

Students shall not:

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

MISCELLANEOUS OFFENSES

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Cheat or copy the work of another.
- Plagiarism.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.
- The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

DISCIPLINE MANAGEMENT TECHNIQUES

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

STUDENTS WITH DISABILITIES

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law shall prevail.

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

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

TECHNIQUES

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

- Verbal correction, oral or written.

- Cooling-off time or a brief “time-out” period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations’ extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student’s parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 18.
- Placement in a STRIVE, as specified in **STRIVE** on page 20.
- Placement and/or expulsion in an alternative educational setting, as specified in
- Placement and/or Expulsion for Certain Offenses on page 27.
- Expulsion, as specified in **Expulsion** on page 29.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

PROHIBITED AVERSIVE TECHNIQUES

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

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

NOTIFICATION

The campus behavior coordinator 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 STRIVE, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

for the detention and permit arrangements for necessary transportation.

APPEALS

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be

addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.chisd.net.

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

REMOVAL FROM THE SCHOOL BUS

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

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, the principal or campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING

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

ROUTINE REFERRAL

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative

discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for 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 campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent; the student; the teacher who removed the student from class; and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to give his or her version of the incident.

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

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- STRIVE (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 STRIVE or expelled. When removing for those reasons, the procedures in the subsequent sections on STRIVE or expulsion shall be followed.

RETURNING A STUDENT TO THE 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, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

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

OUT-OF-SCHOOL SUSPENSION

MISCONDUCT

Students may be suspended for any behavior listed in the Code as a general conduct violation, STRIVE 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 weapon 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.

PROCESS

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

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

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

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

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school- sponsored or school-related extracurricular and 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 doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity 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.

SUCCESS THROUGH RESPONSIBLE INDIVIDUALIZED VIRTUAL EDUCATION (STRIVE), FORMALLY (DAEP)

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

For purposes of STRIVE, 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.

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

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,

5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

DISCRETIONARY PLACEMENT: MISCONDUCT THAT MAY RESULT IN STRIVE PLACEMENT

A student **may** be placed in STRIVE for the following conduct violations:

MISCONDUCT IDENTIFIED IN STATE LAW

In accordance with state law, a student **may** be placed in STRIVE 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 of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Criminal mischief, not punishable as a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in STRIVE 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 offenses involving injury to a person in Title 5 (see **glossary**) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may**, but is not required to, place a student in STRIVE for off-campus conduct for which STRIVE 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 STRIVE PLACEMENT

A student **must** be placed in STRIVE if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a

- terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property 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).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the **Expulsion** on page 29.) (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 **Expulsion** on page 29.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
 - Engages in expellable conduct and is between six and nine years of age.
 - Commits a federal firearms violation and is younger than six years of age.
 - Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the **Expulsion** on page 29.)
 - Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Texas 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 children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim’s parent or another person with the authority to act on

behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to STRIVE.

PROCESS

Removals to STRIVE shall be made by the campus behavior coordinator.

CONFERENCE

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

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall 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 STRIVE, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

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

PLACEMENT ORDER

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

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

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

COURSEWORK NOTICE

The parent or guardian of a student placed in STRIVE 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 STRIVE.

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

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

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

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

EXCEEDS ONE YEAR

Placement in STRIVE 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 STRIVE placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

EXCEEDS SCHOOL YEAR

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

APPEALS

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

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

Appeals shall begin at Level One with the Principal or Level Two with the Assistant Superintendent of Administration/Student Services.

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

RESTRICTIONS DURING PLACEMENT

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

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

For seniors who are eligible to graduate and are assigned to STRIVE at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be

allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the STRIVE placement order.

PLACEMENT REVIEW

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

ADDITIONAL MISCONDUCT

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

NOTICE OF CRIMINAL PROCEEDINGS

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

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

The student or the student's parent may appeal the superintendent's decision to the board. The

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

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

WITHDRAWAL DURING PROCESS

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

NEWLY ENROLLED STUDENTS

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

A newly enrolled student with STRIVE placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for STRIVE placement in the receiving district.

If the student was placed in STRIVE by a school district in another state for a period that exceeds one year, this district, by state law, shall 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 PROCEDURE

When an emergency placement 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 STRIVE.

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 STRIVE. See policy FOCA(LEGAL) for more information.

PLACEMENT AND/OR EXPULSION FOR CERTAIN OFFENSES

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

REGISTERED SEX OFFENDERS

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration 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 shall be in either STRIVE or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in STRIVE 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 interests of the district's students.

REVIEW COMMITTEE

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

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

NEWLY ENROLLED 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 STRIVE Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either STRIVE or JJAEP if the Board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

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

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

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

HEARING AND REQUIRED FINDINGS

The student must first have a hearing before the Board or its designee, who must determine that in

addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

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

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

LENGTH OF PLACEMENT

The student is subject to the placement until:

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

PLACEMENT REVIEW

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

NEWLY ENROLLED STUDENTS

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

EXPULSION

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

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

6. A student's status as homeless.

DISCRETIONARY EXPULSION: MISCONDUCT THAT MAY RESULT IN EXPULSION

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

ANY LOCATION

A student **may** be expelled for Engaging in bullying that encourages a student to commit or attempt to commit suicide.

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

AT SCHOOL, WITHIN 300 FEET, OR AT A SCHOOL EVENT

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of

- alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

WITHIN 300 FEET OF SCHOOL

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

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

PROPERTY OF ANOTHER DISTRICT

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

WHILE IN STRIVE

A student may be expelled for engaging in documented serious misbehavior that violates the district’s Code, despite documented behavioral interventions while placed in STRIVE. For purposes of discretionary expulsion from STRIVE, 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; Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or

3. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1), , of a student or district employee.

MANDATORY EXPULSION: MISCONDUCT THAT REQUIRES EXPULSION

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

UNDER FEDERAL LAW

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

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

UNDER THE PENAL CODE

- Unlawfully carrying on or about the student’s person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.)

Note: A student may not be expelled solely on the basis of the student’s use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sanctioning or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]

 - A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.

- o Arson. (See **glossary**.)
- o Murder, capital murder, or criminal attempt to commit murder or capital murder.
- o Indecency with a child.
- o Aggravated kidnapping.
- o Aggravated robbery.
- o Manslaughter.
- o Criminally negligent homicide.
- o Continuous sexual abuse of a young child or children.
- o Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

UNDER AGE TEN

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

PROCESS

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

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

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

HEARING

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

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.
4. After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the Assistant Superintendent of Administration/Student Services authority to conduct hearings and expel students.

BOARD REVIEW OF EXPULSION

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

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

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation.

Consequences shall not be deferred pending the outcome of the hearing.

EXPULSION ORDER

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
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 Assistant Superintendent of Administration/Student Services shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation.

Consequences shall not be deferred pending the outcome of the hearing.

LENGTH OF EXPULSION

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

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

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

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

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

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

WITHDRAWAL DURING PROCESS

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

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

ADDITIONAL MISCONDUCT

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

RESTRICTIONS DURING EXPULSION

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

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

NEWLY ENROLLED STUDENTS

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

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in STRIVE 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 STRIVE, the district shall reduce the period of the expulsion or STRIVE 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 PROCEDURES

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

STRIVE PLACEMENT OF EXPELLED STUDENTS

The district may provide educational services to any expelled student in STRIVE; however, educational services in STRIVE 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 STRIVE or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

GLOSSARY

Abuse is improper or excessive use.

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

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

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

Arson is defined in part by Penal Code 28.02 as:

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

Assault is defined in part by Texas 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 school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

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

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

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

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4

of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

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

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

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

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

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

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

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

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

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

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

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

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm weapon; or

4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Firearm silencer is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

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

Handgun is defined by Texas Penal Code 46.01(5) 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); or
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b)(2) of the Education Code; or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b) Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c) Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; and
 - d) Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

Hazing is defined by Section 37.151 of the Education Code as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit list is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

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

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

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to, 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 other school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Texas 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 the 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; or
5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

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

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

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under 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 Section 21.07, Penal Code;
 - b. Indecent exposure under Section 21.08; Penal Code;
 - c. Criminal mischief under Section 28.03, Penal Code;
 - 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 STRIVE placement.
- Behavior identified by the district as grounds for discretionary STRIVE placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete school work as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.

- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

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

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

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

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

- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[See FOC(EXHIBIT).]

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

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

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

VI. ADJOURN