



Texas School for the Deaf  
**Governing Board**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the Governing Board of the Texas School for the Deaf shall be held on **August 14, 2020 at 9:00 AM**, Texas School for the Deaf, Multipurpose Room of the Ford/CTE Bldg 1102 South Congress Ave Austin, Tx 78704.

If, during the course of the meeting, discussion of any item on the agenda should be held in closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions shall be taken in open session.

The subjects to be discussed or considered, or upon which any formal action may be taken, are as follows (items do not have to be taken in the same order as shown on this meeting notice):

**AGENDA**

1. **Call to Order:** Announce the presence of a quorum.
2. **Call Roll of Board Members**
3. **Executive Session**
  - A. Consultation with Attorney Regarding Pending Litigation
  - B. Superintendent Summative Evaluation for 2019 – 2020
  - C. Establish Superintendent Salary for FY 2020-2021
  - D. Review Draft Superintendent Performance Goals 2020 – 2021
4. **Call to Order:** Announce the presence of a quorum.
5. **Call Roll of Board Members** **3**
6. **Public Participation:** *Provide opportunity for public comment on non-agenda items and introduction of visitors.* **4**
7. **Consent Agenda:** *All matters listed under the Consent Agenda are considered to be routine by the Governing Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed by a board member from the Consent Agenda and will be considered separately.* **5**
  - A. **Board Meeting Minutes of February 20, 2020** (Eric Hogue) **6**
  - B. **Gifts and Donations** (Justin Wedel) **11**
  - C. **Operations Report** (Beth Polo) **12**
  - D. **Operating Budget FY20** (Justin Wedel) **13**
  - E. **20-21 Term and Probationary Contracts** (Julie Dodd)
8. **Superintendent's Report** **14**
  - A. Summer Programs
    1. Family Weekend Retreat



## Governing Board

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<b>20. Approval of Superintendent Performance Goals 2020 – 2021</b>	<b>203</b>
<b>21. Adjourn</b>	

<b>Item</b>	<b>Call Roll of Board Members</b>
<b>Information</b>	Eric Hogue, President Shawn Saladin, Vice President Angie Wolf, Secretary Sha Cowan Dina Moore Chris Moreland David Saunders Keith Sibley Heather Withrow
<b>Contact</b>	Beth Polo
<b>Action</b>	Information only

**Item**                      **Provide opportunity for public comment and introduction of visitors**

**Information**              Members of the public may access this meeting as follows:  
[Governing Board Zoom Meeting](#)

An electronic copy of the agenda packet is available online here:  
[Governing Board Meeting Materials](#)

Public comments related to this meeting will be handled via sign up. If you wish to address the Board in Open Meeting please complete the following link: [Public Participation Sign Up](#)

The link will close at **10am on Friday August 14, 2020**. You will not be able to sign up after that time. Once you have signed up, you will receive a link to join the meeting. Please log in by 10am on August 14, and wait to be recognized by the Board.

**Contact**                      Eric Hogue

**Action**                      Information only

**Item**                      **Consent Agenda Items**

**Information**              *All matters listed under the Consent Agenda are considered to be routine by the Governing Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed by a board member from the Consent Agenda and will be considered separately.*

- a. **Board Meeting Minutes of April 17, 2020** (Eric Hogue)
- b. **Gifts and Donations** (Justin Wedel)
- c. **Operations Report** (Beth Polo)
- d. **FY2020 Operating Budget Update** (Justin Wedel)
- e. **2020-21 Term and Probationary Contracts** (Julie Dodd)

**Contact**                      Eric Hogue

**Action**                        Approval



## Governing Board Meeting Meeting Minutes April 17, 2020

Presiding Officer

President Eric Hogue

A Governing Board Meeting of the Texas School for the Deaf was held via videoconference due to the health and safety concerns of COVID-12 coronavirus, in Austin, Texas April 17, 2020.

The Board found and determined that, in accordance with the provisions of Section 551.125 or 551.127 of the Texas Government Code that have not been suspended by order of the governor as amended, the notice of the meeting has been properly complied with, including the posting of notice as to time, date, place of the meeting, and the subjects to be discussed at said meeting.

### Call to Order

President, Eric Hogue called the meeting to order at 11:10 a.m. April 17, 2020. Board members attending are: Vice President Shawn Saladin, Board Secretary Angie Wolf, Sha Cowan, Keith Sibley, Christopher Moreland, Heather Withrow. Other attendees: Claire Bugen, Julie Dodd, Stella Egbert, Mari Liles, Wilmonda McDevitt, Bobbie Beth Scoggins, Holly Wardell and Justin Wedel.

### Public Comment

A request for visitors or public comment was made. Superintendent, Claire Bugen, let the Board know there was written comment that Board President, Eric Hogue, will read when they reach the agenda item the public comment is addressing.

### Pledge of Allegiance

Board President, Eric Hogue, lead the Board in the Pledge of Allegiance.

### Consent Agenda Items

1. **Consent Agenda Items:** *All matters listed under the Consent Agenda are considered to be routine by the Governing Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed by a board member from the Consent Agenda and will be considered separately.*
  - a. Board Meeting Minutes of February (Eric Hogue)
  - b. Gifts and Donations (Justin Wedel)
  - c. Operations Report (Beth Polo)
  - d. FY20 Operating Budget (Justin Wedel)

Board Secretary, Angie Wolf, motioned to accept the consent agenda items as is. Heather Withrow, seconded the motion. All were in favor of accepting the consent agenda items as is. Motion carries unanimously.

Master Plan Design and Development: Central Services and Toddler Learning Center



Michelle Rossomondo, and Aaron Taylor, of McKinney / York Architects updated the Board on the Central Services and Toddler Learning Center. The construction is scheduled to start next week, and is scheduled through 2021.

### Superintendent's Report

Superintendent, Claire Bugen, let the Board know that all her travel was cancelled due to the COVID 19 outbreak. She informed the Board that a committee has been formed to come up with a virtual graduation since there will be no way to have a graduation due to the outbreak. There is some talk about waiting till August so they can have a proper graduation, but she would have more information at a later date on what the committee had decided. All other end of the year events will be cancelled. Texas School for the Deaf and Lamar University is moving forward for the Lamar University Teacher training. The end of the year enrollment is 596 students. Director of ERCOD, Bobbie Beth Scoggins, explained that her Summer Programs team sent a survey out to parents to see how to proceed. Many of the parents responded back with concern about the virtual learning environment. They have decided to shift to a prerecorded video for parents to watch in their own time for the family weekend retreat. It will show video of all the different areas around campus; and try to make it as if they were on campus as much as possible. At this time, it looks like Summer Programs will be cancelled due to the COVID 19 outbreak. Superintendent, Claire Bugen, said she is thinking of starting the next school year a month early. There are a lot of things to consider in doing this, such as financial implications, and scheduling. Due to these issues it is still in the planning phase and may or may not happen. The continuum of services task force has been established and a lot of parents are interested. COVID 19 hit about the time the task force started. Texas School for the Deaf is currently setting things up to work on the task force remotely. Superintendent Bugen, and Board President, Eric Hogue, urged the Board to replenish the Board Scholarship Fund. It is completely depleted and they need \$500 for a female student and \$500 for a male student scholarship this year. It was requested that each Board Member give \$108.00 to the scholarship. With the understanding if the Board Member didn't have the money, other Board Members were happy to help and put more in, if needed. An email will be sent out with information on how to donate to the scholarship fund. All Board training requirements have been waived this year due to COVID 19. Texas School for the Deaf is posting positions for next year teachers, but for now all staff hiring is frozen till restrictions are lifted from the COVID 19 virus. CEASD has been given a year extension due to COVID 19. The Texas School for the Deaf Foundation is very concerned about the small amount of choices to fundraise for money for their nonprofit business. Superintendent Bugen then went over the community planning team meeting held a few months ago. They had an excellent brainstorming meeting and have come up with decisions on what they need to work on. At this time Texas School for the Deaf is working on getting teams together for the strategic goals.

### Update on the Coronavirus



Superintendent, Claire Bugen, showed the special web section for COVID 19 on the Texas School for the Deaf website. She let the Board know that almost everything is translated in ASL and Spanish. It is updated daily, and they are working to make sure they give as much information as possible. Not just the school assignments, and closure information, but information on the virus and places to go for food.

Each Executive Leadership Team member gave a brief summary of how their division is working and / or teaching remotely during this crisis. In addition to teachers working remotely with students. We have counselors and social workers checking in with parents to make sure their children are okay, and don't need any extra support. The principals all worked together to come up with the best learning practices in this environment for the students. They are continually working to improve issues that the students are having with this type of learning environment. The staff is continuing to make sure all students are making progress on their IEP's, and are addressing all the areas of need. For students struggling with virtual learning staff is sending home paper packets for the students to work on. Information Technology has worked on getting iPads, laptops, VPN and hotspots for staff and students to use for remote work and learning. Human Resources worked hard to get remote work plans set up for each employee working from home. They will be doing most of the CAPPs entry for time during the outbreak. Residential Services is having social zoom meetings with the students. It is a time where they can all communicate with each other and keep in touch with their residential peers. The students enjoyed the social time, so staff is continuing to provide them with social interaction. ERCOD is working on family services, training, and conferences that can be done via video. Business Services has total continuity of operations and have adapted well. The staff is working staggered schedules coming in a few days a week, and then working from home the rest of the work week. It has been a great time for staff to catch up and get ahead on training they need. Operations is benefiting from the shutdown. The construction projects are getting done at a faster rate, as well as, the cleaning and waxing of the buildings. Superintendent, Claire Bugen, let everyone know how hard the ELT and staff have worked to make this a success; in such a short and trying time.

#### Approval of Board Resolutions on Coronavirus

Legal Counsel, Holly Wardell, explained the resolution to help Texas School for the Deaf operations continue to work efficiently by allowing the Superintendent to make specific decisions mainly about waivers that need to be submitted to the TEA. Board President, Eric Hogue, requested an end date be added to the motion.

Christopher Moreland, motioned to approve the resolution on Coronavirus as presented by council for the delegation of authority to the superintendent and have it be effective through August 15th, 2020. Board Vice President, Shawn Saladin, seconded the motion. All were in favor of approving the resolution on Coronavirus as presented by council for the delegation of authority to the superintendent and have it be effective through August 15th, 2020. Motion carries unanimously.



### Approval of Internal Audit FY20

Chief Financial Officer, Justin Wedel, explained the internal auditors would like to do an internal audit of the Transportation Department. He explained, the internal auditors would like to work on an audit of the Security Department next year after COVID 19 has passed. Stating it would be difficult to audit the Security department at this time.

Christopher Moreland, motioned to approve the Internal Audit for FY20. Board Vice President, Shawn Saladin, seconded the motion. All were in favor of approving the Internal Audit for FY20. Motion carried unanimously.

### Contracts

#### Recommendations for Term Contracts Approval: 2019 - 2020

Board President, Eric Hogue, asked for a motion for recommendations for term contracts: 2019 – 2020.

Board Secretary, Angie Wolf, motioned to approve the recommendations for Term Contracts: 2019 – 2020. Board Vice President, Shawn Saladin, seconded the motion. All were in favor of approving the recommendations for Term Contracts: 2019 – 2020. Motion carried unanimously.

#### Terminate Probationary Contracts

Superintendent, Claire Bugen, informed the Board that there was a written letter for public comment from probationary contract staff Lisa Hower. Board President, Eric Hogue, read the letter. Texas School for the Deaf Board members requested a closed session in order to discuss the termination of both probationary contracts.

The Texas School for the Deaf Governing Board will enter into closed session under Texas Government Code Section 551.074 on April 17, 2020 to discuss the termination of two probationary contracts. The Texas School for the Deaf Governing Board members were moved to a private virtual breakout room at 1:26 pm.

President, Eric Hogue, called the Texas School for the Deaf Governing Board meeting back to order from closed session at 1:45 pm. He asked for a motion for both termination of probationary contracts.

Board Secretary, Angie Wolf, motioned to terminate Lisa Hower's probationary contract. Board Vice President, Shawn Saladin, seconded the motion. Motion passed with 6 votes in favor, and 1 against to terminate Lisa Hower's probationary contract. Motion Carries.

Keith Sibley, motioned to terminate Randi Mize's probationary contract. Board Vice President Shawn Saladin, seconded the motion. All were in favor of terminating Randi Mize's probationary contract. Motion carries unanimously.



Approve Probationary and Term Contracts for FY 2020 - 2021

Board President, Eric Hogue asked for a motion to approve term contracts for FY 2020 – 2021.

Sha Cowan, motioned to approve the probationary and term contracts for FY 2020 – 2021. Board Vice President, Shawn Saladin, seconded the motion. All were in favor of approving the probationary and term contracts for FY 2020 – 2021. Motion carries unanimously.

Re-employ Probationary Contracts

Board President, Eric Hogue asked for a motion to re-employ probationary contracts.

Sha Cowan, motioned to re-employ probationary contracts. Heather Withrow, seconded the motion. All were in favor of re-employing probationary contracts. Motion carries unanimously.

Renew Non-Chapter 21 Contracts and Employment Agreements

Board President, Eric Hogue, asked for a motion to renew non-chapter 21 contracts and employment agreements.

Board Vice President, Shawn Saladin, motioned to renew non-chapter 21 contracts and employment agreements. Heather Withrow, seconded the motion. All were in favor of renewing non-chapter 21 contracts and employment agreements. Motion carries unanimously.

Approval of Instructional Materials and Technology Funds (iMAT)

Board President, Eric Hogue asked for a motion to approve instructional materials and technology funds (iMAT).

Sha Cowan, motioned to approve instructional materials and technology funds (iMAT). Heather Withrow, seconded the motion. All were in favor of approving instructional materials and technology funds (iMAT). Motion carries unanimously.

Adjournment

Board President Eric Hogue, Superintendent Claire Bugen, Board Secretary Angie Wolf, Board Member Sha Cowan thanked everyone for their hard work during this unusual time. President, Eric Hogue adjourned the April 17, 2020 Texas School for the Deaf Governing Board meeting was adjourned at 1:55 pm.

\_\_\_\_\_  
Eric Hogue, President

\_\_\_\_\_  
Angie Wolf, Secretary



**Item Operations Report**

**Information** Work has begun on GMP 5, and will continue for the next several months. The major projects currently underway are described below:

**Additional Card Readers** will be installed across campus and we have begun door frame demo and replacement to install the card reader door frames. The first four to be installed are in Clinger Gym, MPR, the Auditorium, and the Pease building. We will continue this work and have escalated the priority slightly to allow buildings flexibility in assigning one way in and out traffic as needed.

**Communication Manholes** are being upgraded with sump pumps to ensure they are kept free of water which will increase the safety and continuity of our power and data lines. Pump installation has begun, and is at about 75% completion.

**Koen Hall and Lewis Hall** roof leak repair and HVAC improvements have been completed which will allow us maximum usage of the dorms, including the 3<sup>rd</sup> floors which will aid in spreading out students when we return to campus.

**Cottage 570** is undergoing repairs and upgrades to become the new permanent home for Human Resources. The outside will be hardened with brick and masonry repair, weather proofing, and new windows. The interior will be brought up to ADA code, and provide for needed office and meeting space. Due to COVID-19 precautions and social distancing practices, only one trade contractor group will work on the project at a time. Completion date is scheduled for mid to late September.

**Cottage 568 and 564** are undergoing weather proofing with brick and masonry repair and new windows. Occupants have been temporarily relocated for the summer, and will able to return to their buildings upon return to campus.

**Information Contact** Claire Bugen, Beth Polo

**Action** Information Only



**Item**                      **Superintendent's Report**

**Information**              At each Board Meeting the Superintendent prepares a high-level summary of what has transpired since her last communication with the Board. The Superintendent will respond to any questions and/or elaborate on any issues at the Board meeting.

**Contact**                      Claire Bugen

**Action**                      Information Only



**DATE:** AUGUST 14, 2020  
**TO:** GOVERNING BOARD  
**FROM:** CLAIRE BUGEN  
**RE:** FOR YOUR INFORMATION

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**A. Summer Programs.** Despite the coronavirus shutting things down we pressed on with some of our summer programs. I'd like to thank all of the staff for a successful FWR, CSW and ESY.

- i. **Family Weekend Retreat.** Family Weekend Retreat (FWR) went virtual this year due to the coronavirus. The usual wealth of information and resources went out to hundreds of parents, family members and professionals who logged in to view the presentations and Discussion Boards. There was a total of 843 participants (575 parents/family members, 16 children, and 252 professionals). There were 14 presentations, including 3 levels of ASL lessons and reflections by several deaf and hard of hearing students and adults. The keynote presenter was Nida Din, the first Deaf, Pakistani-American, Muslim, woman to become an attorney.
- ii. **Communication Skills Workshops.** Wess thought it couldn't be done but he, Beth and their team exceeded our expectations. 323 participants had never attended a CSW previously so they didn't have a model to compare to. There was nothing but positive comments. 118 classes were offered, whereas during a regular CSW would have been limited to 40. Live one on one instructions were offered various hours of the day July 1<sup>st</sup> through July 31<sup>st</sup>.
- iii. **Extended School Year.** This summer ESY served 106 students. Several parents declined and a few were unreachable. Several that were scheduled were no shows. We will be doing a lot of ESY like teaching and learning this year as we address the significant learning gaps from COVID-19.

**B. School Calendar Changes.** Due to ever evolving public health conditions we changed our calendar multiple times during the summer. Right now, our first day of school will be August 17<sup>th</sup> and we will be 100% virtual for the first three weeks. Beginning on September 8<sup>th</sup> we will offer in-person learning on campus for families that have chosen that option. A disclaimer was added in a red box and discusses the COVID-19 rapid evolving situations. A copy of the modified 20-21 school calendar is attached.

**C. 20-21 School Theme.** After several conversations with the executive team we decide that *Together* is this year's them. We added these seven talking points (graphic attached):  
Together we will **reconnect** with each other...  
Together we will support the **whole child**...  
Together we will prioritize **health and safety**...  
Together we will **learn** in new ways...  
Together we will **achieve** academic success...

Together we will practice **resiliency**...  
Together we will ensure everyone **belongs**...



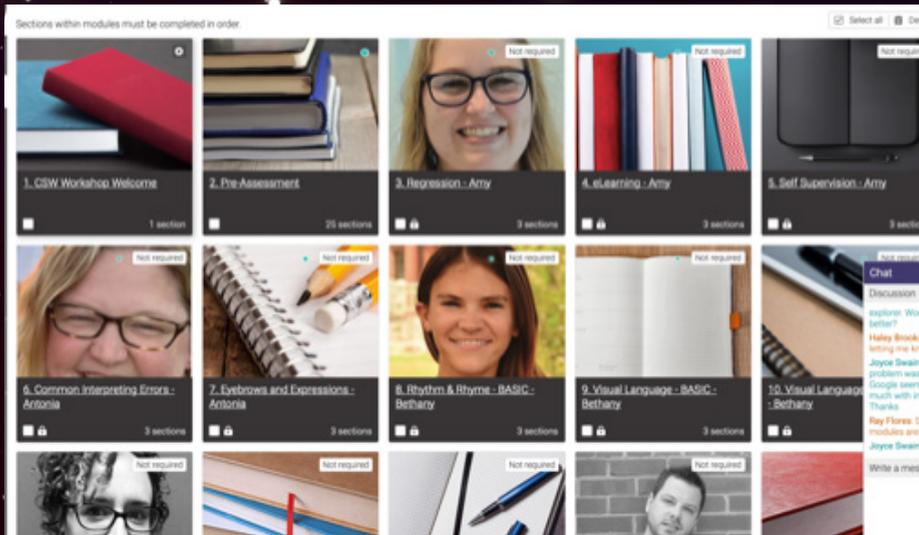
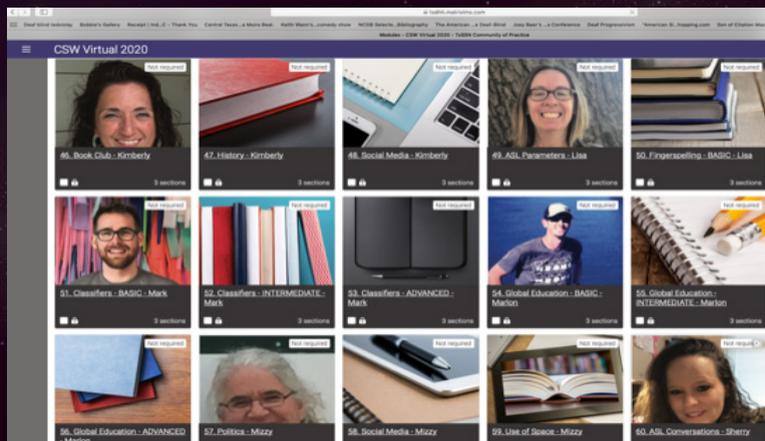
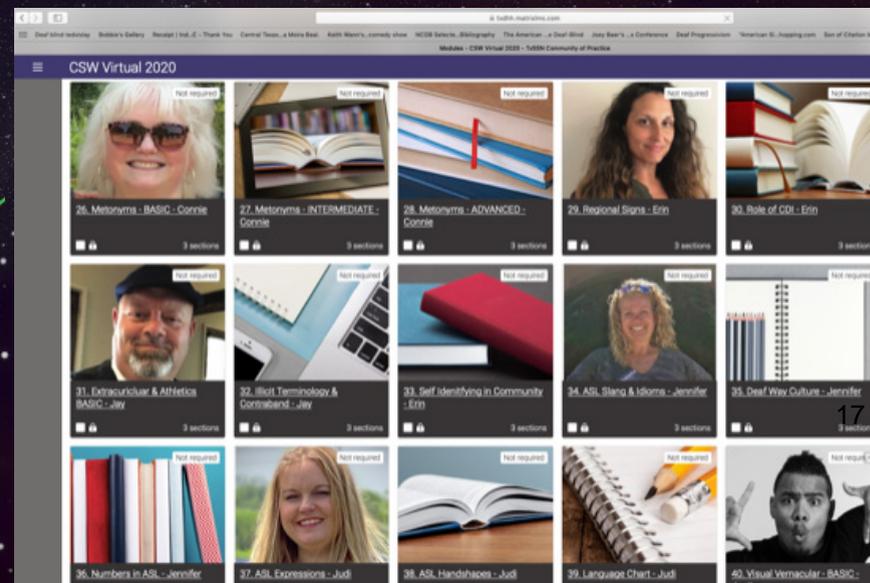
- D. New Name for ERCOD.** Adopted by the 74<sup>th</sup> Texas Legislative session, the Educational Resource Center on Deafness (ERCOD) had a rebranding change this year. ERCOD is now the Statewide Outreach Center (SOC). While the name and logo have changed the services and dedication have not. Their dedication to support all deaf and hard of hearing students, families and professionals across the state remains unconditional.  
<https://www.texasdeafed.org/home>
- E. Agency Strategic Plan.** The 2021 – 2025 Agency Strategic Plan was submitted June 1<sup>st</sup>. A printed copy was mailed to each of you last month. Here is the link on the website  
[https://www.tsd.state.tx.us/apps/pages/planning\\_documents](https://www.tsd.state.tx.us/apps/pages/planning_documents)
- F. Legislative Day.** With the Texas Legislature passing several important Deaf-friendly bills and allocating special funds to TSD last session, TSD invited some very important VIPs to campus and hosted Legislative Appreciation Day on March 10th. TSD leadership staff provided our guests a tour of our Toddler Learning Center, the Early Childhood Education department, the OT/PT lab, CTE's welding, automotive and video production programs, as well as classrooms in elementary, middle school, and high school. The visually beautiful invitation that was sent out is attached.



# 993 Applications

# 681 Completed the CSW Training Requirements

# 65+ Completed in excess of 100 hours



# 888 Attended CSW



# Virtually 2020



# 2020-2021 TSD Calendar\*

Texas School for the Deaf  
Learn • Grow • Belong

*\*The situation surrounding COVID-19 is dynamic and rapidly evolving on a daily basis. This calendar is subject to change as a result.*

## July

Return to Work Dates:

- 13 - 17 ..... Principals/Supervisors/Asst Prin./Asst Spvrs.
- 17 ..... LSSPs/CM/MH Coord./Curriculum Spcs
- 20-24 ..... ILC & Student Life Department Heads
- 27-31 ..... Student Life Spvrs/Coordinators/Nurses NEO (Groups TBA)

## August

- 3 - 7 ..... Teachers/Counselors/SLPs/Support Staff/ Athletics/All Student Life Staff (Training)
- 10-12 ..... All Remaining Staff Return for Training
- 13-14 ..... Teacher Prep Days/Staff Training
- 17 ..... 1st Nine Weeks Begins
- 17-31 ..... Online Learning
- 27 ..... Holiday, School NOT Closed

## September

- 1-3 ..... Online Learning
- 4 ..... Staff Development
- 7 ..... Labor Day Holiday/Resid. Students Return

## October

- 12 ..... Staff Development/Resid. Students Return
- 19 ..... 2nd Nine Weeks Begins

## November

- 11 ..... Holiday, School NOT Closed
- 23-24 ..... Staff Development
- 25-27 ..... Thanksgiving Break

## December

- 18 ..... End of Fall Semester
- 21-Jan. 1 ..... Winter Break

## January

- 1 ..... New Year's Day
- 4 ..... Teacher Prep Day/Resid. Students Return
- 5 ..... 3rd Nine Weeks Begins
- 18 ..... MLK, Jr. Holiday/Resid. Students Return

## February

- 15 ..... Staff Development/Resid. Students Return

## March

- 2 ..... Holiday, School NOT Closed
- 11 ..... Thursday Homegoing
- 12 ..... Staff Development
- 15-19 ..... Spring Break
- 22 ..... 3rd Nine Weeks Begins

## April

- 1 ..... Thursday Homegoing
- 2 ..... Friday Holiday\* Opt. Bad Weather Makeup Day
- 5 ..... Staff Dev/Resid. Return\* Opt. Bad Weather Day
- 21 ..... Holiday, School NOT Closed

## May

- 27 ..... Graduation/Homegoing, Dismiss at noon
- 28 ..... Teacher Prep Day
- 31 ..... Memorial Day Holiday

## Instructional Days (175)

Fall: 82 Spring: 93

## Instructional Minutes

Fall: 35,470  
Spring: 40,045  
Total: 75,515

- Staff Development/ Prep Days
- Closed for Students; Open for Staff, Day Off at Discretion of Supervisor
- School Closed, Mandatory Day Off
- R Residential Students Return on a Monday
- H Homegoing on Thursday

July 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2020						
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23	24	25	26	X	28	29
30	31					

September 2020						
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6	R	8	9	10	11	12
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27	28	29	30			

October 2020						
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25	26	27	28	29	30	31

November 2020						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2020						
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27	28	29	30	31		

January 2021						
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10	11	12	13	14	15	16
17	R	19	20	21	22	23
24	31	25	26	27	28	29

February 2021						
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7	8	9	10	11	12	13
14	R	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021						
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	1	X	3	4	5	6
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21	{22	23	24	25	26	27
28	29	30	31			

April 2021						
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4	R*	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	X	22	23	24
25	26	27	28	29	30	

May 2021						
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16	17	18	19	20	21	22
23	30	24	31	25	26	GHZ
					28	29

June 2021						
S	M	T	W	T	F	S
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



***Reconnect** with each other...*

***Support** social and emotional health...*

*Create a **safe** environment...*

***Learn** in new ways...*

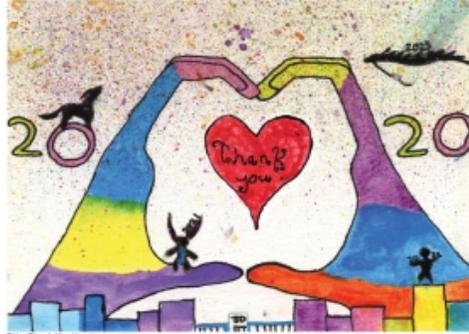
***Achieve** academic success...*

*Practice **resiliency**...*

*Ensure every child **belongs**...*



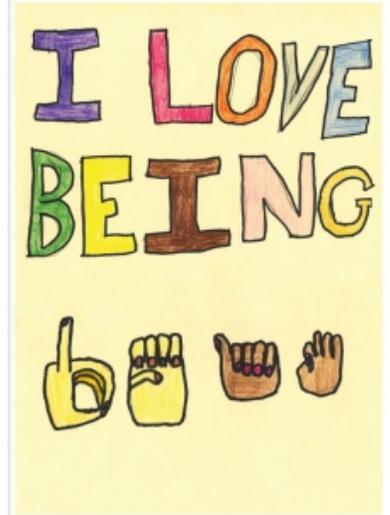
Title: Seasons of Love  
TSD Artist: Jabbarah M., 4th Grade



Title: Thank You Heart  
TSD Artist: Veda D.M., 10th Grade



Title: Rainbow Pride  
TSD Artist: Pedro R., 10th Grade



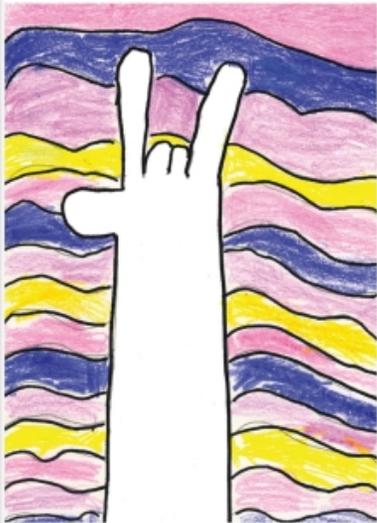
Title: Deaf Pride  
TSD Artist: Betty C., 5th Grade



I would like to invite you to visit my school for  
Legislative Appreciation Day!

**MARCH 10, 2020**  
**8:30 to 11:30 AM**

Please RSVP to Gabriel Cardenas,  
Public Information Officer,  
Texas School for the Deaf  
gabriel.cardenas@tsd.state.tx.us  
512-462-5372



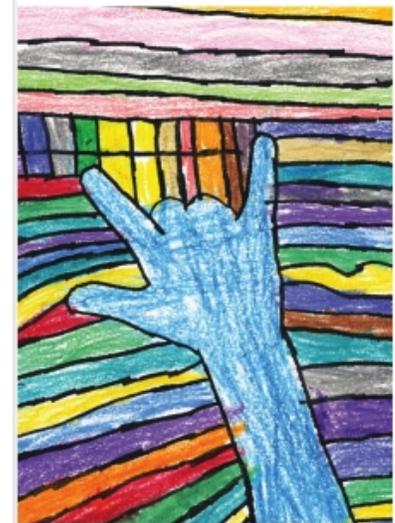
Title: Waves of Love  
TSD Artist: Maliana K., 2nd Grade



Title: TSD Cowtown  
TSD Artist: Destiny B., 12th Grade



Title: Austin Reflections  
TSD Artist: Dylan S., 10th Grade



Title: Reaching New Heights  
TSD Artist: Caleb M., 2nd Grade

**Item**                      **Reopening of School**

**Information**                      Believe it or not our virtual opening is already in progress with staff training happening in all departments for the next two weeks. Students return for instruction virtually on August 17 and will remain virtual for the first three weeks. At that point the Board has the authority to request an additional three to four weeks by resolution depending on the status of the virus in one's local area. Beyond that point parents must be offered in person instruction on campus if they choose it. We have conducted a preliminary poll on family preferences, but will conduct a final official poll in the next two weeks.

We have been preparing for reopening with multiple re-opening teams focused on topics such as instructional re-design, sanitization, health and safety, social-emotional support, student life, transportation, workforce issues and policies and data collection. These teams, along with guidance from TEA, have provided the resources and best practices for TSD to safely reopen.

Re-opening updates have been posted on a regular basis on our COVID-19 website and we should have our final re-opening operational guide ready for your review at the August meeting.

**Contact**                      Claire Bugen

**Action**                      Information Only



TEXAS SCHOOL FOR THE DEAF  
**REOPENING PLAN**  
TOGETHER WE WILL...



# TSD Reopening Plan

to Safely  
Re-Engage Students  
and Staff

Governing Board Meeting

August 14, 2020



## Four Questions

1. Where do we begin?
2. What has changed since the pandemic?
3. Where do we go from here?
4. What must we remember?



# Where Do We Begin?



## Staff/Student Relationships are Critical

Sustainable learning takes place when a highly effective teacher, residential or support staff, in a safe environment, can form solid relationships with a reasonable number of students and has adequate time to guide students to master critical content in a set curriculum.



## Where do we begin?

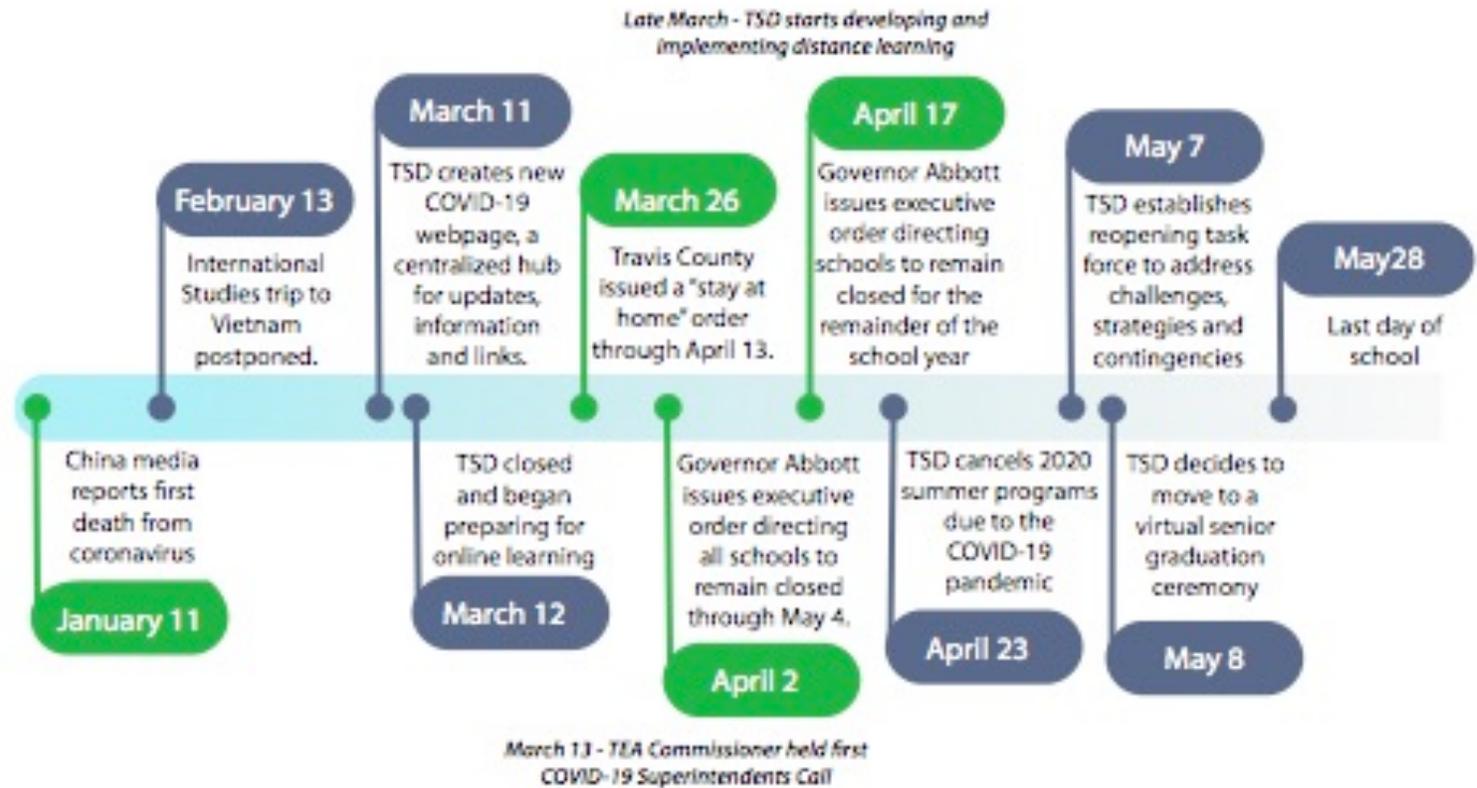
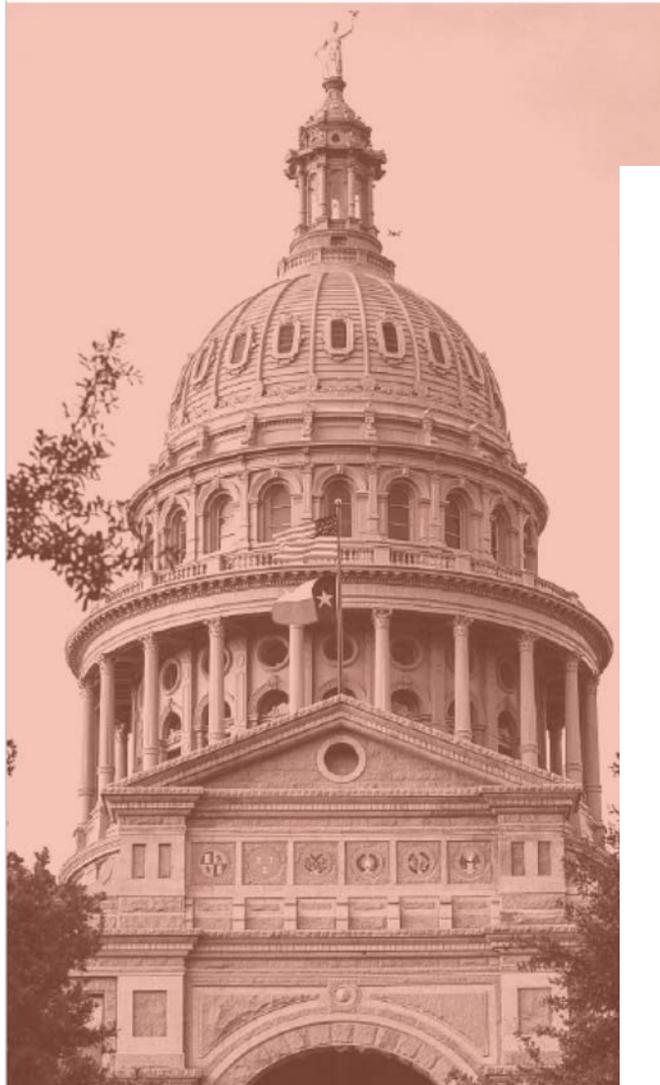
- Our commitment is reaffirmed to caring for students and staff
- Our primary business is teaching and learning
- The likelihood of remote learning is still with us
- Our calendar and first day of school are unchanged
- Consistent, sustainable relationships are paramount
- We know more than we knew then because information and circumstances continue to evolve
- Governing agencies continue to adjust parameters

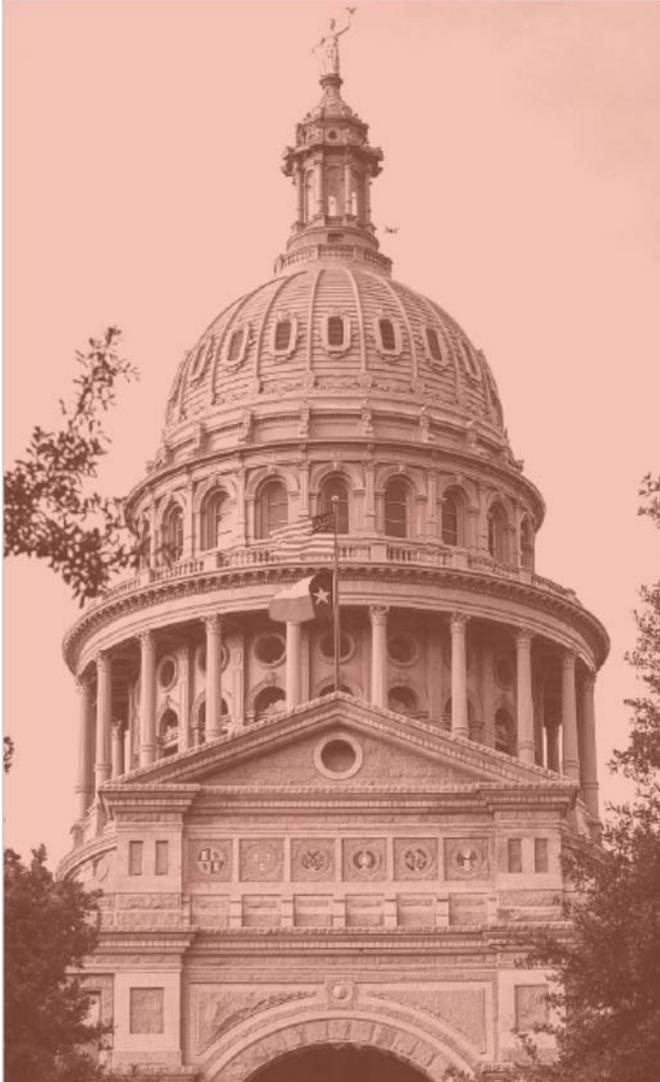


# 2

**What has  
changed  
since the  
pandemic?**

# TSD Spring COVID-19 Timeline





# COVID-19 Legal Timeline

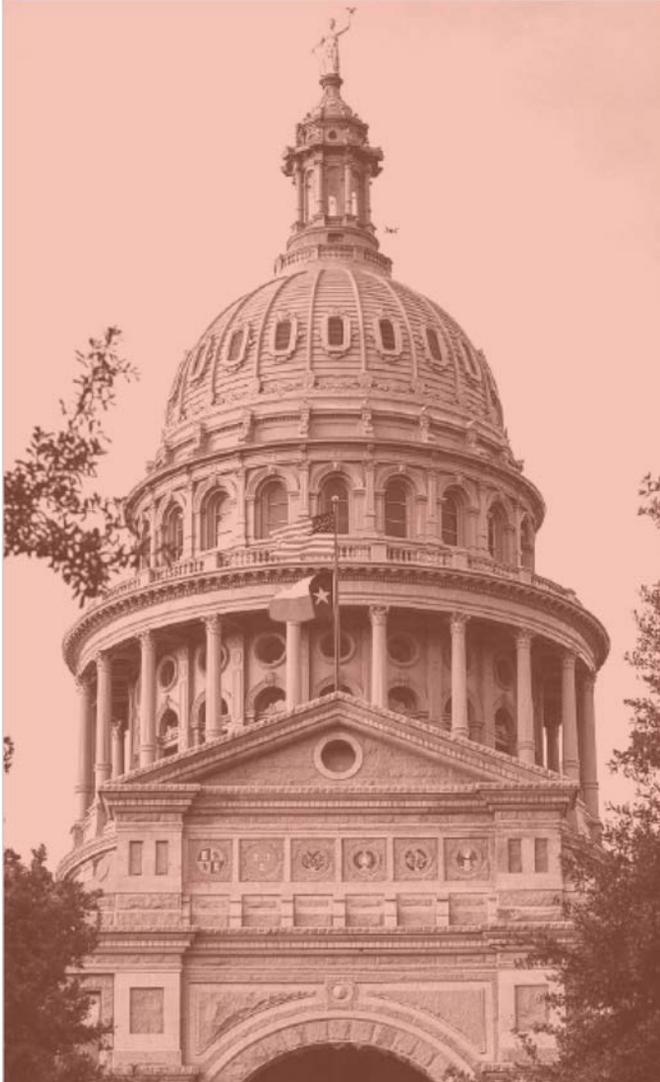
## 2019-20 School Year

- March to June 5<sup>th</sup>
  - Flexible online guidelines
  - Emergency COVID-19 leave
- Since June 5<sup>th</sup> there has been extensive changes in guidelines, standards, and orders

# COVID-19 Legal Timeline for the 2020-2021 School Year

## **June 23, 2020 – First TEA Guidance**

- Unless some type of closure is ordered, schools can offer in-person instruction and take attendance in the traditional format
- Synchronous remote instruction funded for students in 3<sup>rd</sup> grade and above
- Students in grades PK-2 are not eligible for synchronous remote instruction
- Asynchronous remote instruction funded if schools record student daily progress and have model approved by TEA



# Instructional Models

## SYNCHRONOUS



- Students attend class virtually
- Two-way communication
- Real-time engagement
- Attendance taken during class time

## ASYNCHRONOUS

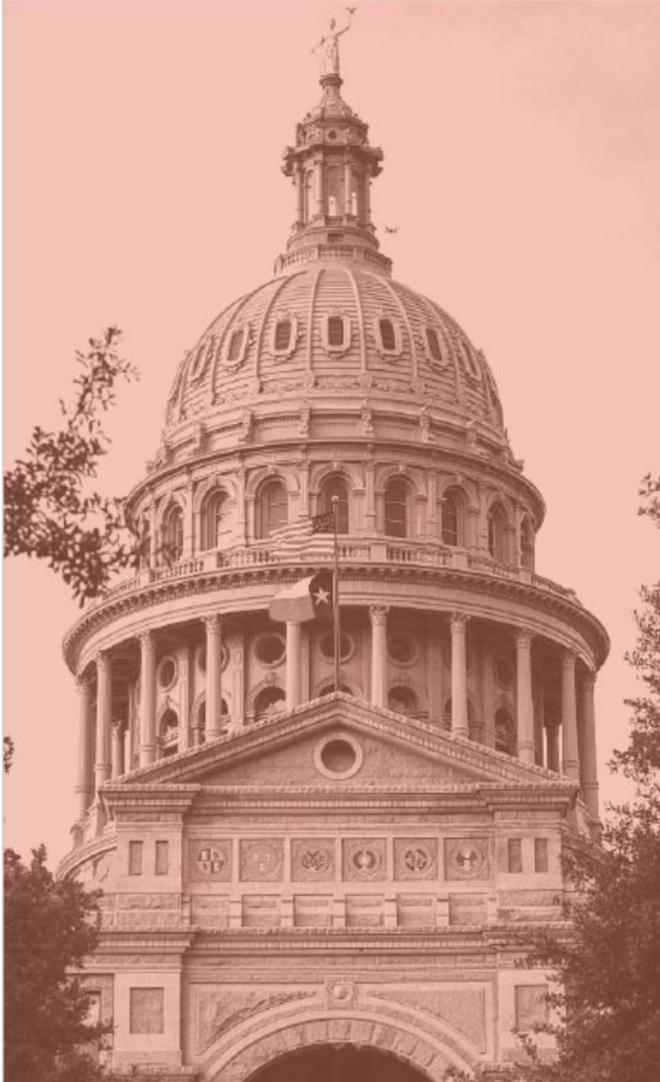


- Students don't engage at the same time
- Recorded videos
- Students responsible for assigned work
- Attendance taken every day

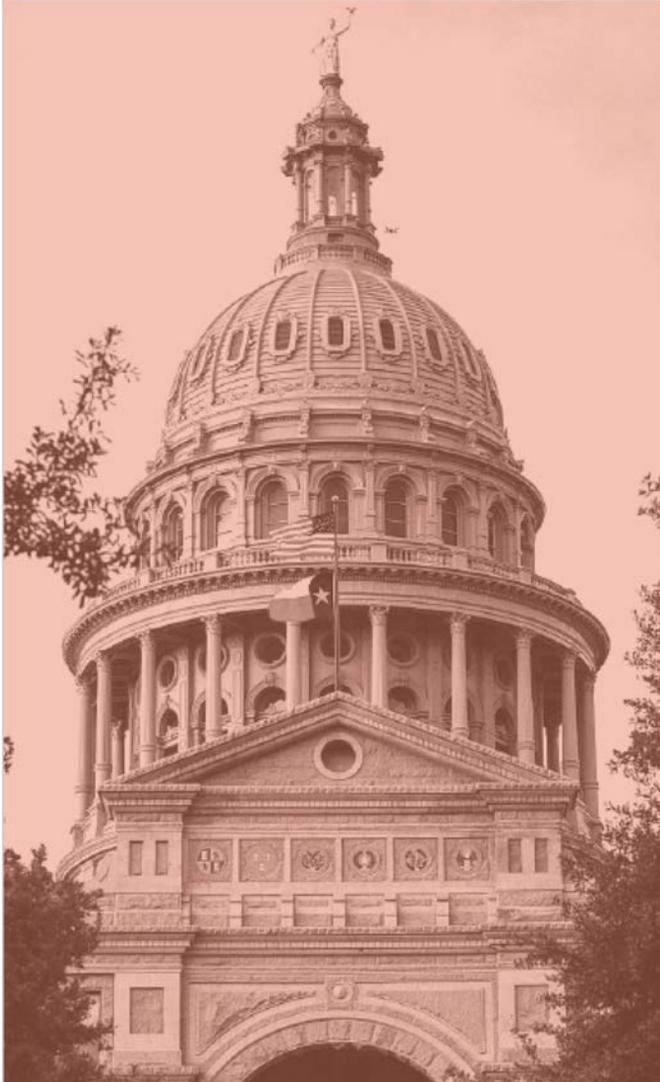
# COVID-19 Legal Timeline for the 2020-2021 School Year

## **June 26, 2020 – Governor’s Reopening Order (GA-28)**

“For the remainder of the 2019-2020 school year, public schools may resume operations for the summer as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency (TEA). Private schools and institutions of higher education are encouraged to establish similar standards. Notwithstanding anything herein to the contrary, schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by TEA.”



# COVID-19 Legal Timeline for the 2020-2021 School Year



## July 2, 2020

- TAPPS announcement
  - Similar to UIL, TAPPS agreed with schools and districts extending summer break workout, rehearsals, practices and instruction through July 13<sup>th</sup>
  - TSD had no summer athletic camps or workouts

# COVID-19 Legal Timeline for the 2020-2021 School Year

## July 7, 2020 – Revised TEA Guidance

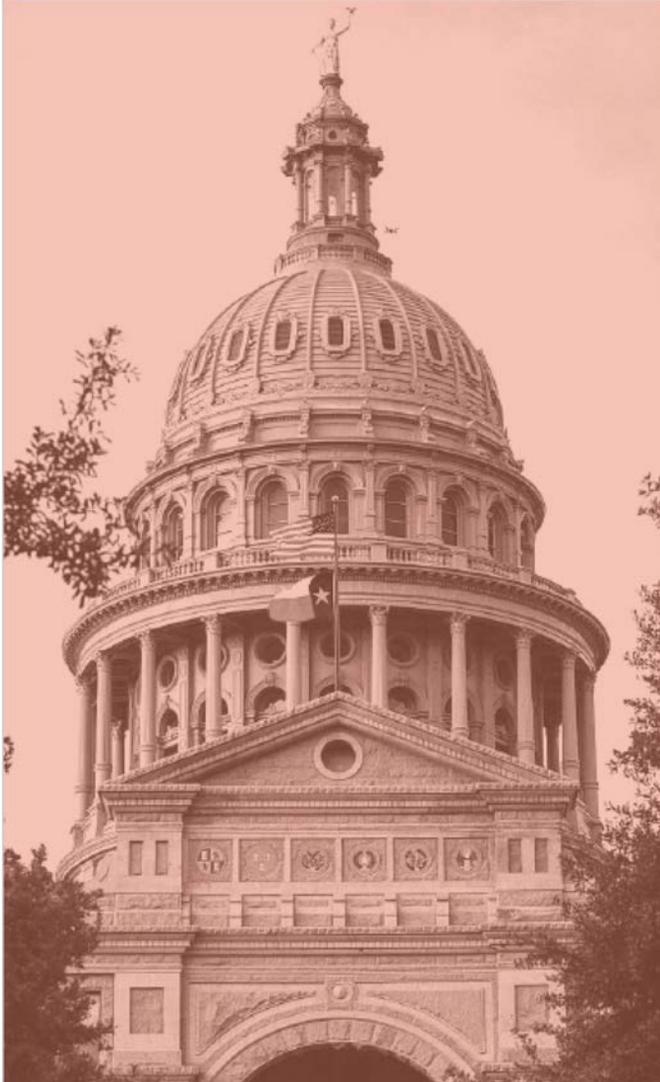
- ISD may use first three weeks of school as transition to on-campus instruction and offer only virtual learning
- After first three weeks (except when a campus is ordered closed or has a confirmed case of COVID-19), **on-campus instruction** must be provided for all grades served every day for all students whose parents want them to attend on campus, for a district to receive funding for remote instruction any day
- Daily screening requirements for students and staff
- ISD must comply with Governor's Executive Order (GA-29) regarding wearing masks
- Social distance if feasible
- Hybrid instructional model funded



# COVID-19 Legal Timeline for the 2020-2021 School Year

## **July 14, 2020 – City of Austin / Travis Co. Health Order**

- School systems shall not re-open schools for on-campus, face-to-face instruction until after September 7, 2020
- Virtual instruction shall be as per a school system's own plan
- Extracurricular sports and activities shall not take place until school systems re-open for on-campus instruction
- At least two weeks prior to re-opening for on-campus instruction and on-campus activities, the school or district shall develop a plan to be submitted to the Austin/Travis County Health Authority for re-opening on-campus activities and instruction and make the plan available for parents and general public



# COVID-19 Legal Timeline for the 2020-2021 School Year

## **July 17, 2020 – Revised TEA Guidance**

- Provided more detail than July 7 guidance
- Schools can begin the school year with 100% remote instruction during a four-week transitional period, which can be extended another four weeks with Board and TEA action
- Hybrid as only option for high school will be funded
- Daily screening requirements for students and staff
- ISD must comply with Governor’s Executive Order (GA-29) regarding wearing masks
- Social distance if feasible



# COVID-19 Legal Timeline for the 2020-2021 School Year

## **July 21, 2020 – Revised TAPPS Guidance**

- Modified the 2020-2021 TAPPS calendar by activity
- Volleyball, Football and Cross Country – First practice September 7<sup>th</sup>
- *NOTE: Travis County sets the first day as September 8th*



# COVID-19 Legal Timeline for the 2020-2021 School Year



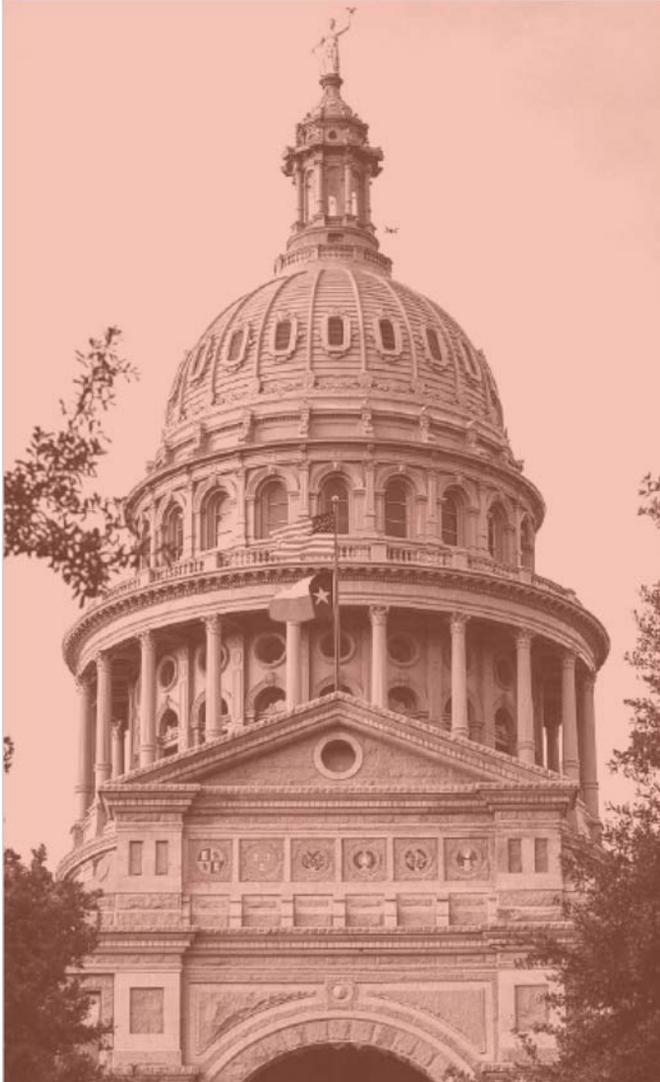
## July 28, 2020 – TEA Guidance Revised Again

- Districts will not receive funding for remote-only instruction per a county health order
- “The Texas Attorney General issued a guidance letter on July 28, 2020, that stated “...local health authorities may not issue blanket orders closing all schools in their jurisdiction on a purely prophylactic basis.” The guidance letter further provides that health authority orders may not conflict with executive orders of the governor and must apply control measures required by statute. Consequently, a blanket order closing schools does not constitute a legally issued closure order for purposes of funding solely remoted instruction...”<sup>38</sup>
- TEA continued to fund up to **eight-week** (four as transition, four with Board action) remote-only instructional period at the start of the school year

# COVID-19 Legal Timeline for the 2020-2021 School Year

## July 30, 2020 – TEA Guidance Revised Again – Attempted Clarification

- Without risk of jeopardizing funding, schools have authority to:
  - Make changes to the instructional calendar
  - Offer 100% remote instruction for up to eight weeks during a transitional period at the beginning of the year (with certain restrictions, so long as all students can access the remote instruction that is offered)
  - **Choose to offer in-person opportunities to some or certain students (special education / high risk) during the transitional period, while others are not yet offered the same opportunity**
  - More students and offerings within school campuses / facilities
    - “However, the daily on-campus attendance option... does not necessarily need to be offered at every campus, as long as parents have access to a campus that provides on-campus attendance nearby.”



# COVID-19 Legal Timeline for the 2020-2021 School Year

## **July 30, 2020 – TEA Guidance Revised Again: Attempted Clarification *continued***

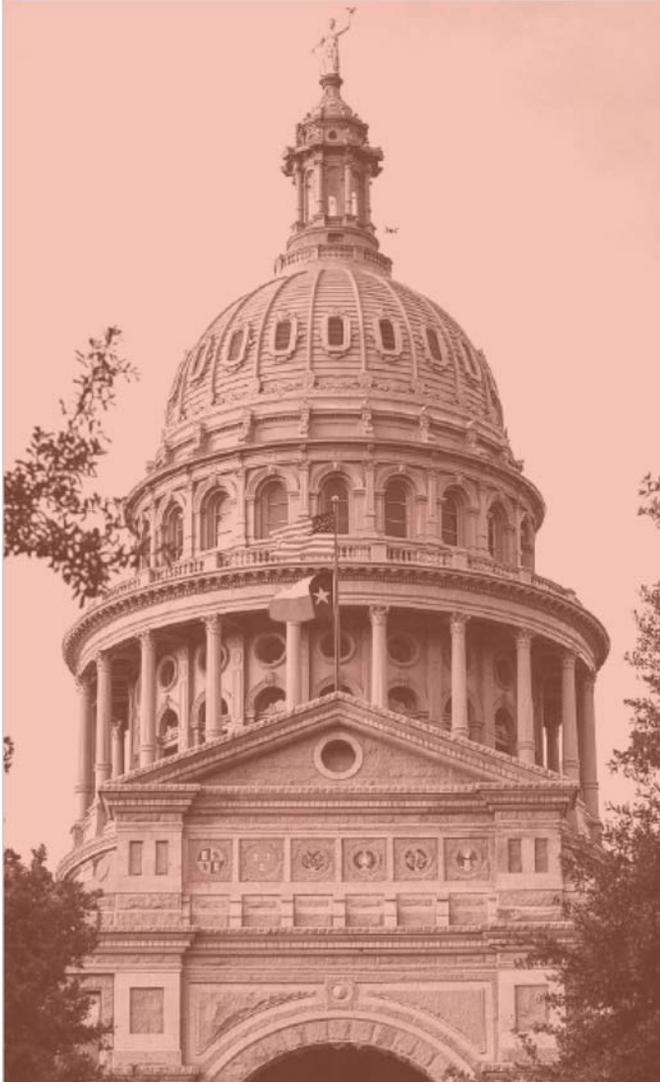
- Without risk of jeopardizing funding, schools have authority to:
  - Determine if synchronous and asynchronous (or a combination of) remote instruction opportunities are available (or if only in-person instruction will be offered)
  - Close a campus for up to five days if a confirmed positive case of COVID-19 is found (to adequately clean, communicate with those who may have been affected)
  - Choose the timing when students may transition from remote to in-person instruction



# COVID-19 Legal Timeline for the 2020-2021 School Year

## July 30, 2020 –TEA Guidance Revised Again: Attempted Clarification *continued*

- Schools **DO NOT** have authority to:
  - Offer 100% remote instruction beyond the transitional period unless a lawful closure order is in effect or if a campus is closed (for up to five days) due to a confirmed positive case
  - Deny daily in-person instruction to any student with parents who choose that option (with the exception of high school students participating in a hybrid model, or a parent who previously chose the remote option and must wait until the end of the grading period to transition)



# COVID-19 Legal Timeline for the 2020-2021 School Year

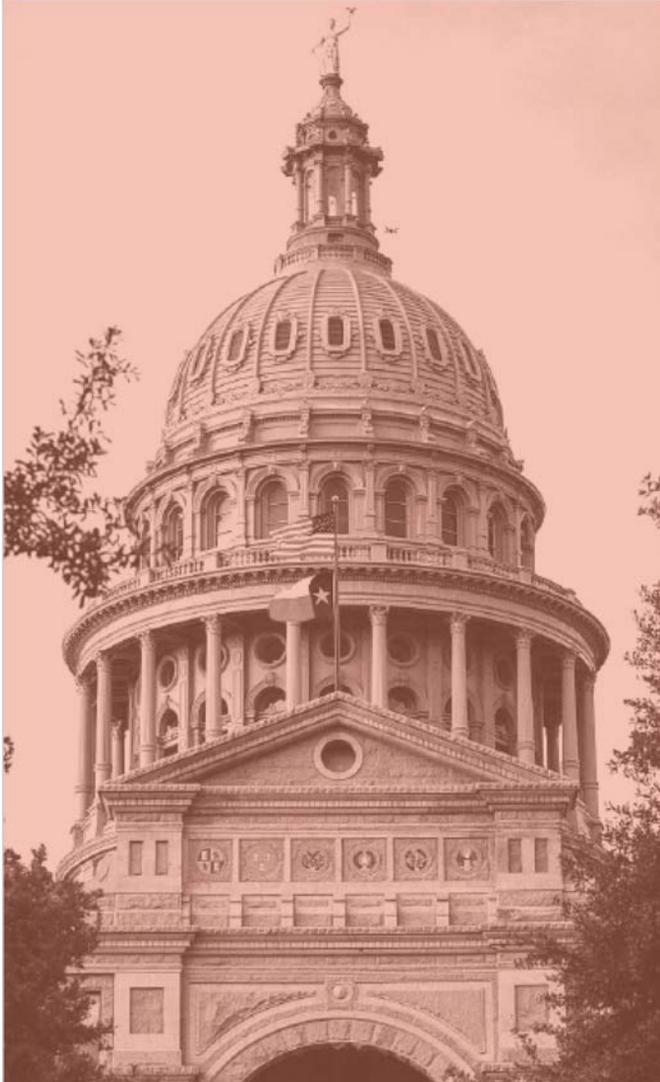


## July 31, 2020 – Statement from the Governor

**NOT an Executive Order that revokes  
local health order currently in place**

- "The top priority is protecting the safety and health of students, teachers, staff, and families. To achieve that goal, the TEA provided local school boards the flexibility they need to open schools in ways that ensure public safety while also providing the best education options for students during this challenging school year."<sup>42</sup>
- "The authority to decide how schools will safely open this year, again, lies with local school districts and boards. It can be with students in schools, it can be through remote learning, or a combination of the two. In making that decision, school boards have the ability to base their decisions on advice and recommendations by local public health authorities but are not bound by those recommendations."

# COVID-19 Legal Timeline for the 2020-2021 School Year

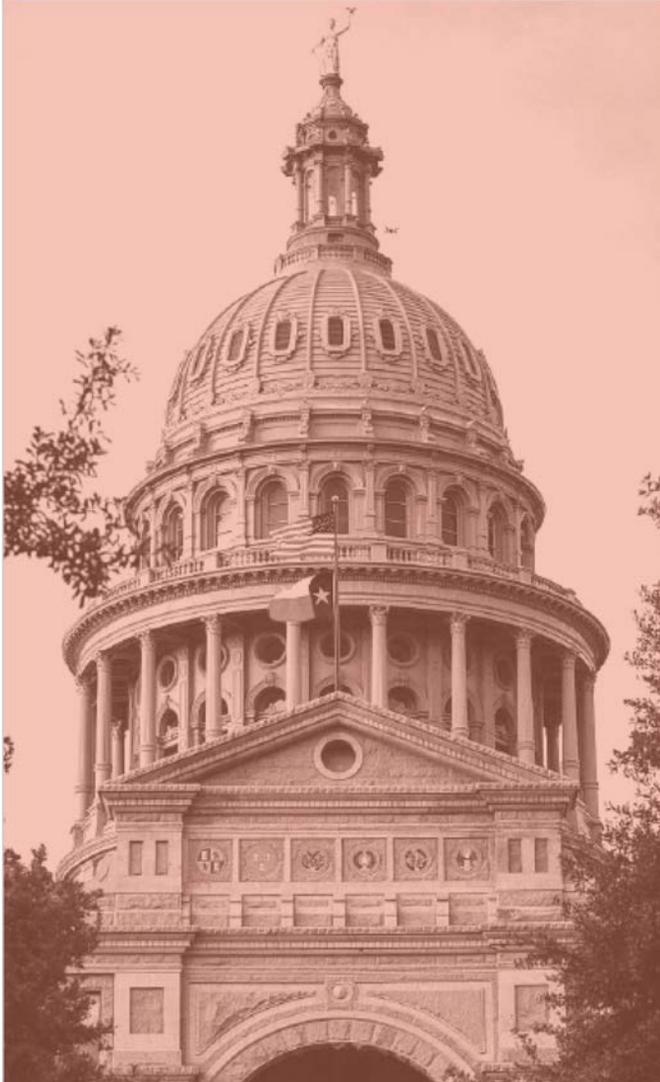


## July 31, 2020 – Statement from the Governor

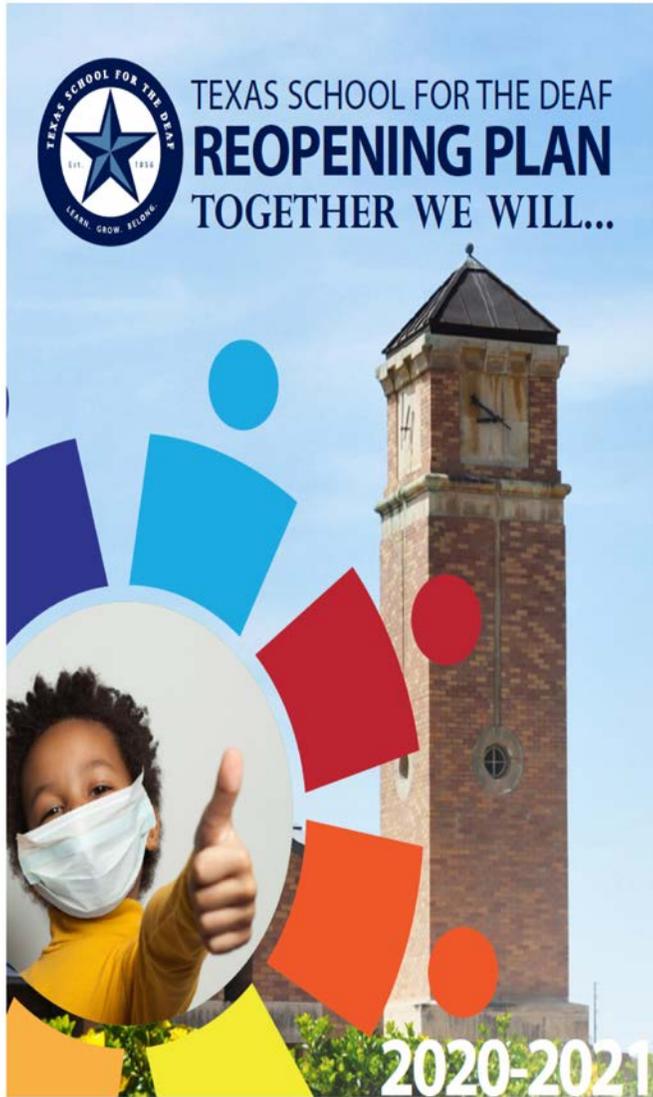
NOT an Executive Order that revokes  
local health order currently in place

- “If any school district believes they need an extension beyond 8 weeks due to COVID-19 related issues, the TEA will review that request on a case-by-case basis.”
- "If at any time during the school year a COVID-19 case is confirmed on a school campus, the school board has the ability to close the campus for up to 5 days to sanitize the campus. Schools that close under this scenario will continue to be funded for providing remote-only instruction.”<sup>43</sup>
- "Additionally, during the course of the school year, a local public health authority may determine that a school building must be closed in response to an outbreak. If that occurs, that school will continue to receive funding for providing remote-only instruction during the period of **that closure.**”

# COVID-19 Legal Timeline for the 2020-2021 School Year



- Despite Attorney General's letter, the Travis County Health order prohibiting in-person instruction and all activities until September 8<sup>th</sup> stands??
- Orders from local health authorities are legally binding<sup>44</sup> unless:
  - Revoked by the Governor
  - Overruled by a court, or
  - Rescinded by the health authorities themselves



3

Where do  
we go from  
here?



## Health and Safety Protocols

- Our commitment remains to provide the healthiest and safest environment possible with available resources
- Cleaning and disinfecting protocols have been enhanced, implementing a standardized process to effectively clean for health.
- Compliance with the CDC, county and state health officials, TEA and other jurisdictional policies
- Social distancing will comply with the latest guidance
- Face coverings will be required in compliance with the latest state and local orders



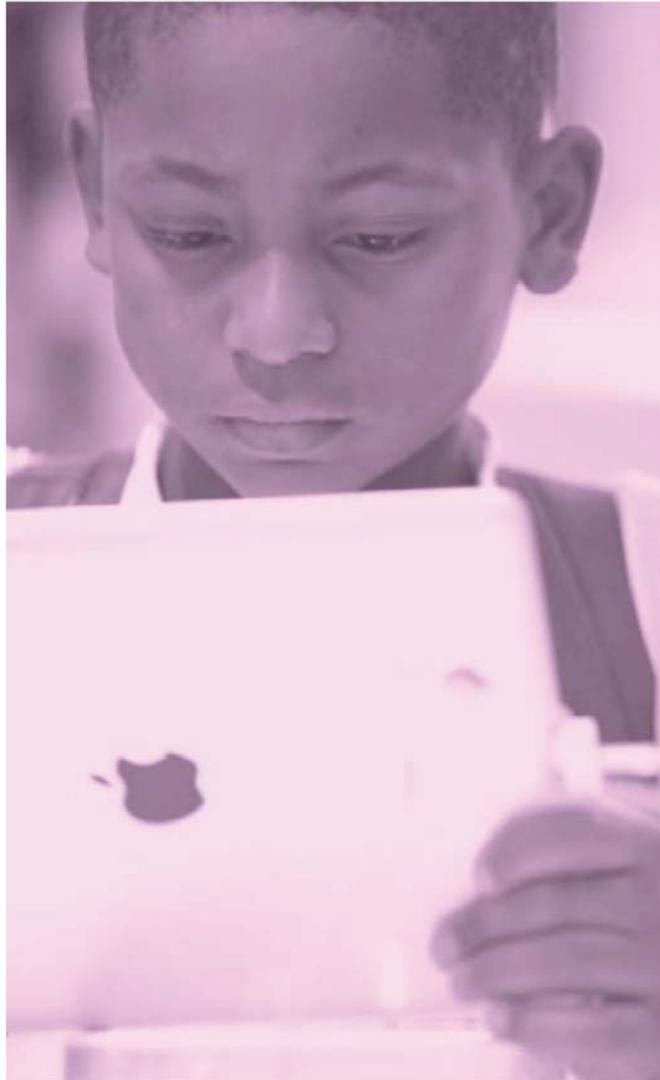
## Health and Safety Protocols

- **Personal protective equipment (PPE)** – masks, hand sanitizer, soap and water – will be provided to all students
- All students, ages 3 and up, and all staff are required to wear **face masks** that cover the mouth and nose
- Students are encouraged to regularly **wash their hands** with soap and water for at least 20 seconds
- **Outdoor hand washing stations** will be added to high traffic entries
- Students and staff will be reminded to practice **social distancing** with hallway signage and exterior sandwich boards displaying health and safety protocols
- Classrooms will be **sanitized daily** and deep cleaned weekly

# Social-Emotional Health is Essential

“The social-emotional well-being of students and staff is more important than academic achievement during this stressful time. Taking care of each other has never been a greater priority.”





## Technology Development

- New Learning Management System (LMS) Schoology to support learning
- New iPads and hotspots for students and teachers
- Professional development for educators
- Focus on effective remote learning strategies
- New classroom technologies will allow some teachers to instruct remotely while also teaching students in-person, depending on the grade level and subject
- A plan for help desk services to support families and staff during remote learning and working



## Extracurriculars and Performing Arts

- Follow TAPPS guidelines
- Align with Travis County Health orders and requirements
- Everyone wears masks
- Social distancing when possible
- Regular cleaning and hygiene
- Limit exposure time



## Simple Parent Survey and Q&A

- Parent Survey
  - Grade level for of each child
  - Education preference
    - In-person
    - Remote learning
  - Deadline August 17<sup>th</sup>
- 15 general questions and answers
- Published TSD's Reopening Guide



4

**What  
must we  
remember?**



- We are all in this **TOGETHER**
- Staff student relationships are critical
- Nothing replaces in-person learning
- Our procedures and protocols will constantly evolve
- We will remain true to our three core values
  - Safety for our students, teachers, and staff
  - Equity in our decisions and
  - Remaining flexible

## Input on two remaining questions

1. Should the Board act today to extend the TEA transition period from three to eight weeks, if needed?
2. Does the Board have any questions?



**Item  
Information****Report of Student Performance for 2019 - 2020**

All Texas Elementary and Middle School students in grades 3-8 are required to participate in grade specific STAAR or STAAR Alternate 2 assessments. High School students taking courses requiring STAAR or STAAR Alternate 2 EOC (end-of course) exams (English I and II, Algebra I, Biology and US History), also participate in the applicable STAAR assessments for those courses. We strive annually to continue to improve our school-wide performance.

In 2017 – 2018, we began administering the MAP for part of our academic accountability. Most students in grades 3 – 12 are typically tested on MAP 3 x a year: fall, winter and spring. After fall administrations, students receive an individualized normed projected growth score for the year in each area. After participating in the spring MAP assessment, actual growth scores are compared to the projected growth scores set in the fall. Our MOU indicators are typically based in part on the percent of students predicted to meet or exceed their individual MAP growth projections for Reading and Math. Of course students with the most significant cognitive disabilities are included in the overall MOU department indicators, as well; however, these students are evaluated on their report card results, which reflect mastery of IEP objectives, and not on MAP scores. Report card grade percentages for these students, along with our non-academic indicator (attendance) are included in our reporting data.

As you are aware, due to COVID-19, Governor Abbott suspended spring and summer STAAR testing for the 2019 – 2020 school year, for all TX students. As such, we have no spring 2020 STAAR assessment data to report. In addition, because of COVID-19, TSD was unable to complete spring MAP testing for the annual MOU with the Texas Education Agency. On June 10, 2020, we submitted an accountability testing waiver for the MAP assessment. As a comparison between fall and spring overall MAP scores is needed to determine if students met their projected growth in the areas of Reading and Math, TSD was unable to calculate these percentages needed to determine if academic department indicators for the year were met or not.

This presentation will share results from the data we do have.

**Contact**

Donna Altuna

**Action**

Information Only



# 2019-2020 School Year Student Performance Report

56

TSD Governing Board  
Presentation

# 19/20 and 20/21 Assessment Updates

- 3/18/20: Governor Abbot suspended STAAR testing for the remainder of the 2019-2020 school year for all TX students
- Spring 2020: TEA approved TSD MOU testing waiver for spring 2020 (MAP)
  - Requested 2019 fall MOU data in lieu of full MOU Indicator Report
- 7/27/20: The commissioner of Education (Mike Morath) waived requirements of TEC, Section 28.0211 regarding grade promotion requirements for students in fifth and eighth grade for the 2020–2021 school year
  - Students in grades 5 and 8 will take Math and Reading STAAR one time
  - For TSD students, we will continue to follow the ARD process regarding grade promotion

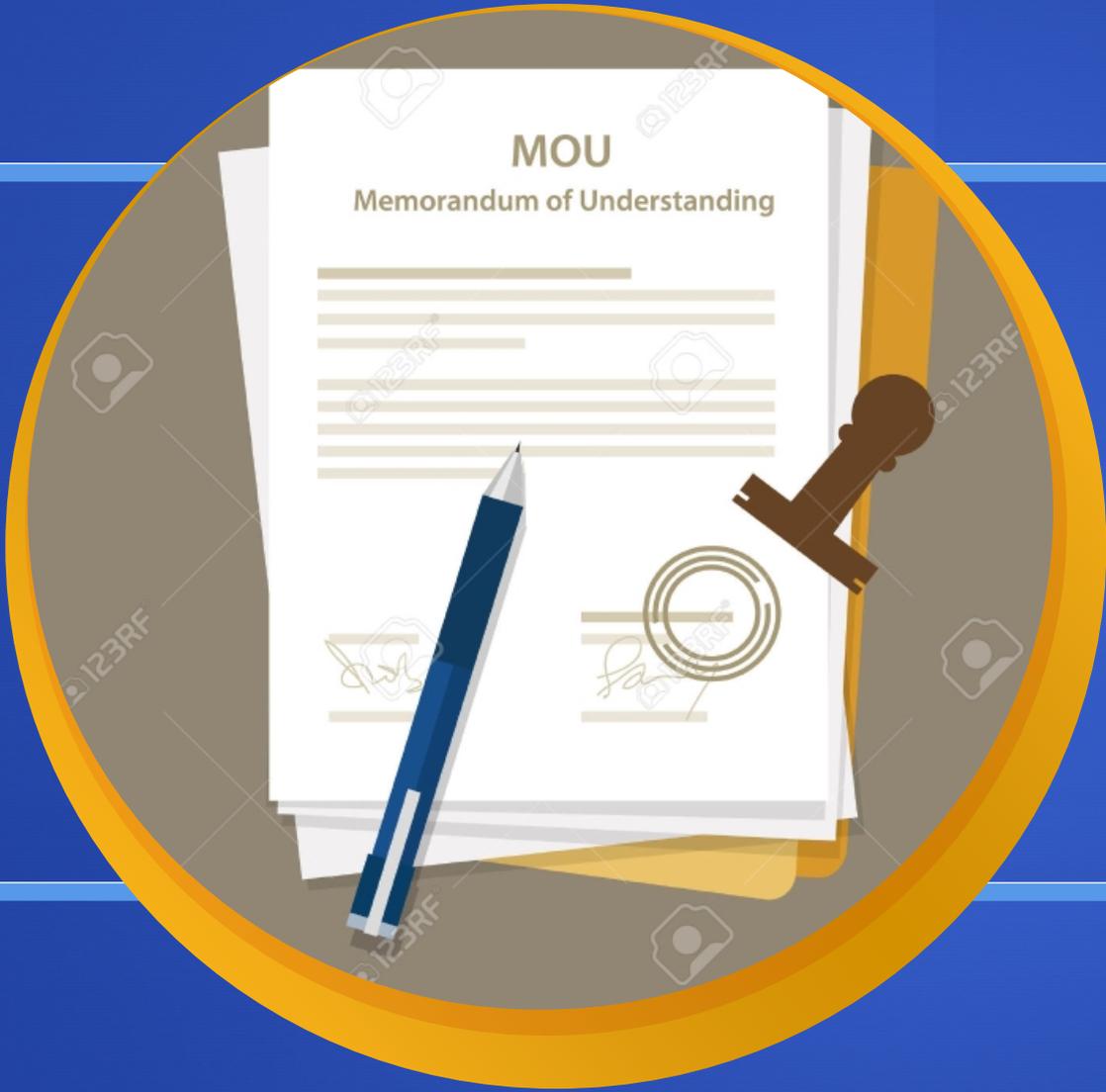
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MOU draft revised in 16-17 - In review – acceptance still pending

# MOU Fall Data Points

- No MAP fall to spring comparisons available for projected MOU Department Indicators
- Fall RIT scores reported by student
- Quarterly Report Card data reported for students with the most significant cognitive disabilities
  - Mathematics: 96% of students scored = or > 80% on quarterly averages
  - Reading: 98% of students scored = or > 80% on quarterly averages
- Average of Elem., MS and HS Attendance rates from 8/19/19 - 3/13/20 = 96.5%

<b>Item</b>	<b>Proposed Quality Indicators of Student Performance 2020 - 2021</b>
<b>Information</b>	<p>Our proposed MOU indicators for 2018 - 2019 are based in part on the MAP (Measures of Academic Progress) and individual targeted <i>Projected Growth</i> scores for students taking this assessment. Due to COVID-19 and the variety of instructional models taking place across the country, NWEA predicts larger learning gaps for the 2020 – 2021 school year, nationwide. This was considered, as we set our target indicator goals for the 2020 – 2021 school year.</p> <p>Those students participating in STAAR Alternate 2 have unique indicators based on report card grades in critical IEP areas.</p> <p>Our targets are set by an average of all student groups within the age ranges of Elementary, Middle School and High School instead of individual targets for each population group.</p> <p>Teachers, principals and leadership staff will continue, to monitor individual growth, even though our MOU targets are set as group indicators.</p>
<b>Contact</b>	Donna Altuna
<b>Action</b>	Board Approval.



# 20-21 Proposed Quality Indicators of Student Performance

60

TSD Governing Board  
Presentation

# Report Card Scores (as part of MOU)

- Students with the most significant cognitive disabilities
  - report card results ( $>$  or  $=$  cumulative score of 80%) in both Reading and Math
  - reflects mastery of IEP objectives

# Measures of Academic Progress

## MAP (as part of MOU)

- Measures of Academic Progress
- Norm referenced
- TEKS aligned
- Computer adaptive to student ability level
- Provides information enabling data-driven instruction
- Per NWEA: (Nationwide) About 50% of students attain their projected RIT growth annually.
  - **NWEA is projecting larger learning gaps nationwide this year**

# Uses RIT (Rasch Unit Scale)

- RIT = estimation of student instructional level
- RIT measures student progress/growth
- RIT shows what students have learned and are ready to learn – based on TEKS
- Normed RIT scores determined through “peer group” comparisons based on student:
  - Age
  - Grade
  - Weeks of Instruction (before testing)
- New norms recently released (summer 2020)

Elementary Grades 3-5  
Department Name

227-906 001  
9-Digit County-Campus Number

Texas School for the Deaf  
District Name

## PROPOSED INDICATORS

### ACADEMIC INDICATORS

Percent of students meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Reading

Percent of students meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Mathematics

Percent of students with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional ELA subject areas, including Language Arts

Percent of students with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional mathematic subject areas, including Mathematics

(ALL) **Target for achievement of all combined academic indicators: 25%**

### NON-ACADEMIC INDICATOR: Elementary Grades K-5

(ALL) **Target for achievement of non-academic indicator: 90%**

Middle School Grades 6-8  
Department Name

227-906 001  
9-Digit County-Campus Number

Texas School for the Deaf  
District Name

### PROPOSED INDICATORS

#### ACADEMIC INDICATORS

percentage of students meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Reading

percentage of students meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Mathematics

students with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional ELA subject areas, including Language Arts

students with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional mathematic subject areas, including Mathematics

(ALL) **Target for achievement of all combined academic indicators: 30%**

#### NON-ACADEMIC INDICATOR: Middle School Grades 6-8

(ALL) **Target for achievement of non-academic indicator: 90%**

**PROPOSED INDICATORS**

**ACADEMIC INDICATORS**

percentage of students in 9<sup>th</sup> and 10<sup>th</sup> grades meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Reading (Grade 11 student *Progress Reports* showing annual academic RIT score growth for Reading will be provided separately.)

percentage of students in 9<sup>th</sup> and 10<sup>th</sup> grades meeting or surpassing their 2020-2021 Measures of Academic Progress (MAP) fall to spring *Projected Growth* score for Mathematics (Grade 11 student *Progress Reports* showing annual academic RIT score growth for Mathematics will be provided separately.)

students in grades 9<sup>th</sup> – 11<sup>th</sup> with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional ELA subject areas, including ELA, Language and Reading Applications, and Communication Applications with Non-Signers

students in grades 9<sup>th</sup> – 11<sup>th</sup> with the most significant cognitive disabilities not participating in the MAP whose 2020-2021 annual report card average is at least 80% in all applicable functional mathematic subject areas.

(ALL) **Target for achievement of all combined academic indicators: 30%**

**NON-ACADEMIC INDICATOR: High School Grades 9-12 (all students)**

(ALL) **Target for achievement of non-academic indicator: 90%**

<b>Item</b>	<b>Professional Pathways for Teachers (PPfT) Appraisers and Calendar for School Year 2020-2021</b>
<b>Information</b>	<p>Board Policy DNA- Performance Appraisal: Evaluation of Teachers is up for review for this 2020-2021 school year.</p> <p>TSD will continue to use the PPfT Appraisal system. The process requires at least two appraisers who must be certified, trained and approved by the Board. In addition, the school shall establish a calendar for the appraisal period.</p> <p>TSD is going into their third year of the implementation of PPfT.</p>
<b>Contact</b>	Stella Egbert
<b>Action</b>	Board approval

TSD PPFT Appraisers  
2020-2021

Debbie Andries

Donna Altuna

Rachel Baker

Nick Bannon

Krista Brown

Tamara Copeland-Samaripa

Stella Egbert

Timothy Ervin

Karl Hummel

Barbara Hussey

Megan Scarboro

Christina Sicoli

Brian Sipek

Beth Smiley

Elizabeth Sterling

Dana Stoddard

Lisa Svenningsen

Joey Vaughan

Daniel Veit

PPFT Appraisal Requirements	Important Dates
<p style="text-align: center;"><b>PPFT Appraisal Orientation</b></p> <ul style="list-style-type: none"> <li>• Because of the COVID19 pandemic and the first three weeks of the school year being conducted virtually, teachers will receive a PPFT orientation training by October 12, 2020.</li> <li>• Orientations will be provided within the first 6 weeks of school or before a new teacher has his/her first observation.</li> </ul>	<p><b>Orientation:</b> by October 12, 2020.</p>
<p style="text-align: center;"><b>Teacher's Needs Assessment</b></p> <ul style="list-style-type: none"> <li>• Teachers will complete their needs assessment by the end of the first quarter.</li> <li>• Teachers who start the year after the year has begun will need to complete their needs assessment within three weeks.</li> </ul>	<p><b>Needs Assessment Due:</b> October 16, 2020.</p>
<p style="text-align: center;"><b>Announced Formal Observations</b></p> <ul style="list-style-type: none"> <li>• Observations can begin on October 19, 2020 for the Fall and January 11, 2021 for the Spring. Observations cannot begin earlier than these dates.</li> <li>• Each observation will be conducted by a different appraiser.</li> <li>• Minimum of 30 minutes per observation.</li> <li>• Completed summary in Eduphoria shared within 10 working days of observation.</li> <li>• Advance notice is required for formal observations in the Fall and the Spring.</li> <li>• Pre-conference may occur at the request of the Teacher or Appraiser.</li> <li>• A post conference is required for each announced observation within 10 working days. Teachers have 5 additional working days after the conference to submit rebuttal letter.</li> </ul>	<p><b>Fall:</b> October 19-December 18, 2020</p> <p><b>Spring:</b> January 11-March 5, 2021 (probationary teachers)</p> <p>January 11 - April 9, 2021 (non-probationary teachers)</p>
<p style="text-align: center;"><b>Professional Growth and Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Appraisers will use the scoring rubric to assess teachers in five strands.</li> </ul>	<p><b>Complete PGR prior to Summative.</b></p>
<p style="text-align: center;"><b>Additional and Summative Information</b></p> <ul style="list-style-type: none"> <li>• Summative Conference may be waived by the Teacher, NOT APPRAISER, if the Appraiser agrees.</li> <li>• Summative Report shall be available in Eduphoria before summative conferences are conducted.</li> <li>• Teachers must sign the Summative Report by May 28, 2021.</li> </ul>	<p><b>Completed Summative and Conferences:</b> May 14, 2021</p> <p><b>Summative Signed by Teachers:</b> May 28, 2021</p>



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# PROFESSIONAL PATHWAYS FOR TEACHERS

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# Background

## Professional Pathways for Teachers

Since TSD has a Memo of Understanding that our pay aligns with the Austin Independent School District (AISD), we decided to follow their appraisal system. AISD uses the Professional Pathways for Teachers (PPfT) to appraise, compensate, and provide professional development. This work focuses resources on building the capacity of our teachers through a comprehensive system of supports and rewards with the ultimate goal of impacting student achievement.

AISD has spent more than five years creating, piloting, and reviewing a multi-measure teacher appraisal. The REACH Strategic Compensation program, which was in place for eight years, provided valuable feedback and data around appraisal components and compensation. This work was led by a collaborative leadership group who reviews recommendations from a group of teachers, principals, and administrators. This working group has created a refined appraisal system based on the lessons learned from REACH and the AISD pilot appraisal as well as best practices in evaluation from across the nation.

## PPfT Appraisal

AISD has fully implemented the PPfT appraisal system in 2016 in response to the new state of Texas requirements for teacher appraisals. After careful consideration, TSD decided to implement PPfT in 2018. For the PPfT system, a teacher is defined as directly instructing students 50% of the time.

Austin ISD has piloted a multi-measure teacher appraisal that covered instructional practice, student growth, professional expectations, student response surveys, and peer observation. The PPfT appraisal system is based on the lessons learned from the pilot appraisal and REACH focusing on professional growth for teachers through a system of feedback and reflection.

The PPfT Appraisal was developed and implemented with 20 campuses in 2014-2015 to learn what is effective in the system. To align with the TEA timeline for the rollout of the state designed teacher appraisal system, the AISD PPfT appraisal was in a refinement year for 2015-16, and continued at 35 campuses. On February 1, 2016, the Austin ISD Board of Trustees approved the PPfT Appraisal System, unanimously. After two years of refinement and feedback, AISD was ready for district wide roll out, beginning in the fall of 2016-17. As AISD were to ensure all their teachers would be a part of the AISD PPfT system by 2018-2019, TSD has transitioned their appraisal system to PPfT.

**The 2020-2021 academic year brings us to our third year of using the PPfT appraisal system at TSD. As we continue to teach through the COVID-19 pandemic, the Instructional Practices rubric has some examples that are helpful in determining observational levels for the indicators. The expanded rubric will be distributed as an addition to this guide.**

# Purpose and Guiding Principles

The ultimate goal of the new teacher appraisal system is to promote professional growth for all teachers, encourage more frequent, timely and formative feedback and to incorporate multiple indicators of success. The new appraisal system will:

- Foster an open and collaborative campus culture that focuses on instructional growth, supportive and contextual feedback, and the development of individual and school wide practices that more effectively improve student learning;
- Incorporate multiple measures of teacher effectiveness including in- and out-of-classroom indicators, student learning and growth, and teacher self-reflection; and
- Offer professional development that links to evaluation results.

## The PPFT Appraisal Will:

- Be used for continual improvement.
- Use multiple measures to determine performance levels, including as a “significant factor” – data on student growth for all students, and other measures of professional practice (e.g. observations based on rigorous teacher standards, teacher self-assessments, and student surveys).
- Evaluate teachers on a regular basis.
- Provide clear, timely, and useful feedback that identifies areas for growth and guides professional development.

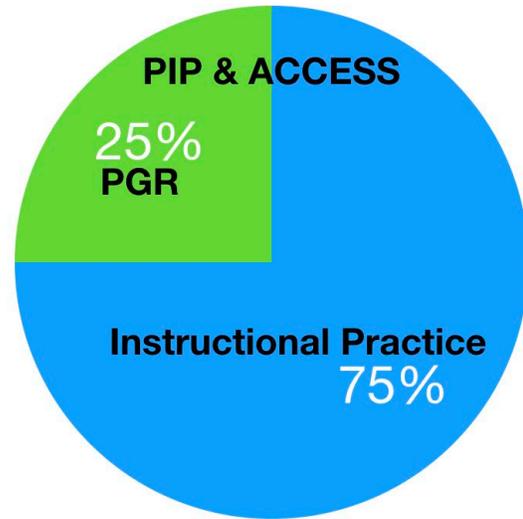
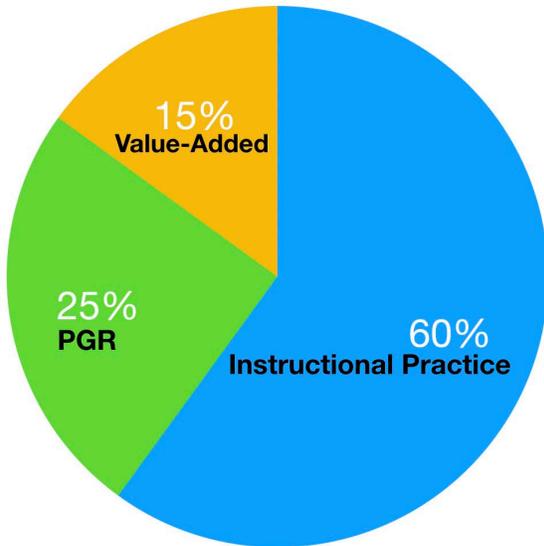
- Develop teachers for Leadership Pathways.

## Guiding Principles:

The creation of a new teacher appraisal and development system must:

- Mirror our priorities between AISD and TSD.
- Treat teaching as a profession.
- Promote collaboration.
- Provide for the continual professional development of teachers.
- Support student achievement and growth.
- Consider research and best practice.
- Be fair, reliable, equitable, and humanistic.
- Consider all teaching positions.
- Reflect multiple aspects of teaching.
- Be feasible and easily understood.
- Evolve as a work in progress.
- Work as a part of the larger Professional Pathways for Teachers system.

# Overview of the System



**Value-Added**

Every teacher in each department receive the same score (1 to 4) in accordance with how students in your department performed on their designated value-added measure in the given school year. Value-Added measurements will be the results of the Measures of Academic Progress (MAP).  
*PIP and ACCESS programs are exempt from this measurement.*

- 4: Met Projected Growth
- 3: Did not meet projected growth by 0.01-2%
- 2: Does not meet projected growth by 2.01-4%
- 1: Does not meet projected growth by 4.01-6%+

**Instructional Practice**

2 Announced Observations  
 1 Fall, 1 Spring  
 Different Appraiser for Each One

Classroom Visits

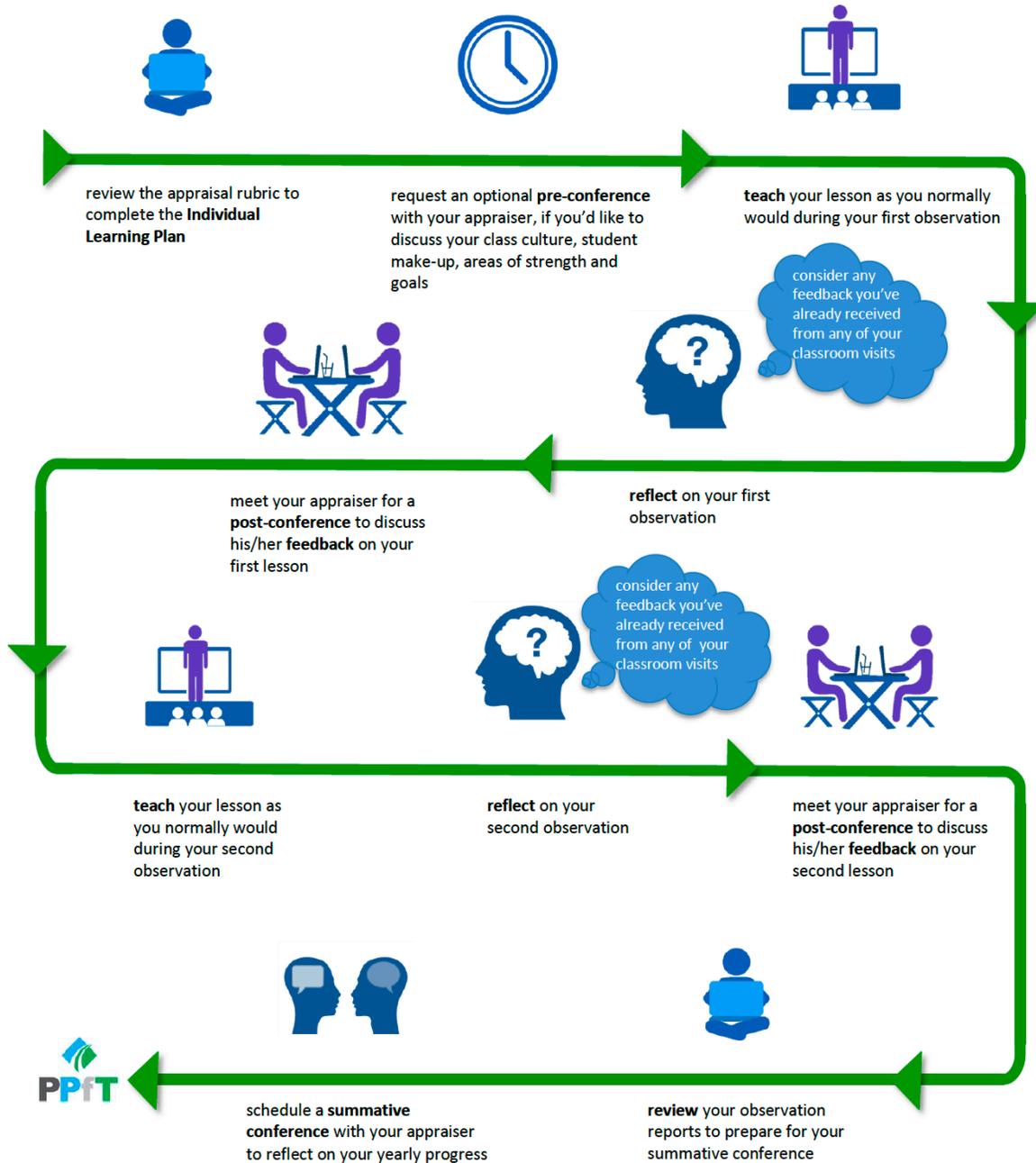
Rubric covers 7 strands of observable teaching behaviors.

**Professional Growth and Responsibilities**

Rubric covers 5 strands related to professionalism.

Completed toward the end of the year.

# Instructional Practice



# Instructional Practice

## What is it?

The ultimate goal of the PPFT Appraisal is to encourage professional growth, provide more frequent, timely, formative feedback, and to incorporate multiple indicators of success. One specific area that PPFT aims to focus on is how to help teachers improve their instructional practice to benefit the students in the classroom.

In the new appraisal system, teachers will participate in two announced, 30-minute observations during the school year, one in the fall and one in the spring, each conducted by a different appraiser. Advance notice of announced observations is required:

- Advance notice of 24 hours is required
- Advance notice of 48 hours is recommended

Additionally, the teacher will receive at least two classroom visits throughout the year (one in the fall, one in the spring).

During each of these visits, teachers will receive written feedback based on the appraisal rubric covering 7 strands of observable teaching behaviors. The ratings on the rubric range from 1-4, with a score of 3 being the expected standard.

The PPFT appraisal system offers a more robust and objective feedback process, and encourages more frequent, timely, and formative feedback. This feedback will be shared in the post-conferences that follow each of the announced observations. Throughout the school year, teachers can meet regularly with appraisers to reflect on their teaching practice and track their progress toward professional learning goals. These conferences and frequent feedback provide teachers ample

opportunities to engage in dialogue with appraisers about their instructional practice and the impact they are having on their students. Part of these conversations can be used to tie evaluation results to professional learning offerings, allowing teachers and administrators to discuss professional development opportunities that meet individual needs and provide for leadership growth.

## How will I be scored?

The announced observations will be scored using the Instructional Practice Rubric. Each strand will be scored holistically, and teachers will receive a score from 1-4 reflecting the average from the seven strands. The two announced observations (fall announced and spring announced) will be averaged for one instructional practice score that will be multiplied by 60 (as it is worth 60%) as part of the total score. Advance notice of 24 hours is required before announced observations. Advance notice of 48 hours is recommended.

Classroom visits, or other known as walk through visits will not be scored.

The Instructional Practice Rubric has 7 strands of observable teaching where teachers can earn a score of 1-4, with a score of 3 being the expected standard. On the following pages, we will take a look at each of these strands in depth, focusing on the expected standard (score of 3) and above expected standard (score of 4) areas of the rubric.

**Instructional Practice Strand 1**  
**STUDENT ENGAGEMENT**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Student Engagement During Direct Teach</b>	Students are rarely engaged and are distracted during direct instruction as indicated by not completing instructional activities, unresponsiveness to questions, inaccurate following of teacher directions, and not asking appropriate questions	Students are somewhat engaged and interactive during direct instruction as indicated by some completion of instructional activities, some responsiveness to questions, following of some of teacher directions, and asking of some questions	Students are actively engaged and interact appropriately during direct instruction as indicated by completion of instructional activities, responsiveness to questions, participating in discussions, and accurate following of teacher directions.	<i>Students completing work, turning in assignments; students answer teacher posed questions; students follow teacher given directions.</i>	Students are actively engaged and interact attentively during direct instruction as indicated by completion of instructional activities, responsiveness to questions, participating in discussions that are meaningful to their lives, accurate following of teacher directions, asking of appropriate questions, and communicating lesson content authentically through student led dialogue	<i>Students completing work, turning in assignments; students answer teacher posed questions, and ask questions of their own; students share lesson content with one another</i>
<b>Lesson Pacing</b>	The lesson moves at a pace in which students are frequently disengaged or left with nothing meaningful to do	The Lesson moves at a moderate pace but students are sometimes disengaged or left with nothing to do	The lesson moves at a pace, such that students are rarely disengaged or left with nothing meaningful to do (for example, after finishing the assigned work, or while waiting for one student to complete a problem in front of	<i>Lesson pace is quick enough that most students remain on task for the whole class period; students rarely have any "Down Time"</i>	The Lesson moves at an appropriate pace such that students are rarely disengaged, provides options for student decision making during independent work time, and/or students who finish assigned work early have something else meaningful to do	<i>Lesson pace is quick enough that students remain on task for the whole class period, and those that do finish assigned task have meaningful alternate assignments related to the objective of the day; enrichment activities (but not</i>

			the class		that relates to the objectives	<i>busy work)</i>
<b>Teacher's Concept Explanation</b>	Teacher does not explain concepts and/or does not engage students with instructional strategies	Explanation of concepts are unclear or disorganized and/or uses only one instructional strategy to engage students	Teacher clearly explains concepts and allows students to explore the concept. Teacher uses various instructional strategies to engage students	<i>Teacher engages during instruction student by using various teaching strategies; multiple intelligences</i>	Teacher provides an environment in which students are able to discover concepts and are actively involved in the learning process	<i>Student take an active role during direct instruction</i>
<b>Active Engagement in Group/Independent Work</b>	Students are disengaged during independent and/or group work	Students display an effort to meet minimum expectations in independent and/or group work	Students display active engagement in independent and group work as indicated by participation of most group members working cooperatively and/or independent work meeting lesson expectations	<i>Most students work to complete lesson expectation individually or in a group; Completion of individual/group assignments, most students contributing to a small group discussion</i>	Students display active engagement in independent and group work as indicated by participation of all group members working cooperatively and/or independent work goes beyond the lesson expectations	<i>All students work to complete lesson expectations; work goes beyond what is required by the lesson expectations, enrichment activities<sup>7B</sup> (not busy work), extra credit opportunities related to the objectives</i>
<b>Balanced Instruction</b>	Teacher does not provide a balance between direct instruction and student-centered learning so that students are not able to apply their learning	Teacher provides more direct instruction than student-centered learning but students have an opportunity to apply their learning	Teacher provides a balance between direct instruction and student-centered learning so that students are able to apply their learning	<i>There is a 50-50 balance between direct teacher instruction and student centered work; students apply their learning; lecture and lab in one class setting.</i>	Students take a leadership role during the lesson to develop conceptual understanding and require little guidance from the teacher when appropriate	<i>Teacher provide guidance for students who take the lead during the lesson; students require little teacher direction; more student centered instruction than direct instruction</i>
<b>Use of Instructional Time</b>	Teacher does not use instructional time so that students are engaged from the	Teacher uses instructional time so that some students are engaged from	Teacher effectively uses instructional time so that students are engaged from	<i>Teacher uses the whole class period to teach; students are engaged to entire</i>	Student assume responsibility for utilizing instructional	<i>Teacher provides a set of tasks to be completed, and students assume</i>

	beginning of class to the end of class	the beginning of class to the end of class	the beginning of class to the end of class	<i>class period; teaching "Bell to Bell".</i>	time	<i>responsibility for getting them done within the time provided.</i>
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**Instructional Practice Strand 2**  
**ASSESSMENT AND FEEDBACK**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Checking for Understanding</b>	Teacher infrequently or never checks for understanding	Teacher checks for understanding using only one method	Teacher routinely checks for understanding using a variety of methods.	<i>Teacher stops frequently throughout the lesson to check for understanding; use of formative assessment.</i>	Teacher implements a system of checking for understanding that results in a substantive awareness of all students' progress and needs that guides instruction during the lesson.	<i>Teacher has an established way to check for understanding &amp; uses it frequently; Teacher uses this system to guide instruction.</i>
<b>Diagnosis of Misconceptions and Scaffolding</b>	Teacher does not diagnose misunderstandings and misconceptions or the checks are ineffective in accurately assessing student understanding	Teacher inconsistently diagnoses misunderstandings and misconceptions and/or responds with incomplete scaffolding	Teacher accurately diagnoses misunderstandings and misconceptions and responds with appropriate scaffolding.	<i>Teacher uses formative assessment results to guide instruction.</i>	Teacher anticipates student misunderstandings and misconceptions and preemptively addresses them.	<i>Teacher pre-teaches content in anticipation of student difficulties; Teacher provides a tool for students to use when they encounter difficulty.</i>
<b>Teacher Response to Questions and Needs</b>	Teacher does not answer student questions or responds to their needs and interests during a lesson. Does not reteach.	Teacher occasionally answers student questions or responds to their needs and interests during a lesson or reteaches content when necessary	Teacher answers student questions or responds to their needs and interests during a lesson or reteaches content when necessary.	<i>Teacher responds to students' questions; when students express interest, teacher engages that interest; reteaches content as necessary.</i>	Students answer each others' questions and teacher supplements answers to ensure understanding if needed	<i>Students answer each others' questions and teacher adds to answers to check for understanding. Teacher monitors students' exchanges to ensure students share accurate information.</i>
<b>Self Assessment</b>	Teacher provides no opportunity for students to engage	Teacher provides limited opportunity for students to	Teacher provides an opportunity for students to engage	<i>Students reflect on their learning; active use of</i>	Students self-assess and reflect on their understanding of	<i>Students reflect on their learning and share out their level</i>

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	in self-assessment and reflection	engage in self-assessment and reflection	in self-assessment and reflection.	<i>rubrics/assessment tools.</i>	lesson objectives and provide feedback to the teacher or their peers.	<i>of understanding to their peers/ teacher.</i>
<b>Feedback</b>	Teacher provides incorrect feedback or no feedback during a lesson	Teacher provides limited feedback during a lesson that affirms correctly understood content, clarifies misunderstood content, and extends student thinking	Teacher provides specific feedback during a lesson that affirms correctly understood content, clarifies misunderstood content, and extends student thinking.	<i>Teacher provides confirmation of understanding and clarifies students' misunderstanding; formative assessment.</i>	Teacher provides opportunities for tailored feedback from a variety of sources such as students, the teacher, or outside subject matter experts that affirms correctly understood content, clarifies misunderstood content, and allows students to explain why they have or have not met the expectations.	<i>Teacher provides feedback to affirm understanding and clarifies misunderstandings; Students explain how they have or have not met expectations.</i>

**Instructional Practice Strand 3  
DIFFERENTIATION**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Access to the Lesson</b>	Teacher does not ensure all students have access to the lesson and are appropriately challenged	Teacher ensures that some students have access to the lesson and are appropriately challenged	Teacher ensures that all students have access to the lesson and are appropriately challenged (for example, teacher adjusts depth, pace and delivery of content or design content or processes to address needs).	<i>Teacher ensures that lesson content has been adapted to meet the needs of all students (SpEd, GT, ELL, etc.); IEP/504 accommodations.</i>	Teacher ensures that all students have access to the lesson and students take ownership of challenging themselves.	<i>Teacher ensures that lesson content has been adapted to meet the needs of all students (SpEd, GT, ELL, etc.).</i>
<b>Additional Supports</b>	Teacher does not provide additional supports or enrichment in order to meet the needs and learning style of each student	Teacher occasionally provides additional supports or enrichment, in order to meet the needs and learning style of each student	Teacher provides additional supports or enrichment in order to meet the needs and learning style of each student (for example, flexible grouping).	<i>Teacher provides student support or enrichment based on learning style.</i>	Students know their needs and actively seek/design learning experiences or tasks that meet their needs and learning styles.	<i>Students are aware of their own needs, and seek out activities that meet their learning styles.</i>
<b>Multiple ways to Engage Content</b>	Teacher provides one way to engage lesson content	Teacher provides two ways to engage lesson content but does not include various learning styles	Teacher provides multiple ways to engage lesson content and that includes various learning styles.	<i>Teacher uses multiple teaching strategies to engage students in the lesson.</i>	Teacher provides multiple ways to engage lesson content that includes various learning styles and offers personalized instruction according to the student's needs.	<i>Teacher uses multiple teaching strategies to engage students in the lesson.</i>

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**Instructional Practice Strand 4**  
**PROBLEM-SOLVING AND CRITICAL THINKING**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Challenging Students</b>	Teacher does not create opportunities for analysis, problem solving, or drawing conclusion.	Teacher creates limited opportunities for students to analyze, problem solve, and/or draw conclusions.	Teacher creates situations that challenge students independently and/or with peers) to analyze, think critically, problem solve, be creative, and/ or draw their own conclusions.	<i>Teacher creates activities that require students to problem solve, and/or draw conclusions.</i>	Teacher creates situations that challenge students independently and/or with peers) to analyze, think critically, problem solve, be creative, and/ or draw their own conclusions and students communicate their reasoning processes.	<i>Teacher creates activities that require students to problem solve, and/or draw conclusions.</i>
<b>Instructional Strategies for Critical Thinking</b>	Teacher does not develop and use various instructional strategies that challenge students	Teacher develops and uses one or two instructional strategies that challenge students	Teacher develops and uses various instructional strategies that challenge students to think independently or critically about the content.	<i>Teacher uses a variety of instructional strategies to encourage students to think critically.</i>	Teacher develops and uses instructional strategies that allow students to design and think through inquiry based problems or projects.	<i>Students are given opportunity to develop their own Inquiry Based Lessons/Activities.</i>
<b>High Level Questioning</b>	Teacher does not probe for higher-level thinking through questioning strategies	Teacher occasionally probes for higher-level thinking through questioning strategies	Teacher consistently probes for higher-level thinking through questioning strategies.	<i>Teacher asks high-level questions.</i>	Students exhibit higher-level thinking through their communicating with each other.	<i>Students ask high-level questions of one another.</i>
<b>Authentic Tasks and Real World Problems</b>	Students are not engaged in authentic tasks, real world problems, or substantial endeavors.	Students are engaged in some authentic tasks, real world problems, or substantial endeavors.	Students are engaged in authentic tasks, real world problems or substantial endeavors.	<i>Students are working on assignments what have a basis in real life, asked to solve problems that have a real-world context.</i>	Students base their learning in authentic tasks, real world problems, or substantial endeavors as evidence of their ownership of independent and	<i>Students are working on long term projects or assignments that have a basis in the real world and provide solutions to the problems and take on roles for the</i>

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					group work.	<i>assignment.</i>
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**Instructional Practice Strand 5**  
**CLASSROOM EXPECTATIONS**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Objectives</b>	Objectives are not clear	Objectives are somewhat clear	Objectives provide clear expectations.	<i>Objectives are clearly displayed; posting objectives on the board, activity sheets with objectives displayed.</i>	Objectives are revisited during the lesson and students are provided the opportunity to articulate the expectations.	<i>Objectives are clearly displayed and referred to during the lesson; students are provided the opportunity to explain the expectations of the objective.</i>
<b>Student Level</b>	Teacher does not know and understand student levels or does not provide activities which require students to apply their learning.	Teacher knows and understands some student levels and provides activities that require students to apply their learning.	Teacher knows and understands student levels and provides challenging activities that require students to apply and extend their learning.	<i>Teacher is aware of students' levels and uses that knowledge to guide instruction; students apply and extend their learning.</i>	Students know their levels and choose challenging activities that require them to apply and extend their learning.	<i>Students track their own progress; students knowing their levels choose activities that are challenging &amp; extend their learning.</i>
<b>Enrichment Discussion</b>	Teacher does not provide opportunities for enrichment discussions	Teacher provides limited opportunities for enrichment discussion	Teacher provides multiple opportunities for enrichment discussion.	<i>Teacher pauses throughout the lesson to allow for deeper on topic discussions.</i>	Students generate enrichment discussions or extensions to process lesson content.	<i>Students prompt and guide enrichment discussion in the lesson.</i>
<b>Student Exemplars</b>	No student work, exemplars, anchors of support, or supplemental aids are evident in the learning environment.	Some student work, exemplars, anchors of support, or supplemental aids are evident in the learning environment.	Student work, exemplars, anchors of support, or supplemental aids are evident in the learning environment.	<i>Current student work samples and examples of exemplary work are posted.</i>	Student work, exemplars, anchors of support, or supplemental aids are evident in the learning environment and is clearly tied to learning goals/objectives.	<i>Current student work samples and examples of exemplary work are posted with a rubric or teacher explanation for selection boards.</i>
<b>Lesson Alignment</b>	Teacher delivers a lesson that is not aligned to state	Teacher delivers a lesson that is somewhat aligned to	Teacher delivers a lesson that is aligned to state standards	<i>Lesson aligns with the stated objectives and TEKS requirements;</i>	Teacher delivers a lesson that is aligned to state standards	<i>Lesson aligns with the stated objectives and TEKS requirements;</i>

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	standards and district curriculum requirements	state standards and district curriculum requirements	and district curriculum requirements.	<i>age appropriate lesson, content appropriate lesson.</i>	and district curriculum requirements and has cross-curricular connections to key concepts.	<i>lesson also relates to another content area.</i>
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**Instructional Practice Strand 6  
ROUTINES AND PROCEDURES**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Behavior</b>	Teacher does not clearly communicate developmentally appropriate student behavioral expectations	Teacher communicates some developmentally appropriate student behavioral expectations	Teacher clearly communicates developmentally appropriate student behavioral expectations	<i>Teacher states and/or displays expectations for appropriate classroom behavior; CHAMPs, Class Contracts</i>	Students demonstrate developmentally exemplary behavioral expectations through their actions. Students are responsive to teacher guidance & feedback.	<i>Students model expected classroom behaviors; students are well behaved, students need very little redirection from teacher, non-verbal redirection, Role Play, etc.</i>
<b>Positive Reinforcement</b>	Teacher does not reinforce and encourage appropriate/positive behavior as needed	Teacher inconsistently reinforces and encourage appropriate/positive behavior	Teacher reinforces and encourages appropriate/positive behavior as needed.	<i>Praising positive behavior, PBIS</i>	Students hold each other accountable for appropriate behavior and encourage positive behavior. Students apply self-awareness and self-management skills.	<i>Students praise one another, students model appropriate behavior, students hold one another accountable for their behavior, etc.</i>
<b>Consequences</b>	Teacher does not attempt or is unsuccessful in the attempt to efficiently redirect misbehavior	Teacher inconsistently responds to behavior problems	Teacher utilizes logical consequences which are respectful, relevant, and realistic.	<i>When students persist in misbehavior, teacher follows through on consequences; phone calls home, office referral and other interventions</i>	Teacher handles individual behavior problems quickly, discreetly, respectfully OR no evidence of any student misbehavior.	<i>Student behavior is appropriate and does not require teacher to implement negative consequences.</i>
<b>Off-Task</b>	Teacher does not	Teacher addresses	Teacher addresses	<i>When students</i>	Off-task or	<i>Students remain on task,</i>

<b>Behavior</b>	address off-task or inappropriate behavior and it interferes with student learning	off-task or inappropriate behavior inconsistently and/or ineffectively, so that it interferes with student learning some of the time	off-task or inappropriate behavior consistently and effectively, so that it does not interfere with student learning.	<i>misbehave, teacher is able to redirect behavior; redirection, proximity, student behavior improves.</i>	inappropriate behavior rarely occurs, so there is no interference with student learning.	<i>student behavior remains appropriate for the duration of the class period, inappropriate behavior does not occur.</i>
<b>Safety</b>	Teacher does not account for student physical safety in the environment and transitions	Teacher accounts for student physical safety in the environment and transitions some of the time	Teacher effectively designs a physically safe environment for activities and transitions.	<i>The classroom environment is physically safe for class activities to occur; neat, organized, and free from clutter; in class transitions occur without incident.</i>	Teacher effectively designs a physically safe environment for activities and transitions and students assume responsibility for the routines with little or no direction.	<i>The classroom environment is physically safe for class activities to occur and students take an active role in class routines that keep the class safe; neat, organized, free from clutter, in class transitions occur without incident.</i>
<b>Classroom Routines &amp; Procedures</b>	Teacher does not design or implement consistent classroom routines and procedures that run smoothly and does not foster student independence	Teacher designs and implements classroom routines and procedures that run smoothly some of the time and fosters some student independence for shared responsibilities	Teacher effectively designs and implements consistent classroom routines and procedures that run smoothly and fosters student independence through shared responsibilities.	<i>Teacher has designed effective class roles/routines/procedures to help the class run smoothly; students share in classroom responsibilities; students participate in class jobs/roles, predictable classroom routine.</i>	Teacher effectively designs and implements consistent classroom routines and procedures where students assume responsibility and carry them out in an efficient manner with little or no direction from the teacher.	<i>Teacher has designed effective class roles/routines/procedures to help the class run smoothly; students take responsibility for maintaining the classroom environment; students perform class jobs/roles with little to no prompting from the teacher, predictable classroom routine.</i>

**Instructional Practice Strand 7**  
**CLASSROOM CLIMATE**

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Student to Student Interactions</b>	Students do not actively listen or respond positively to one another	Students listen occasionally and respond to one another intermittently	Students actively listen and respond positively to one another.	<i>Students listen to one another, students refrain from interrupting one another, students respond in a positive manner to one another.</i>	Students actively listen and respond positively and respectfully to one another.	<i>Students listen to one another, students go out of their way to be supportive of one another, students use appropriate manners in their interactions,</i>
<b>Student to Teacher Interactions</b>	Students do not actively listen or respond appropriately to the teacher	Students listen occasionally and respond appropriately to the teacher intermittently	Students actively listen and respond appropriately to the teacher.	<i>Students listen to the teacher, students refrain from interrupting the teacher, students respond in a positive manner to the teacher.</i>	Students actively listen and respond positively and respectfully to the teacher.	<i>Students listen to the teacher, students go out of their way to have positive interactions with the teacher, students use appropriate manners in their interactions with the teacher.</i>
<b>Rapport</b>	Teacher does not have a positive rapport with students and does not communicate or model expectations for respect of student differences	Teacher has an inconsistent rapport with students and communicates and models expectations for respect of some student differences	Teacher has a positive rapport with students and communicates and models expectations for respect of student differences	<i>Teacher has developed a positive rapport with the students; teacher demonstrates for students how to be respectful of student differences; positive interactions/</i>	Teacher has a positive rapport with students and students demonstrate respect for student differences and encourages positive and productive peer interactions.	<i>Teacher has developed a positive rapport with the students; students demonstrate respect for student differences; positive peer interaction, etc.</i>
<b>Student Contributions</b>	Teacher does not ensure that all students contribute and their opinions/ideas are valued	Teacher ensures that some students contribute and their opinions/ideas are valued	Teacher ensures that most students contribute and their opinions/ideas are valued.	<i>Teacher calls on all students, use of popsicle sticks/name generator to call on students, teacher praises student</i>	Students take the initiative to contribute their opinions/ideas and value the contributions of	<i>Students volunteer to contribute to class sharing, students praise one another's contributions.</i>

				<i>contributions.</i>	their peers.	
<b>Celebrations</b>	Teacher does not celebrate student accomplishments	Teacher celebrates some student accomplishments	Teacher celebrates student accomplishments.	<i>Teacher praises student achievements, teacher high fives students/gives thumbs up, teacher encourages students to applaud peers.</i>	Students recognize and celebrate one another's accomplishments.	<i>Students praise one another's achievements; students high five peers/gives thumbs up, students applaud peers.</i>
<b>Class Arrangement</b>	Class arrangement is not conducive to learning and does not change as needed for lessons	Class arrangement is conducive to learning but does not change as needed for lessons	Class arrangement is conducive to learning and changes as needed for lessons.	<i>Teacher changes class arrangement depending on the task; students have access to the lesson.</i>	Class arrangement is flexible to allow for individual student learning needs and preferences.	<i>Students take responsibility for changing the class arrangement based on their preferences, students make judgments on seating arrangements (with teacher approval) to meet their learning needs, etc.</i>
<b>Risks</b>	Teacher does not provide opportunities for students to take risks and challenge themselves or the environment is not emotionally supportive	Teacher provides a few opportunities for students to take risks and challenge themselves in an emotionally supportive environment	Teacher provides opportunities for students to take risks and challenge themselves in an emotionally supportive environment.	<i>Teacher provides opportunities for students to take risks; the teacher supports students emotionally.</i>	Students openly take risks and challenge themselves during class.	<i>Students volunteer to take risks in class; students take responsibility for challenging themselves.</i>

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# Professional Growth and Responsibilities



Professional Development & Reflection



Relational Communication



Collaboration & Contributions



Compliance



Lesson Planning & Data Use



# Professional Growth and Responsibilities

## What is it?

Professional Growth focuses on the demonstration of teacher development and collaboration through important practices that increase student learning such as participating in ongoing professional development, reflecting on instruction and student growth, goal setting, adapting teaching and instruction in response to research and data, and collaborating with the school community. Responsibilities highlight compliance and professional ethics, contributions to school and community, assessment and data use, and relational communication.

This piece of the PPFT Appraisal provides a system that concentrates on teacher growth and collaboration (Growth) while acknowledging compliance activities (Responsibilities).

The PPFT Appraisal Rubric for Professional Growth and Responsibilities incorporates a rubric that encompasses five strands associated to professionalism:

- Strand 1: Professional Development and Reflection
- Strand 2: Collaboration and Contributions
- Strand 3: Lesson Planning and Data Use
- Strand 4: Relational Communication
- Strand 5: Compliance

Your primary appraiser will complete the rubric toward the end of the school year, and you will provide additional artifacts to showcase the work you have done in these areas.

## How will I be scored?

The five strand scores will be averaged for a score of 1-4. That score will be multiplied by 25 (as it is worth 25%) as part of the total score.

## What does it look like?

The Professional Growth and Responsibilities Rubric has 5 strands related to professionalism where teachers can earn a score of 1-4, with a score of 3 being the expected standard. On the following pages, we will take a look at each of these strands in depth focusing on the expected standard (score of 3) and above expected standard (score of 4) areas of the rubric. Examples of evidence are also included. Please note that these are only examples and that there are numerous other ways that these scores can be achieved.

**Professional Growth and Responsibilities Strand 1**  
**PROFESSIONAL DEVELOPMENT AND REFLECTION**

This strand focuses on the demonstration of professionalism through notable and meaningful practices such as participating in ongoing professional development, life-long learning, goal setting, reflecting on instruction and adapting teaching and instruction in response to research and data to improve student learning.

Appraisers will use the scoring rubric to assess teachers in six indicators related to Professional Development and Reflection: professional development opportunities; knowledge of current research based practices; setting professional goals to enhance strengths and weaknesses; promoting activities related to professional reflection; use of professional learning to impact student achievement; and content knowledge.

	1	2	3	<-- Examples	4	<-- Examples
<b>Professional Development</b>	Teacher does not participate in professional development opportunities to enrich instructional practice	Teacher participates in professional development opportunities when they are required or provided by the district	Teacher seeks professional development opportunities to enrich instructional practice	<i>Professional Development Opportunities on Instructional Strategies, Trainings, etc.</i>	Teacher seeks on-going professional development opportunities to enrich instructional practice	<i>Teacher engages in long-term professional development that offers multi-level PD that impact practice</i>
<b>Research-Based Practices</b>	Teacher is not knowledgeable of current research based practices	Teacher seeks out current research-based practices to improve practice but only implements a few of them	Teacher actively seeks out current research-based practices to improve practice and uses them appropriately	<i>This could include reading articles/books, participating in webinars, or engaging in graduate level courses.</i>	Teacher actively uses current research-based practices and evaluates impact on student learning	<i>This could include reading articles/books, implementing the strategy learned, and tracking impact on students through assessments or student surveys.</i>
<b>Professional Goals</b>	Teacher does not set professional goals to enhance strengths and weaknesses	Teacher sets professional goals to enhance strengths and weaknesses but the goals are	Teacher sets professional goals to enhance strengths and weaknesses and maintains a plan	<i>Sources of Evidence: Self-reflection, professional journal, goal-setting document</i>	Teacher sets professional goals to enhance strengths and weaknesses and collaborates with	<i>Sources of Evidence: Self-reflection, goal-setting document, meeting minutes, PLC activities,</i>

		poorly formulated and do not improve practice	for continuous improvement	.	others to develop a plan for continuous improvement	<i>department/team meetings</i>
<b>Professional Reflection</b>	Teacher avoids contributing to activities promoting professional reflection	Teacher participates in activities related to professional reflection when invited	Teacher regularly participates in activities related to professional reflection	<i>Sources of Evidence: Self-reflection, professional journal</i>	Teacher takes a leadership role in promoting activities related to professional reflection	<i>Sources of Evidence: Self-reflection, meeting minutes, PLC activities, department/team meetings</i>
<b>Professional Learning</b>	Teacher does not use professional learning to impact student achievement	Teacher uses professional learning with little impact on student achievement	Teacher uses professional learning to improve student achievement	<i>Sources of Evidence: PD certificate, articles, lesson plans</i>	Teacher leads professional learning that impacts student achievement or mentors others to effectively implement professional learning to improve student achievement	<i>Sources of Evidence: Meeting Minutes, PLC Agendas, Mentor Log, department/team meetings</i>
<b>Content Knowledge</b>	Teacher does not possess required/current content knowledge	Teacher possesses some of the required/current content knowledge	Teacher possesses required/current content knowledge	<i>Sources of Evidence: lesson plans</i>	Teacher possesses required/current content knowledge and shares practices with colleagues	<i>Sources of Evidence: lesson plans, mentor log, PLC agendas, department/team meetings, meeting minutes, presentation</i>

						<i>notes/slides</i>
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## Professional Growth and Responsibilities Strand 2

### COLLABORATION AND CONTRIBUTIONS

This strand focuses on teacher collaboration and contributions made to the school, the district, and to the profession as a whole to improve practice, support students and improve student learning. The teacher collaborates with colleagues to improve personal and team practices by facilitating professional learning communities, professional dialogue, peer observation and feedback and other collegial learning activities.

Appraisers will use the scoring rubric to assess teachers in the following five indicators related to Collaboration and Contributions: collaboration with colleagues; acceptance of feedback to improve; participation in team meetings or school committees; contributions of ideas to improve the school; and collaboration with the school community to support students.

Items such as copies of emails, student work products, interactions with colleagues outside the classroom, PD artifacts, meeting minutes/agendas are sources of evidence for Collaboration and Contributions.

Indicators	1	2	3	<-- Examples	4	<-- Examples
<b>Collaboration with Colleagues</b>	Teacher does not collaborate with colleagues or share ideas and lessons to improve practice	Teacher collaborates with some colleagues and shares a limited number of ideas and lessons to improve practice	Teacher collaborates with colleagues and shares ideas and lessons to improve practice	Teacher meets with others face to face or online to share practice.  Sources of evidence: Meeting notes, emails, discussion boards, department/team meetings	Teacher initiates or leads collaboration and the sharing of ideas and lessons to improve practice	Teacher sets up or leads meetings or online collaboration.  Sources of Evidence: Meeting minutes, emails, PLC agendas or notes
<b>Feedback for Improvement</b>	Teacher does not accept feedback from supervisors and colleagues in order to improve	Teacher accepts some feedback from supervisors and colleagues in order to improve	Teacher accepts feedback from supervisors and colleagues in order to improve	Teacher actively participates in post conference with supervisor. Teacher actively listens to colleagues when they offer feedback.	Teacher seeks feedback from supervisors and colleagues in order to improve	Teacher asks colleagues or supervisors to observe and provide feedback. Teacher schedules meetings to get feedback.
<b>Participation in Team Meetings or Committees</b>	Teacher does not actively participate in team/department meetings or school committees	Teacher participates in some team/department meetings or school committees	Teacher actively participates in team/department meetings or school committees	Sources of Evidence: Meeting minutes or notes, committee agendas or minutes	Teacher assumes leadership roles in team/department meetings or school/district committees	Sources of Evidence: Meeting minutes, presentation slides/ handouts, committee

						agendas or minutes
<b>Contribution of Ideas</b>	Teacher does not contribute ideas to improve the school	Teacher occasionally suggests an idea aimed at improving the school	Teacher contributes ideas, expertise, and time to accomplish school goals	Sources of Evidence: Emails, meeting minutes, committee participation	Teacher frequently contributes valuable ideas and expertise and instills in others a desire to accomplish school goals	Sources of Evidence: Emails, meeting minutes, committee participation, student group participation
<b>Collaboration with Colleagues and Administration</b>	Teacher does not collaborate with colleagues and administration to support struggling students	Teacher collaborates with some colleagues and administration to support some struggling students	Teacher collaborates with colleagues and administration to support struggling students	Sources of Evidence: Emails, student work	Teacher initiates or leads collaboration with colleagues and administration to support all students	Sources of Evidence: Emails, student work,

## Professional Growth and Responsibilities Strand 3

### LESSON PLANNING AND DATA USE

This strand focuses on lesson planning, assessment and data use to improve practice and student learning. Lesson plans, assessments and student records are main examples of evidence for Lesson Planning and Data Use.

	1	2	3	<-- Examples	4	<-- Examples
<b>Use of Assessments</b>	Teacher does not use a variety of assessment types to determine student strengths and weaknesses	Teacher uses limited assessment types to determine student strengths and weaknesses	Teacher uses a variety of assessment types to determine student strengths and weaknesses	<i>Sources of Evidence: Assessments, student work, formative assessment, summative assessment</i>	Teacher embeds a wide array of on-going assessments in lessons to determine student strengths and weaknesses and to develop objectives and lesson plans	<i>Sources of Evidence: lesson plans, observation feedback</i>
<b>Lesson Planning when Absent</b>	Teacher does not prepare lesson plans when absent	Teacher prepares minimal lesson plans when absent	Teacher prepares lesson plans when absent	<i>Plans may include activities and resources</i>  <i>Sources of Evidence: Substitute plans and notes</i>	Teacher prepares effective, objective driven lesson plans when absent	<i>Plans may include objectives and purpose, TEKS, materials, strategies for engagement</i>  <i>Sources of Evidence: Substitute plans and notes</i>
<b>Organized Lesson Plans</b>	Lesson plans are not well-organized and do not provide time for students to master objectives and standards	Lesson plans are somewhat organized and provide very little time for students to master objectives and standards	Lesson plans are well-organized and provide time for students to master objectives and standards	<i>Plans may include objectives and purpose, TEKS, materials and resources and assessment</i>  <i>Sources of Evidence: Lesson plans, observation feedback</i>	Lesson plans are well-organized and provide time for students to master objectives and standards through continual engagement and self-assessment and reflection	<i>Plans may include objectives and purpose, TEKS, materials, anchors of support, strategies for engagement, assessment</i>  <i>Sources of Evidence: Lesson plans, observation</i>

						<i>feedback, student work</i>
<b>Sequenced Lessons</b>	Teacher does not sequence lessons to ensure student mastery of standards and objectives	Teacher sequences lessons to ensure student mastery of most standards and objectives	Teacher sequences lessons to ensure student mastery of standards and objectives	<i>Sources of Evidence: Lesson plans, observation feedback</i>	Teacher sequences lessons to help students synthesize and apply knowledge, extending mastery of standards and objectives	<i>Plans may include PBL and inquiry  Sources of Evidence: Lesson plans, observation feedback, student work</i>
<b>Use of Materials and Resources</b>	Teacher does not select, create, or adapt materials and resources to enrich learning	Teacher selects, creates, or adapts some materials and resources to encourage learning	Teacher selects, creates, or adapts materials and resources to enrich learning	<i>Sources of Evidence: Lesson materials, resources, lesson plans</i>	Teacher selects, creates, or adapts materials and resources to extend student understanding	<i>Sources of Evidence: Lesson materials, resources, lesson plans, student work</i>
<b>Tracks Student Progress</b>	Teacher does not track student progress toward meeting objectives	Teacher tracks some students' progress toward meeting objectives	Teacher tracks student progress toward meeting objectives	<i>Sources of Evidence: tracking sheets, student assessments, gradebook</i>	Students track their own progress toward meeting objectives and goals	<i>Sources of Evidence: student tracking sheets, student work, wall charts</i>
<b>Self-Reflection</b>	Teacher does not reflect on practice to improve	Teacher demonstrates limited reflection on the effectiveness of lessons and rarely uses insights to improve practice	Teacher regularly reflects on effectiveness of lessons and uses insights to improve practice and student learning	<i>Sources of Evidence: lesson plans, notes from lessons, professional journal</i>	Teacher regularly reflects on effectiveness of lessons and uses insights to improve practice and student learning and models this practice for others	<i>Sources of Evidence: lesson plans, notes from lessons, emails to colleagues, mentor log, PLC agenda, department/team meeting notes</i>
<b>Data Analysis</b>	Teacher does not analyze student data to adjust lesson plans and objectives	Teacher analyzes some students' data to adjust lesson plans and objectives	Teacher analyzes student data to adjust lesson plans and objectives	<i>Sources of Evidence: student assessments, lesson plans</i>	Teacher analyzes student data to individualize lesson plans and objectives	<i>Sources of Evidence: student assessment data, lesson plans</i>

<b>Plans Lessons that Use Technology</b>	Teacher plans lessons that use technology passively and do not relate to the real world practices or teacher plans lessons that do not include technology.	Teacher plans lessons that use technology in a conventional way and guides technology use with some meaningful connection to real world practices.	Teacher plans lessons that offer choice in the use of technology tools that are collaborative and provide a meaningful connection to real world practices.	<i>Sources of Evidence: Lesson materials, resources, lesson plans</i>	Teacher plans lessons that require students to assess and select appropriate technology to demonstrate higher order thinking and mastery of learning objectives.	<i>Sources of Evidence: Lesson materials, resources, lesson plans</i>
<b>Use of Assessments to Measure Mastery</b>	Teacher does not use assessments to measure student mastery of standards and objectives and does not provide multiple ways students can demonstrate mastery	Teacher uses assessments inconsistently to measure student mastery of standards and objectives and provides one or two ways students can demonstrate mastery	Teacher routinely uses assessments to measure student mastery of standards and objectives and provides multiple ways students can demonstrate mastery	<i>Sources of Evidence: Lesson plans, assessments, student work, data analysis</i>	Teacher routinely uses assessments to measure student mastery of standards and objectives that are interwoven into each lesson and provides multiple ways students can demonstrate mastery	<i>Sources of Evidence: Lesson plans, assessments, student work, observation feedback, evidence of spiraling curriculum for high needs</i>

## Professional Growth and Responsibilities Strand 4

### RELATIONAL COMMUNICATION

This strand focuses on communication between the teacher and all members of school community to promote professionalism and respect, cultivate a positive climate and culture and nurture student performance.

Appraisers will use the scoring rubric to assess teachers in the following four indicators related to Relational Communication: relationship with school community; communication with parents/guardians regarding student performance and school activities; creating a welcoming environment for parents and community; and use of appropriate communication.

Communication logs, copies of communication with parents, and teacher websites are sources of evidence.

	1	2	3	<-- Examples	4	<-- Examples
<b>Relationship with School Community</b>	Teacher does not maintain a positive and productive relationship with colleagues, students, and parents	Teacher maintains some positive and productive relationships with colleagues, students, and parents	Teacher maintains positive and productive relationships with colleagues, students, and parents	<i>Sources of Evidence: emails, letters from parents/students, meeting notes</i>	Teacher maintains positive and productive relationships with colleagues, students, and parents that promote respect and professionalism	<i>Sources of Evidence: emails, letters from parents/students, meeting notes</i>
<b>Communication with Parents/Guardians</b>	Teacher does not communicate with parents/guardians regarding performance, behavior, and school activities	Teacher communicates infrequently with parents/guardians regarding performance, behavior, and school activities	Teacher regularly communicates with parents/guardians regarding performance, behavior, and school activities	<i>Sources of Evidence: communication log, website, newsletter, conferences</i>	Teacher regularly communicates in a collaborative manner with parents/guardians regarding performance, behavior, and school activities	<i>Sources of Evidence: communication log, website, newsletter, emails, discussion board, website comments</i>
<b>Classroom Environment</b>	Teacher does not create a welcoming environment for parents and community	Teacher creates a somewhat welcoming environment for parents and community	Teacher creates a welcoming environment for parents and community that is healthy, safe, engaging, and supportive.	<i>Classroom is inviting and teacher is approachable</i>  <i>Sources of Evidence: letters from parents/students, emails</i>	Teacher creates a welcoming environment for parents and community that is healthy, safe, engaging, and supportive and provides	<i>Classroom is inviting and teacher is approachable. Teacher provides opportunities for parents to participate through activities</i>

					opportunities for them to participate in the school community	<i>like literacy or math night, reading to students during the day, parent night, volunteer opportunities</i>
<b>Appropriate Communication</b>	Teacher does not communicate in an appropriate manner	Teacher communicates in an appropriate manner inconsistently	Teacher communicates in an appropriate manner	<i>Sources of Evidence: emails, newsletters, website, communication log</i>	Teacher communicates in an appropriate manner that promotes a positive climate and culture	<i>Sources of Evidence: emails, newsletters, website, communication log.</i>

## Professional Growth and Responsibilities Strand 5 COMPLIANCE

This strand focuses on professional expectations and compliance issues. The teacher meets and adheres to professional ethics, policies, and legal codes and helps colleagues access and interpret laws and policies and understand their implications in the classroom.

Appraisers will use the scoring rubric to assess teachers in the following three indicators related to Compliance: ability to follow district and school policies; ability to comply with state federal laws; and ability to grade and post scores in a timely manner.

Sources of evidence include items such as discipline files, observations, interactions with teachers outside the classroom and teacher gradebooks.

	1	2	3	<-- Examples	4	<-- Examples
<b>District and School Policies</b>	Teacher does not follow district and school policies	Teacher follows some district and school policies	Teacher follows district and school policies	<i>Sources of Evidence: ECST, IEP/504 documentation, discipline files</i>	Teacher follows district and school policies and serves on committees to create district and/or school policies	<i>Sources of Evidence: ECST, IEP/504 documentation, discipline files, committee agendas/ minutes</i>
<b>State and Federal Laws</b>	Teacher does not comply with state and federal laws	Teacher complies with some state and federal laws	Teacher complies with state and federal laws	<i>Sources of Evidence: IEP/504 documentation, discipline files</i>	Teacher complies with state and federal laws and invests effort to help them be successful for students	<i>Sources of Evidence: IEP/504 documentation, discipline files, communication log, meeting notes</i>
<b>Grades and Scores</b>	Teacher does not grade and post scores in a timely manner	Teacher grades and posts scores, but not in a timely manner	Teacher grades and posts scores in a timely manner	<i>Sources of Evidence: gradebook (PowerSchool), other data entry mechanism</i>	Teacher grades and posts scores in a timely manner and proactively communicates academic progress to students and parents	<i>Sources of Evidence: gradebook, communication log, emails</i>

# Value-Added

## Purpose

Our Memo of Understanding with the Texas Education Agency is based on meeting our growth projection for our Measurement of Academic Progress (MAP). MAP is given to students from Grades 3 to 11. This is our accountability measurement as a district.

All teachers have a role in contributing to the success of meeting the agreed upon growth measurements with the TEA.

## Department Measurements

Annually administrators in each department establish a target for the percent of their students' meeting their projected growth. Annually, administrators in each department establish a target for the percent of their students' meeting their projected growth.

Students' growth on MAP is measured from the fall to the spring, and a percent of students in the department who meet their MAP projected growth is calculated. Teachers in the department then receive a score of 1-4 based on how the close they were to meeting their department target. This score is multiplied by 15 in order to determine the Value-Added score for all teachers within the department.

## Factoring in Value-Added Measurement to your PPFT Overall Score

Each program, ECE-Elementary, Middle School, and High School set percentages to meet projected growth on the MAP test.

Because the PIP and ACCESS programs focuses on students out of the state accountability standards, they do not have value-added measurements. The PIP program serve students under the age of 3 before they have initiated special education services. Students in the ACCESS program are participating in an adult program after the age of 18 and to the age of 22.

## Whole Child, Whole School

You are able to contribute to the growth of our students in many ways; not only in your classrooms, but within your departments and across campus. Academic achievement is enhanced when students feel like they belong, have access to multiple opportunities to critically think about their learning in all their classes, and grow in a positive and nurturing environment.

# System Scoring

## Instructional Practice Scoring

The announced observations will be scored using the Instructional Practice Rubric and teachers will receive a score from 1-4 reflecting the average from the seven strands.

The two observations (fall announced and spring announced) will be averaged for one Instructional Practice score that will be multiplied by .6 (as it is worth .6%) as part of the total score.

## Professional Growth and Responsibilities

The five strand scores will be averaged for a score of 1-4. That score will be multiplied by 25 (as it is worth 25%) as part of the total score.

## NYdij '9\ \ \ Yf \ 'Ognj Final Score

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Ineffective	Minimally Effective	Effective	Highly Effective	Distinguished
85	200	257	314	370 400

### Example

Instructional Practice		Score
Fall Announced Observation	Score Averaged to 1-4	3.43
Spring Announced Observation	Score Averaged to 1-4	3.5
	<b>Average</b>	<b>3.47</b>

Professional Growth and Responsibilities		Score
	Score Averaged to 1-4	<b>3.59</b>

Component	Score (1-4)	Pie Chart Percentage	Weighted Score
Instructional Practices	3.47	x60	208.2
Professional Growth and Responsibilities	3.59	x25	89.8
Value Added	3	x15	45
		<b>Total Score</b>	<b>343</b>

# Operational Procedures

## Components

All teachers will have a full appraisal every year. A teacher is defined as directly instructing students 50% of the time or more. There will be no waivers or incomplete appraisals. Every teacher will receive an appraisal every year. There are exceptions noted below if a teacher is unable to be appraised.

## Observations and Feedback

Appraisers are required to provide feedback within 10 working days of classroom visits and announced observations. Classroom visits are not scored numerically, however feedback is encouraged after each visit.

Post conference must be held within 10 working days of sharing the feedback. Teachers have 5 working days to respond after post-conference. Teachers can request a pre-conference before the announced observation.

No announced observations in the three weeks following training/orientation. The timeline is available in this packet for additional prohibited observation dates.

If an appraiser does both observations, the second observation will be invalidated and the incomplete appraisal policy will apply.

## Summative

Summative report will be available 15 days before the end of the school year. Conferences must be complete by May 28, 2020. Summative can be waived by teacher, not by the appraiser, if the appraiser agrees.

## Appeal Process

If a teacher wishes to challenge any portion of the appraisal, they must submit a written rebuttal within 10 district business days from the day of the Professional Growth and Responsibilities is shared with the teacher, and 15 days from the sharing of Announced Observation data. If a written rebuttal is not submitted within the allotted days, a teacher will be unable to move forward in the grievance process.

## Incomplete Appraisals

Every teacher will receive an appraisal each year. If a teacher has an incomplete appraisal, s/he will have to choose one of the following options in order to complete the process:

- Have the observation completed within 10 school days after the request; or,
- Accept an incomplete appraisal (for PPFT compensation, this will result in 0 points).

## Late Hires

Teachers hired past the observation window in the Fall will only have one announced observation and one classroom visit, which may be completed by one appraiser.

Teachers hired in the second semester after the observation window or who are assigned temporarily will not be appraised that year.

## Leave

Teachers who are on extended leave at the end of the school year and are not able to complete the

appraisal process will not have an appraisal for that year.

Teachers on leave during the entire fall or spring observation window will only have one announced observation and one classroom visit for the window they were present on campus.

### Intervention Plan

A teacher whose performance meets one of the follow circumstances will be designated as a “teacher in need of assistance”:

- Total score falls in the ineffective category.
- 1 in a strand on the Instructional Practice Rubric for the announced observation.
- 1 in a strand on the Professional Growth and Responsibilities Rubric.
- The Intervention Plan must be a collaborative process between the teacher and the appraiser and must remain confidential.

The Intervention Plan must address:

- The component(s) or strand(s) that caused the Intervention Plan.
- What the teacher needs to do to improve.
- Actions that a teacher needs to take.
- Evidence to show improvement.
- Timeline for improvement.

### Appraisals and Teacher Pay

Appraisal is one of the two elements under the PPFT Compensation Framework, which adds pay increases to a teacher’s regular salary. The framework builds the base through a point system.

### Training for Teachers

All teachers beginning the 2019-2020 school year will obtain orientation to the system. Teachers who are hired after the start of the school year will obtain

training within three weeks (21 days) from their hire date.

### Training for Appraisers

Appraisers will be certified yearly and the certification process covers the system, providing feedback, timelines, operational procedures, and the use of Eduphoria.

Appraisers may not observe or complete any portion of the appraisal without completing the certification process and must participate in a calibration training each year.

Appraisers must have taken the ILD or AEL training from Region 13 in order to appraise in the PPFT Appraisal System. An individual who does not hold an administrator certification and whose job description requires him/her to serve as supervisory staff of non-traditional classroom teachers may serve as an appraiser if the individual has completed an ILD/AEL training and is approved by the TSD Governing Board.

# Timeline

PPFT Appraisal Requirements	Important Dates
<p style="text-align: center;"><b>PPFT Appraisal Orientation</b></p> <ul style="list-style-type: none"> <li>• Because of the COVID19 pandemic and the first three weeks of the school year being conducted virtually, teachers will receive a PPFT orientation training by October 12, 2020.</li> <li>• Orientations will be provided within the first 6 weeks of school or before a new teacher has his/her first observation.</li> </ul>	<p><b>Orientation:</b> by October 12, 2020.</p>
<p style="text-align: center;"><b>Teacher's Needs Assessment</b></p> <ul style="list-style-type: none"> <li>• Teachers will complete their needs assessment by the end of the first quarter.</li> <li>• Teachers who start the year after the year has begun will need to complete their needs assessment within three weeks.</li> </ul>	<p><b>Needs Assessment Due:</b> October 16, 2020.</p>
<p style="text-align: center;"><b>Announced Formal Observations</b></p> <ul style="list-style-type: none"> <li>• Observations can begin on October 19, 2020 for the Fall and January 11, 2021 for the Spring. Observations cannot begin earlier than these dates.</li> <li>• Each observation will be conducted by a different appraiser.</li> <li>• Minimum of 30 minutes per observation.</li> <li>• Completed summary in Eduphoria shared within 10 working days of observation.</li> <li>• Advance notice is required for formal observations in the Fall and the Spring.</li> <li>• Pre-conference may occur at the request of the Teacher or Appraiser.</li> <li>• A post conference is required for each announced observation within 10 working days. Teachers have 5 additional working days after the conference to submit rebuttal letter.</li> </ul>	<p><b>Fall:</b> October 19-December 18, 2020</p> <p><b>Spring:</b> January 11-March 5, 2021 (probationary teachers)</p> <p>January 11 - April 9, 2021 (non-probationary teachers)</p>
<p style="text-align: center;"><b>Professional Growth and Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Appraisers will use the scoring rubric to assess teachers in five strands.</li> </ul>	<p><b>Complete PGR prior to Summative.</b></p>
<p style="text-align: center;"><b>Additional and Summative Information</b></p> <ul style="list-style-type: none"> <li>• Summative Conference may be waived by the Teacher, NOT APPRAISER, if the Appraiser agrees.</li> <li>• Summative Report shall be available in Eduphoria before summative conferences are conducted.</li> <li>• Teachers must sign the Summative Report by May 28, 2021.</li> </ul>	<p><b>Completed Summative and Conferences:</b> May 14, 2021</p> <p><b>Summative Signed by Teachers:</b> May 28, 2021</p>

# Prohibited Observation Dates

**Announced Observations (30 minute minimum) may not be conducted the following dates:**

Any date outside the appraisal period.

The instructional day before or after an official school holiday, or the day immediately after Fall Break, Winter Break, and Spring Break.

Days when campuses are taking standardized tests.

Days when students are taking end of semester exams.

**Item**                      **Legislative Appropriations Request for 2022-23**

**Information**              As you know, this is a legislative year. We have already submitted our Agency Strategic Plan as the first step in this process and are awaiting instructions on assembly of the Legislative Appropriations Request for 2022-23.

Thus far we have focused our energy on an appeal of the mandatory 5% reduction developed jointly by TSD and TSBVI. This appeal is predicated on the fact that the Governor has committed to protecting public education from cuts and protecting the Foundation School Program. TSD is both a public education entity and we receive FSP funds. A copy of the letter we submitted is attached.

We are limiting our requests for exceptional items this session and will not be asking for additional Master Plan dollars.

**Contact**                      Claire Bugen and Justin Wedel

**Action**                        Board Approval.



OFFICE OF THE  
SUPERINTENDENT



**Texas School for the  
Blind and Visually Impaired**

May 26, 2020

The Honorable Greg Abbott  
P.O. Box 12428  
Austin, TX 78711-2428

The Honorable Dan Patrick  
P.O. Box 12068  
Austin, TX 78711

The Honorable Dennis Bonnen  
P.O. Box 2910  
Austin, TX, 78768-2910

Dear Governor Abbott, Lt. Governor Patrick, and Speaker Bonnen:

The purpose of this letter is to request that you consider granting the Texas School for the Deaf (TSD) and the Texas School for the Blind and Visually Impaired (TSBVI) an exemption from identifying savings to reduce our general revenue appropriations by 5% for the 2020-2021 biennium as directed on May 20, 2020. Our request is based on the following reasons:

**Texas Dedication to Public Education:** During the most recent legislative session, Texas showed unprecedented support for public schools through increased funding. TSBVI and TSD acknowledge and commend you for what you have accomplished. During this difficult time, you continue to support public education and hold harmless the Foundation School Program. We would like to take this opportunity to clarify that our schools, as state agencies, do receive Foundation School Funds in accordance with Texas Education Code 30.003. Though certainly not as significant a revenue stream as our state general revenue funding our missions are clearly among those exempted from the reduction under the Governor's directive. Additionally, we aren't able to benefit from the same revenue streams as public schools and rely on your support as we fulfill our public school mission as state agencies. We are held to the same accountability measures as independent school districts to ensure our students, with sensory disabilities and unique learning needs, continue to access academic rigor preparing them for adulthood and independence.

**Special Education Mandates Remain Unchanged:** In addition to our mandate to provide public education, we are also mandated to provide special education services in compliance with the Individuals With Disabilities Education Act (IDEA). When Congress passed the CARES Act, Secretary Betsy DeVos was given an opportunity to provide flexibility in meeting special education mandates and she did not request any waivers pertaining to the requirements within the Individuals With Disabilities Education Act (IDEA). Our schools, like public schools across Texas had to pivot on a dime to provide remote learning after Spring Break, including supporting districts with increased requests for technical assistance. Students who are Deaf/Hard of Hearing, Blind/Visually Impaired, and Deaf Blind present some of the most unique challenges within a remote learning environment. TSD and TSBVI are prepared and willing to offer support to students and educators during this time, but we need our programs and budgets intact. When local district capacity doesn't exist to provide a free and appropriate public education to students like ours, districts and parents rely on us to ensure equitable services are available to our Texas students.

**Safety Precautions Amidst a Pandemic:** The Governor’s Office and the Texas Education Agency continue to emphasize the importance of providing education within a safe environment. We admire and respect your focus on health and safety. Currently both of our schools are carefully examining a number of re-opening scenarios that would be safe for our students and staff. The enormity of this problem presents both fiscal and operational challenges. As residential programs transporting students to school and home across Texas, our COVID-19 campus safety will come with a cost. When considering a reduction in weekly transportation home for our students to communities across Texas, we’ll need additional staff on campus to provide for seven-day a week, 24-hour coverage. In an effort to manage the possibility of an outbreak within dormitories and our health centers, we’ll need to have PPE and possibly testing capabilities. TSD and TSBVI have already begun seeking creative solutions to fund these efforts with finances at hand, but a 5% reduction could hamper our ability to bring students on our campus within the guidelines provided by TEA, DSHS, and CDC.

**Small Agencies with Large Missions:** The TSD Mission is to, “ensure students learn, grow and belong in a language-rich environment while supporting students, families, and professionals through statewide outreach services.” The TSBVI mission is to “serve as a leading center of expertise and resources, working in partnership with schools, families, communities, and organizations to transform educational outcomes for students, ages birth to 22, who are blind, visually impaired, or DeafBlind, including those with additional disabilities.” Both agencies are a statewide resource, and during the pandemic, are being accessed more than ever by Texans.

**TSD and TSBVI Will Remain Fiscally Conservative:** In accordance with the directives we will forego capital expenditures that can be deferred, avoid travel expenditures, reduce administrative expenses, and keep unfilled any open positions that are not mission critical and/or essential to the COVID-19 response. Though we are committed to maintaining our fiscal obligations to Texans by remaining conservative, we’re requesting an exemption from the 5% reduction.

As all Texans are met with challenges during this time, we understand the difficulty in decision making. As State Agency Heads, we admire the leadership you have shown and the unwavering support of public education. More than ever before we need your support in recognizing our schools as public schools providing needed services to the states Deaf/Hard of Hearing, Blind/Visually Impaired, and DeafBlind students, their families and the professionals that serve them.

Sincerely,



Claire Bugen  
Superintendent, Texas School for the Deaf (TSD)



Emily Coleman  
Superintendent, Texas School for the Blind and Visually Impaired (TSBVI)



Eric Hogue  
Governing Board President, TSD



Lee Sonnenberg  
Governing Board President, TSBVI

**Item**                      **Five Year Strategic Plan 2021-2025 and Accreditation Update**

**Information**              After a very successful School Community Planning Team (SCPT) meeting at the end of February, all of our timelines for Strategic Planning and Accreditation have been altered based on COVID-19. Our new Strategic Goal Teams are just organizing now after a semester of virtual instruction and virtually no one on campus.

The attached timeline will be the best way for us to update you on the adjustments we have made in the timeline and what you can expect during this 20-21 school year.

**Contact**                      Claire Bugen

**Action**                      Information Only



# 2019-2021

## TSD Strategic Planning

TIMELINE

## Revised COVID-19 2019-2021 TSD Strategic Planning and Accreditation Process

**September – December 2019**

### **INTERNAL/EXTERNAL ASSESSMENT**

- Student Performance, Demographic Data
- Technology Impact, Economic Impact
- Political Landscape, Stakeholder Views
- Local, State, National Trends

**April – October 2020**

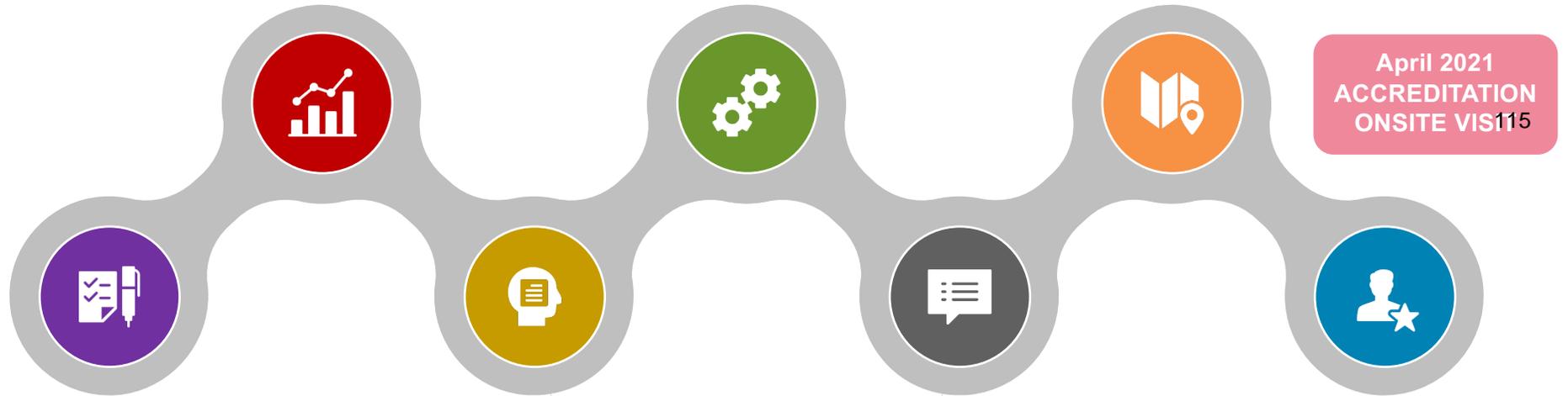
### **ESTABLISH STRATEGIC GOAL TEAMS (SGTs)**

- Finalize Mission, Vision, Beliefs
- Reorganize Critical Issues
- Identify SGT Chairs
- SGT Training
- SGTs Meet and Conduct Research on Critical Issues

**December- April 2021**

### **FORMALIZE PLANS**

- Five-Year Strategic Plan Developed
- Begin Compiling CEASD Self Study
- Preparation of Evidence Room



**June – September 2019**

### **CONDUCT SURVEYS**

- CAYCI Surveys
- UT Employee Engagement
- CEASD Standards Surveys
- Mission, Vision, and Beliefs Survey

**February 21st and 22nd, 2020**

### **SCHOOL COMMUNITY PLANNING TEAM MEETING**

- Review Mission, Vision, Belief Statements
- Review Internal/External Assessment (Survey Data)
- Identify Critical Issues

**December 2020**

### **SGT REPORTS**

- SGT Reports Due November 30
- SGT Chairs present final report at CEASD Core Meeting
- Board approves SGT Reports/Critical Issues @ Dec mtg

**April 2021  
ACCREDITATION  
ONSITE VIS115**

**April 2021**

### **DESIGN NEW STRATEGIC PLAN & FINALIZE SELF-STUDY**

- Self Study Assembly in Final Stages
- Preparation of Evidence for Exhibit Room
- Develop Schedule for Site Visit

<b>Item</b>	<b>Student Code of Conduct</b>
<b>Information</b>	<p>The Student Code of Conduct provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.</p> <p>Because the Student Code of Conduct is adopted by the Governing Board it has the force of policy; therefore, in case of conflict between the code and the student handbook, the code will prevail.</p> <p>There are no significant changes to the Code of Conduct that was reviewed and approved last year.</p>
<b>Contact</b>	Stella Egbert/Wilmonda McDevitt/Elizabeth Sterling
<b>Action</b>	Board Approval

2019-2020

**Texas School for the Deaf  
2020-2021**

# **Student Code of Conduct**

## Texas School for the Deaf

Dear Parent/Guardian/Families:

One of the important priorities for TSD is providing a safe learning environment for all students. In order to help us meet this goal, please read and review the revised and updated 2020-2021 Student Code of Conduct. This Code provides important information for parents/legal guardians and students about the rights and responsibilities of all members of the TSD community. It outlines expectations for student behavior to foster a safe, positive and supportive learning environment.

The formatting of our updated Code of Conduct is new to all of us. The purpose of updating our Code is to ensure we share more about our practices at TSD in terms of supporting all our students. You will find some descriptives of programs we are doing at TSD to support our community. Enclosed is also references to specific policies that the TSD Governing Board has reviewed and approved, which are available for you on our TSD website. The Code refers to specific policies that the TSD Governing Board approved, which are all listed in our TSD website ([https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC\\_ID=348273&type=d&pREC\\_ID=760910](https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC_ID=348273&type=d&pREC_ID=760910)).

After you have reviewed this guide with your child, please sign and date the enclosed Acknowledgement of Electronic Distribution of Student Code of Conduct form on page 3. An electronic copy of this Code is available on the TSD website. Please refer to it as needed throughout the school year.

Thank you in advance for your support in helping to make your child's school a safe place for all our school community members,



Stella Egbert  
Director of Instruction

## Acknowledgement of Electronic Distribution of Student Code of Conduct

Dear Students and Parent(s)/Legal guardian(s):

We know that you share TSD's priority of providing a safe school environment. In order to help us reach this goal we ask you to please read and review this Student Code of Conduct (Code).

In our continued efforts to be as efficient as possible, the TSD website is the primary source for access to the Code. Families who do not have Internet access can receive a copy at their campus upon request at any time during the school year. To ensure that every district student has had the opportunity to access the information contained within the Code, we are requiring that a parent or legal guardian of every student complete the requested information below and return it to your child's teacher and/or the school's administrative team. This form will remain in your child's cumulative folder.

\_\_\_\_\_ I acknowledge that I can electronically access the TSD Student Code of Conduct.

\_\_\_\_\_ I acknowledge that I can obtain a paper copy by visiting the administrative office of my child's school. A copy of the Student Code of Conduct will be available through my child's department.

You are responsible for reading the rules, expectations and other information contained herein and signing and returning the attached acknowledgement form. All students will be held accountable for their behavior and will be subject to disciplinary consequences outlined in the Student Code of Conduct. Failure to read the Code does not excuse the student from any consequences if they are in violation of the Code.

Each school year, a paper copy of the Code will be available to you in the administrative office of your child's school. Please visit this office to obtain the most recent copy of the Code.

Student Name: \_\_\_\_\_ Dept: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

Parent/Legal guardian Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

Teacher Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

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# Texas School for the Deaf Student Code of Conduct

## TSD Mission Statement

Texas School for the Deaf ensures students learn, grow and belong in a language-rich environment while supporting students, families and professionals through statewide outreach services.

In order to achieve this mission, all TSD personnel will demonstrate the attitude and skills to model and support responsible, fulfilling and respectful lives. To ensure that students' learning environment is socially and emotionally safe and free from disruption, each educator is expected to:

- Develop positive relationships in the school community.
- Look for opportunities for proactive intervention before disciplinary action.
- Model courtesy and respect.
- Take a holistic approach to conflict and problem solving.
- Be an active listener.
- Communicate with all pertinent stakeholders.
- Keep equity (see glossary) in mind.

## Parents\* as Partners

(\*Parents includes a person standing in parental relation but does not include a person as to whom the parent-child relationship has been terminated or a person not entitled to possession of or access to a child under court order [Education Code §26.002].)

Students, parents and school personnel all have a role in making schools safe and the benefit of collaborating with one another to achieve this goal. is essential. School staff should keep parents informed of their child's behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or a written communication. As role models, parents and school staff should exhibit the behaviors that they would like to see students emulate.

Parents must be familiar with the Student Code of Conduct (Code) to ensure that they become active and involved partners in promoting a safe and supportive environment. School officials are responsible for sharing the information in this document with students, parents and staff. Schools are encouraged to provide workshops for parents about understanding the Code and how best to work with the school to support their child's social-emotional growth. Educators are responsible for informing parents about their child's behavior and for nurturing the skills students need to succeed in school and in society. Parents are encouraged to discuss with their child's teacher and other school staff issues that may affect and strategies that may be effective toward student behaviors.

Maximum consultation and communication between the school and the home is important. A variety of conferences (including ARDs) attended by the principal or principal's designee, a guidance counselor, the student's parent(s) and one or more of the student's teachers are an effective means of encouraging parental input and should be held with the student when appropriate. Parents who want to discuss concerns should contact the school.

In the event a student engages in inappropriate behavior, the principal or principal's designee must report the behavior to the student's parent. When a student is believed to have committed a crime the police must be summoned, and the parent must be contacted.

*Parents who have questions or concerns about student discipline decisions arising from violations of the code should contact the campus principal or Director of Instruction.*

## **Promoting Positive Student Behavior**

School culture and climate have a profound impact on students' academic progress and their relationships with peers and adults. Each school is expected to promote a positive school culture that provides students a supportive environment that helps them grow socially and academically. Student connections to school through opportunities to participate in a wide range of pro-social (see glossary) activities and to bond with caring, supportive adults, coupled with a comprehensive program of prevention and intervention, provides students with the experiences, strategies, life skills and support they need to thrive.

Social-Emotional Learning (SEL) is a basic component of a school's program of universal prevention for all students. Schools are expected to take a proactive role in nurturing students' pro-social behavior. Providing a range of positive behavioral supports as well as meaningful opportunities for SEL fosters resiliency. Effective SEL helps students develop fundamental life skills, including recognizing and managing emotions, developing caring and concern for others, establishing positive relationships, making responsible decisions and constructively and ethically handling challenging situations. When students develop SEL skills, they experience more positive relationships with peers, engage in more positive social behaviors and are less likely to engage in misconduct.

The establishment of a school-wide, tiered framework of behavioral supports and interventions is essential to implementing progressive discipline. The goal of behavioral supports is to foster resiliency, help students understand and follow school rules and support students in developing the skills they need to meet behavioral expectations. School staff members are also responsible for addressing inappropriate student behaviors that disrupt learning.

Administrators, teachers, counselors and other school staff are expected to engage all students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and his/her parent(s).

Intervention and prevention strategies include but are not limited to: support and services that address personal and family circumstances; SEL; conflict resolution; peer mediation; collaborative negotiation; restorative circles; anger management; stress management; collaborative problem-solving; communication skills acquisition; the use of alternative instructional materials and/or methods; enrichment services; alternative class placement; development or review of functional behavioral assessments and behavioral intervention plans, which should be developed and/or reviewed as an early

intervention strategy.

Through the use of interventions and prevention strategies that engage students and give them a clear sense of purpose, school staff members facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

## **Positive Behavior Supports**

Understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline. Positive behavior supports uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior. Positive behavior supports does not seek punishment. Instead, positive behavior supports seeks concurrent accountability and behavioral change.

The goal of positive behavior supports is prevention of a recurrence of negative behavior by helping students learn from their mistakes. Positive behavior supports helps students who have engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it has caused; understand what they could have done differently in the same situation;
- Take responsibility for their actions;
- Be given the opportunity to learn pro-social strategies and skills to use in the future; and
- Understand the progression of more stringent consequences if the behavior reoccurs.

Every reasonable effort must be made to correct student behavior through guidance interventions and other school-based strategies such as restorative practices.

Guidance interventions are essential because inappropriate behavior or violations of the Code may be symptomatic of more serious problems experienced by students. School personnel must be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs.

Appropriate disciplinary responses should emphasize prevention and effective intervention, foster resiliency, prevent disruption to student's education and promote positive school culture. When a student's misconduct results in a placement out of the classroom, the school should consider using a peer mediation or the restorative circle process as an effective strategy to support a successful return to the student's regular program.

For students whose behavior impedes the student's participation in school, a functional behavior assessment (FBA) is an essential tool to understand the causes of the student's behavior. A behavioral intervention plan (BIP) after an FBA provides specific approaches to address the student's behavior may be developed and reviewed in an ARD.

## **Addressing the Behavioral Needs of Pre-K Thru Second Grade Children**

A student enrolled in a grade level below grade three is prohibited from being 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 an

offense related to weapons (unlawful carrying weapons or prohibited weapons); conduct that contains the elements of a violent offense (assault (see glossary), sexual assault, aggravated assault or aggravated sexual assault); or selling, giving or delivering or another person or possessing, using or being under the influence of: any amount of marihuana or a controlled substance, a dangerous drug, or an alcoholic beverage. [Texas Education Code §37.005]

There is no simple solution to complex student needs. At the core of our response to PK-2 students, we should ask the following questions: What do we see when the student is in front of us? What is the root cause of the behavior? What does the student need?

We do not ask: What is wrong with the student?

Instead, we do ask: What is going on with the student?

TSD Strives to ensure that we respond to students' needs through a tiered approach. Having a tiered approach allows us to support our students on all levels, and for those who benefit from tailored and supplemental and/or intensive services beyond Tier 1.

### Tier I Prevention

**Positive Behavioral Interventions and Supports (PBIS):** A broad range of systemic and individualized strategies with emphasis on proactive interventions for promoting, teaching, reinforcing and monitoring positive student behaviors by all adults on campus while preventing problem behavior with all students.

**Restorative Practices:** A continuum of responsive practices available to a campus to focus on developing a campus culture and climate that supports the needs of each individual student and their family.

**Social and Emotional Learning (SEL):** A fundamental research-driven approach where students learn critical life skills such as recognizing and managing emotions, solving problems effectively and establishing positive relationships through explicit instruction and adult-modeling. TSD is moving into the next stage of implementation that includes a deep integration of SEL into core teaching and learning in every classroom, maximizing implementation on every campus and ensuring seamless delivery systems of intervention and support.

**Trust-Based Relational Interventions (TBRI):** TSD is committed to becoming a more trauma-informed campus and learning essential strategies to best support our students through this knowledge. TBRI is a trauma-informed intervention designed to meet the needs of children who have experienced abuse, neglect and/or trauma and students who are not responding to the learning environment.

## **Tier II Targeted Response**

### **Assessment and Monitoring**

- Campus and/or campus reflection questions
- Child Study Team Meeting, Core Meetings, Student Staffing Team
- Conference with parents or legal guardians and campus support personnel
- Development or monitoring of an academic or behavior plan in partnership with the student, teacher, and school personnel
- Restorative circle (with support as needed by district staff)

### **Supports**

- Classroom and peer observations from campus administration by specific personnel to offer reflection and support
- Counseling with school counselor or by service provider (based on capacity)
- Development of a classroom calming areas if age appropriate
- Development of a campus SEL program
- Support for families in terms of external referrals to community based resources to support students and families further

## **Tier III Intensive Response**

### **Assessment and Monitoring**

- Consistent monitoring in support plan within a Student Staffing Team and Additional and Comprehensive Support Services

### **Supports**

- Additional resources provided within the school system as agreed in the ARD, such as behavior support, counseling, and other related service needs
- Referral to community partners and service providers

## Summary

This Student Code of Conduct (Code), reviewed and approved by the TSD Governing Board, provides information and direction to students and parents regarding behavioral expectations and consequences for code of conduct violations. Parents/legal guardians and students are encouraged to read and regularly review the district's Code to ensure a successful and productive school year for all.

### **The district has the authority to handle discipline and give consequences when:**

- The interest of the school is involved on or off school grounds in conjunction with or independent of classes and school-sponsored activities.
- Students violate the code of conduct during the school day while attending or participating in a school-related or school-sponsored activity, including in any vehicle owned by the district.
- Students post threatening messages on social media towards another student, staff or district property, regardless of time or location.
- Students engage in specific criminal activity, as determined by law enforcement, regardless of time or location.

### **Determining consequences:**

- As required by law, our Special Education Director, Elizabeth Sterling, will serve as the District Behavior Coordinator (DBC). The DBC is primarily responsible for maintaining student discipline policies and procedures. The department principals and administrative teams will determine appropriate consequences based on these policies and procedures.
- Before the DBC and department administration recommend a suspension or the student's removal to an alternative school setting, they must consider:
  - If the student acted in self-defense;
  - The student's intent or lack of intent at the time the student engaged in the conduct;
  - The student's disciplinary history;
  - Whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of their conduct, regardless of whether the decision involves a mandatory or discretionary action.
  - A student's status in the conservatorship of the Department of Family and Protective Services or a student's status as a student who is homeless.
- The DBC and department administration can offer students the following options to restore order, help students with their social and emotional development and keep students engaged with their academic progress at their home campus:
  - Parent/teacher conference;
  - Conflict resolution;
  - Classroom circles (used to establish a respect agreement, build school community, repair harm and teach decision-making strategies and/or content);
  - Behavior coaching;
  - Behavior improvement plan;
  - Referral to the school's student support team;
  - Referral to social services in the community;

- Transfer student to another classroom;
  - In School Suspension or Out-of-School Suspensions.
- The district may recommend a student to obtain alternative education services for serious or persistent misconduct or when the student breaks local or state law:
  - Students have the right to participate in a due-process conference before they are removed from their regular school setting.
  - Students can be removed to a district alternative education program (DAEP).
  - Students may not be allowed to attend or participate in any extracurricular activities.

## **Purpose**

The Code is the district's specific response to requirements of Chapter 37: Discipline; Law and Order of the Texas Education Code.

The Code provides clear guidance and reliable information to students, parents and staff, so everyone knows what to expect if disciplinary issues arise. This Code also aligns with TSD's goals and philosophy of respect, success, prevention, guidance and early intervention.

The law requires the district to define misconduct that may or must result in a range of specific disciplinary consequences.

Rules of conduct and discipline shall not have the effect of discriminating on the basis of race, color, religion, gender, gender identity, gender expression, sexual orientation, national origin, disability, age, immigration status, or any other basis prohibited by law.

This Code is an outgrowth of collaboration among district, campus staff, parents and other community members. This Code, adopted by the TSD Governing Board, provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct. In the case of conflict between the Code and board policy, the Code will prevail.

References are made throughout this document to Chapter 37 of the Texas Education Code (TEC), which governs various aspects of the Code. TEC and AISD policies, regulations and exhibits concerning discipline and behavior management can be accessed on-line:

TEC: <http://www.statutes.legis.state.tx.us/?link=ED>

TSD policies, regulations, and exhibits: [https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC\\_ID=348273&type=d&pREC\\_ID=889409](https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC_ID=348273&type=d&pREC_ID=889409)

## **I. Expectations for Student Behavior**

In order to achieve TSD's mission, all students will demonstrate the attitude and skills to lead responsible, fulfilling and respectful lives; all students will understand the components of a healthy lifestyle. To ensure that students learn in a psychologically-, physically- and emotionally safe environment free from disruption, each student is expected to:

- Demonstrate courtesy and respect for others;
- Behave responsibly;
- Attend all classes regularly and on time;
- Avoid Code violations;
- Prepare for each class and take appropriate materials and assignments to class;
- Cooperate with or assist the school staff in maintaining safety, order and discipline;
- Be well-groomed and dress appropriately according to district or campus dress code;
- Respect the property of others, including district property and facilities;
- Respect the rights and privileges of other students, teachers and other district staff.

A student whose behavior shows disrespect for others, including interference with a person's access to a public education and/or a safe environment, will be subject to disciplinary action. The district or individual schools may impose campus or classroom rules in addition to those found in the Code. These

rules may be listed in the campus student handbooks or posted in classrooms and may or may not constitute violations of the Code.

In general, discipline will be designed to correct the misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action and the length of the assignment will draw on the professional judgement of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be related to, but not limited to, the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, whether the student was acting in self-defense, the effect of the misconduct on the school environment, intent or lack of intent at the time the student engaged in the conduct, whether a student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of their conduct (as required by law, IDEA, 504), and a student's status in the conservatorship of the Department of Family and Protective Services or a student's status as a student who is homeless. Because of these factors, varying techniques and responses may be considered for discipline for a particular offense (unless otherwise specified by law).

The following techniques may be used alone or in combination for Code and non-Code violations, such as campus or classroom rules:

- Verbal correction;
- Cooling-off time;
- Seating changes in the classroom or in vehicles owned or operated by the district;
- Counseling by teachers, counselors or administrative personnel;
- Parent-teacher conferences;
- Confiscation of items that disrupt the educational process;
- Behavioral contracts;
- Sending the student to the office or other assigned area, or to Student Support Centers (in-school suspension);
- Assignment to another classroom;
- Detention;
- Restriction or revocation of bus district transportation privileges;
- Assigned school duties other than class tasks;
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility to seek and hold honorary offices;
- Techniques or penalties identified in individual student organizations' codes of conduct;
- School-assessed and school-administered probation;
- Grade reductions for cheating, plagiarism and as otherwise permitted by policy;
- Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district;
- Other strategies and consequences as specified by the Code or deemed appropriate by the campus administrators, such as suspension, removal or expulsion.

Note: Corporal punishment is not permitted at TSD.

When disciplinary consequences require a conference or ARD meeting, the DBC or principal will make valid attempts to inform the student and the student's parent or legal guardian of the time and place of the conference. The district may hold the meeting if attempts to schedule it has been fulfilled.

## **Discipline Authority**

School rules and the district's authority to administer discipline apply whenever the interest of the school 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:

- During the regular school day, when the student is within 300 feet of the school's real property boundary line, and while the student is going to and from school on district transportation.
- During lunch periods in which a student is allowed to leave campus.
- While the student is in attendance at any school-related activity, including summer school, regardless of time or location.
- For any school-related misconduct, regardless of time or location.
- When criminal mischief is committed on or off school property or at a school-related event.
- When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location.
- When the student commits a felony offense in the community, as provided by the Texas Education Code.
- Pursuant to any code of conduct adopted at the campus level relating to participation in a student club, organization or extracurricular activity.
- When the student is required to register as a sex offender.

Note: In addition to disciplinary consequences, misdemeanor and felony offenses committed on campus will be reported to and handled by the appropriate law enforcement agency. Please see district policy FNF for information on searches.

## **District Behavior Coordinator (DBC)**

As required by law, a person at each district must be designated to serve as the DBC. This person may be the principal of the campus or any other campus administrator selected by the principal. The DBC is primarily responsible for maintaining student discipline. TSD's DBC is Elizabeth Sterling, our Special Education Director. Department Principals work with Ms. Sterling in supporting our district behavior program.

## **Due Process**

A student will be afforded due process consistent with this Code and state law before a decision is made to suspend a student from school or remove a student to the District Alternative Education Program (DAEP). Although this Code describes in detail the specific procedures applicable to disciplinary consequences, these general provisions apply any time a student is removed from a class or school setting for disciplinary reasons. The student will be given a notice of the allegations against them. If the student denies those allegations, school officials will provide an explanation specifying the reasons they believe misconduct has occurred. The student will be offered to present their side of the story.

No later than the third-class day after the day on which a teacher or campus administrator removed the student from class, the DBC shall schedule a conference with the campus administrator, a parent or legal guardian of the student, the teacher who removed the student from class (if applicable) and the student.

At the conference, the student will receive an explanation of the reasons for their removal and will have an opportunity to respond. The student may not return to their regular classroom pending this conference. The DBC or department administrative team will make good-faith attempts to invite the parent and student to the removal conference but may proceed with the disciplinary placement regardless of whether the student and parent are in attendance.

Before ordering a student's suspension, removal to DAEP, the DBC and the department administrative team will consider whether mitigating factors exist; that is, whether the student acted in self-defense, the intent or lack thereof at the time the student engaged in the misconduct, the student's disciplinary history, whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, and a student's status in the conservatorship of the Department of Family and Protective Services or a student's status as a student who is homeless.

Following the conference, the DBC or department administration will provide the parent or legal guardian with written notice of the hearing's outcome, consistent with the appropriate provisions of the Code.

## **II. General Misconduct**

### **A. Definition of General Misconduct**

General misconduct is unacceptable or improper behavior of a student; that is, not following the policies of TSD, state laws and/or the Code.

At school, in vehicles owned or operated by the district and at all school-related activities, prohibited conduct and items include, but are not limited to, the following:

### **General Violations or Rules/Miscellaneous**

- Cheating or copying another person's work.
- Violating the district or campus dress code.
- Inappropriate discharge of a fire extinguisher.
- Violating safety rules.
- Disobeying rules for conduct on school buses.
- Repeatedly violating communicated campus or classroom standards of behavior.
- Failure to comply with directives given by school personnel.
- Behaving in any way that disrupts the school environment or educational process.
- Leaving school grounds or school-sponsored events without permission.
- Damaging or vandalizing property owned by others.
- Defacing or damaging school property—including textbooks, lockers, furniture and other equipment—with graffiti (see glossary) or by other means.
- Falsification of paper or computer records, passes or other school related documents.

- Gambling.
- Stealing, theft or robbery.
- Engaging in conduct that constitutes criminal mischief.
- Engaging in any behavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
- Violating any local, state or federal laws.
- Inappropriate Physical or Verbal Conduct, committing extortion, coercion or blackmail (obtaining money or another object of value from an unwilling person) or forcing an individual to act through use of force or threat of force.
- Recording the voice or image of another person(s) without that person(s)'s prior consent to be recorded or recording in any way that disrupts the educational environment or invades the privacy of others.
- Use of profanity, vulgar language or obscene gestures.
- Name-calling, using ethnic or racial slurs or giving derogatory statements that school officials have reason to believe will disrupt the school program or incite violence.
- Engaging in conduct that constitutes sexual- or gender-based harassment or sexual abuse, whether by word, gesture or any other sexual conduct, including request for sexual favors.
- Engaging in inappropriate physical or sexual contact.
- Harassment (see glossary).
- Dating violence (see glossary).
- Bullying (see glossary).
- Cyberbullying (see glossary).
- Hazing (see glossary).
- Throwing objects that can cause bodily injury or property damage.
- Fighting.
- Aggressive, disruptive actions or group demonstrations that substantially disrupt or materially interfere with school activities.
- Making false accusations or perpetuating hoaxes regarding school safety.
- Engaging in threatening behavior toward another student or district employee or property, including creating a hit list, defined as a list of people targeted to be harmed, using a firearm (see glossary), a knife, or any other object with the intent to cause bodily harm.
- Engaging in Assassin, or any other organized mock killing or elimination game which involves but is not limited to carrying out strikes, kills or hit lists, regardless of method (for example, toy guns or markers).

## ***Threats***

The District takes all threats seriously. Threats of any nature are taken seriously and investigated to the full extent allowable by law and district policy. Threats of any kind against a school, students or staff are not tolerated. All school threats are investigated by school officials and law enforcement.

Threats that result in evacuations, lockdowns, investigations by an official or agency organized to deal with emergencies, will result in the application of discipline policy. Any disciplinary action taken will be in accordance with TEC Chapter 37 and federal and state laws regarding students with disabilities, and the Student Code of Conduct. Please emphasize to your children that all such threats—made verbally or over any social media channel—are investigated immediately. Students may be detained or arrested on a charge of making a terroristic threat, even if the threat is not credible.

## ***Harassment and Bullying***

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

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, national origin, disability, age, immigration status or any other basis prohibited by law. [See policy FFH.]

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

To the extent possible, the district will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations of prohibited conduct, which includes dating violence, discrimination, harassment and retaliation, will be promptly investigated.

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

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

## *David's Law and Discipline*

A student may be removed from class and placed in a disciplinary alternative education program or expelled (Section 37.0052) if the student engages in "Bullying" or "Cyberbullying" as defined in Section 37.0832 that encourages a student to commit or attempt to commit suicide; or incites violence against a student through group bullying; or releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

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

### **Prohibited Items to Distribute, Possess, Sell or Use**

- Pornographic materials.
- Published or electronic material designed to promote or encourage illegal behavior or that could threaten school safety; this includes e-mail or Web sites used at school to encourage illegal behavior or threaten school safety.
- Glue or aerosol paint containing volatile chemicals and/or able to be abused.
- Alcoholic beverages (includes consumption before arriving at or while on school premises); committing a serious act or offense while under the influence of alcohol.
- Medicine available without a prescription in a manner inconsistent either with the medicine's intended use as indicated on the manufacturer's labeling or with district policy concerning the handling of such medicines.
- Prescription or over-the-counter drugs taken in violation.
- A student's own prescription drugs when given to another student or possessing or being under the influence of another person's prescription drug.
- Drug paraphernalia.
- Look-alike drugs or items imitating or mimicking drugs and contraband.
- Matches or lighters.
- Tobacco products, including cigarettes, cigars, cigarillos, dissolvable tobacco products, traditional smokeless tobacco products including chewing tobacco and moist snuff
- Vape products, including electronic cigarettes (e-cigarettes) (see glossary), electronic vaping devices, personal vaporizers (PV) or electronic nicotine delivery systems, their accessories, and e-liquids.
- Selling, giving, delivering, possessing, using or being under the influence of any amount of marijuana or a controlled substance, or a dangerous drug.
- Any articles generally not considered weapons, including school supplies, when the principal or designee determines that a danger exists.
- Razors, box cutters, chains or other objects used in a way that threatens or inflicts bodily injury to another person.

- Knives, bladed instruments, switchblade knives, air guns, toy guns, chemical dispensing devices (see glossary), mace/pepper spray, fireworks, replica firearms, electronic stunning devices, ammunition and other dangerous items.
- A firearm (see glossary); a machine gun; a short-barrel firearm; a firearm silencer; armor-piercing ammunition; a zip gun; a location-restricted knife, defined as a knife with a blade over five-and-a-half inches; a butterfly knife; a club (see glossary); a prohibited weapon, such as an explosive weapon (see glossary); knuckles.
- Any item, other than those defined as firearms (see glossary) under state and federal, capable of propelling a projectile and causing injury by any means including, but not limited to, spring, compressed air, spring-piston, pneumatic or CO2. Examples include, but are not limited to, BB guns, Airsoft guns, pellet guns and any protective device designed to administer an electric shock.
- Possessing a homemade weapon, defined as a device or item that was manufactured, modified or adapted by an individual for the use or intended use of inflicting harm on another person.

Note that possession and use of paging devices or cellular telephones must be in accordance with District and campus policy.

### **Inappropriate Use of Computer/Internet/Email**

- Violating policies, rules, or any agreements signed by the student or the student's parent regarding the use of technology resources [TSD Acceptable Use Policy].
- Attempting to access or circumvent passwords or other security-related information of the district, students or employees or uploading or creating computer viruses, either on or off school property, if the conduct causes a substantial disruption to the educational environment.
- Attempting 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, either on or off school property, if the conduct causes a substantial disruption to the educational environment.
- Using email or websites to engage in or encourage illegal behavior or threaten school safety, including off property if the conduct causes a substantial disruption to the educational process.
- Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying (see glossary) and "sexting," either on or off school property if the conduct causes a substantial disruption to the educational environment.

### **B. Consequences for General Misconduct**

Students who engage in general misconduct as defined in Part A will be disciplined. Students will be disciplined via appropriate discipline management techniques; removal from the regular classroom environment and/or placement in a Disciplinary Alternative Education Program (DAEP).

## **Notification**

The DBC or Department Administration shall promptly notify a student's parent by phone or in person of any violation that may result in an in-school suspension or out-of-school suspension. Placement in a DAEP will require an ARD meeting. The DBC or Department Administration shall also notify a student's parent if a law enforcement officer takes custody of a student under the disciplinary provisions of the education code. A good faith effort shall be made on the day the action was taken to give the student written notification of the disciplinary action to deliver to the student's parent/legal guardian. If the parent is unable to be reached by telephone or in person by 5:00 p.m. of the first business day after the day of the disciplinary action, the DBC shall send written notification by U.S. Mail. If the DBC is unable to provide notice to the parent, the principal or designee shall provide the notice.

## **Removal from the School Bus**

Since the district's primary responsibility when 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 their attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate. If concerns arise regarding riding the bus safely, an ARD would be conducted.

## **Removal By Teacher [TEC 37.002(B) (D)]**

A teacher also has the authority to remove a student. A teacher may remove from class a student who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or whose behavior the teacher determines is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn [TEC 37.002 (b)]. A teacher or administrator may also remove a student from class for an offense for which a student may be suspended and/or placed in a Disciplinary Alternative Education Program [TEC 37.002 (d)]. If the following offenses are committed against the teacher, the student may not be returned to the class without the teacher's consent: assault with bodily injury, aggravated assault, sexual assault, or aggravated sexual assault. The principal or appropriate administrator must send a copy of the teacher's documentation or of the Code of Conduct violation to the student's parent or legal guardian within 24 hours of receiving it.

## **Conference**

When a student is removed from the regular classroom, a conference will be scheduled within three school days with the student's parent/legal guardian, the teacher and the student. It is our goal to ensure we restoratively approach issues when they surface. Pending the conference, the principal or other appropriate administrator may place a student in:

- Another appropriate classroom.
- In School Suspension.
- A Disciplinary Alternative Education Program.
- Out-of-school suspension.

After the conference, the principal will notify the student and parent(s) of the consequences for the Code violation. When a student has been formally removed from class [TEC 37.002], the principal or other administrator may not return the student to the teacher's class without the appropriate teacher's consent unless the Administrative Team or ARD committee makes recommendations.

### **Suspension [TEC 37.005]**

Students may be suspended for any behavior listed in the Code as a general misconduct violation, Disciplinary Alternative Education Program placement or expellable offense. In addition, suspensions may be used for students who have committed a removal or expulsion offense and for whom a conference or hearing is pending. State law allows a student to be suspended from school for up to three school days per offense. Students who have 10 or more days in cumulation would require an ARD.

The administrator will take into consideration any mitigating factors that may apply, including whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, and a student's status in the conservatorship of the Department of Family and Protective Services or a student's status as a student who is homeless. The principal or other appropriate administrator will determine the suspension duration. Any restrictions on participation in school-sponsored or school-related extracurricular and noncurricular activities will be determined by the principal or other appropriate administrator. A student may appeal the decision of the DBC to the campus principal or designee. The student will remain on suspension pending any appeal. The campus principal's decision cannot be appealed.

No elementary student enrolled in a grade level below grade three shall 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 engaged in: conduct that contains the elements of an offense related to weapons (unlawful carrying weapons or prohibited weapons); conduct that contains the elements of a violent offense (assault [see glossary], sexual assault, aggravated assault or aggravated sexual assault); or selling, giving or delivering to another person or possessing, using or being under the influence of any amount of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage [TEC Section 37.005].

No student who is homeless may 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 engaged in: conduct that contains the elements of an offense related to weapons (unlawful carrying weapons or prohibited weapons); conduct that contains the elements of a violent offense (assault [see glossary], sexual assault, aggravated assault or aggravated sexual assault); or selling, giving or delivering to another person or possessing, using or being under the influence of any amount of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage [TEC Section 37.005].

## Disciplinary Alternative Education Program (DAEP)

### A. Behavior Subject to Removal to a DAEP

#### Mandatory Removals

A student must be placed in a Disciplinary Alternative Education Program if the student commits any of the following offenses on school property, including a parking lot, parking garage or other parking area owned by the school district; on a school bus; within 300 feet of the school's real property line; while attending a school-sponsored or school-related activity on or off school property [TEC Section 37.005], and determined in an ARD meeting:

- Engaging in conduct punishable as a felony.
- Committing an assault with injury.
- Selling, giving, delivering, possessing, using or being under the influence of any amount of marijuana or a controlled substance or a dangerous drug, in an amount not constituting a felony offense.
- Selling, giving or delivering an alcoholic beverage; committing a serious act or offense while under the influence of alcohol.
- Possessing, using, or being under the influence of an alcoholic beverage.
- Behaving in a manner that contains the elements of an offense: relating to the abuse of glue or aerosol paint or relating to volatile chemicals; of public lewdness; of the offense of indecent exposure.
- Engaging in conduct that contains the elements of the offense of harassment under Section 42.07(a)(1), (2), (3), or (7), Penal Code, against an employee of the school district.

In addition, a student must be placed in a DAEP if the student:

- Engages in conduct that contains the elements of the offense of retaliation against any school employee, regardless of where or when the conduct occurs.
- Engages in "Bullying" as defined in Section 37.0832 that encourages a student to commit or attempt to commit suicide; or incites violence against a student through group bullying; or releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.
- Makes a terroristic threat; false alarm or report (see glossary) (e.g., bomb threats).

Texas School for the Deaf is not intended to serve: students whose needs are appropriately addressed in a home or hospital setting or a residential treatment facility; or students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit. Tex. Educ. Code § 30.051(a) Students will be referred back to their Local Education Agency (LEA) to continue to receive services for conduct resulting in: a) an expulsion; b) being declared delinquent or in need of supervision and is on probation or other conditional release for that conduct; or c) conviction of a criminal offense and is on probation or other conditional release. [Texas Education Code 25.001(d).]

Students who do not meet the statutory criteria above quoted for receiving services at the School will not be eligible for continued enrollment when the definitions in this policy are applied to the relevant information. If the School determines that a prospective student is ruled ineligible to attend the School, the School can provide resources to the family or the local education agency (LEA) upon request [FD].

A student under 10 years of age who engages in expellable conduct described in Section 37.007 shall receive educational services in the district's DAEP. A student under the age of six may not be removed to a DAEP (as described in 37.008) unless they commit a federal firearms offense.

## **Discretionary Removals**

A student may also be removed from class and placed in a DAEP under Section 37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

- The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

In addition, students may be removed from class and placed in a DAEP who are found to be:

- Involved in a public-school fraternity, sorority, secret society or a gang, including participating as a member or pledge or soliciting another person to become a pledge or member of such a group.
- Involved in criminal street gang activity (see glossary)

A student **may** also be removed to a DAEP for serious or persistent misbehavior. The district defines “persistent” to be two or more violations of the Code or repeated occurrence of the same violation. A student may be removed for persistent misbehavior if behavioral interventions have not been successful and removal to a DAEP is deemed necessary to improve the student’s behavior. The district defines “serious” offenses as offenses that pose a physical danger to the student or others or to property. An ARD meeting will be conducted.

## **B. Removal to a DAEP**

The board delegates to the principal the authority to remove a student to a DAEP in which the student will be separated from other students for the entire school program day and will be provided instruction in the core subjects with the goal of reaching/maintaining grade level. Counseling will also be provided to the student. The duration of a student's placement in a DAEP will be determined on a case-by-case basis. The maximum period of a DAEP placement is 45 days.

### **Teacher/Administrator Removal [TEC 37.006]**

A teacher shall remove a student from class and send the student to the principal or other appropriate administrator if the student engages in an offense specified under [TEC 37.006](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.006) (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.006>). When a violation of TEC 37.006 is alleged, the principal or other appropriate administrator will schedule a conference with the student's parent, teacher (if appropriate) and the student within three school days of receiving the violation report. The campus administrator will make a good-faith effort to schedule the hearing in collaboration with the student's parent but may proceed with the hearing in absence of the parent if the parent does not attend the conference after a valid effort is made to secure the parent's attendance.

Until a conference can be held as a result of a teacher removal or administrator removal, the principal or other appropriate administrator may place a student in:

- Another appropriate classroom.
- In School Suspension.
- A DAEP.
- Out-of-school suspension.

Due process will be afforded at the conference or ARD. The principal or other appropriate administrator will explain the allegations against the student and give the student an opportunity to explain the student's version of the incident. Before ordering placement of the student in a DAEP, the administrator will consider the following mitigating factors: whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the misconduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct. After the conference, if the student is placed in the DAEP, a written placement order shall be provided to the student and the parent, together with notice of the right to appeal the removal. The order will include notice of the school district's obligation to provide the student with the opportunity to complete coursework required for graduation at no expense to the student.

If the student's placement in a DAEP is inconsistent with the district's placement guidelines as set forth in this Code, the order must give notice of the inconsistency.

### **Participation in Activities**

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs or organizations. Please see district policy FMH concerning removals for graduating seniors and participation in commencement activities.

## **Emergency Placement in DAEP [Section 37.019]**

In situations that the principal or an appropriate administrator consider to be emergencies, the principal may order the immediate placement of a student when a student is so unruly, disruptive or abusive that the student's presence seriously interferes with the teacher's ability to communicate effectively with the students in a class, the ability of the student's classmates to learn, or the operation of school or a school-sponsored or a school-related activity. As required by law, the student will be given the appropriate conference required for DAEP placement within ten days.

## **Admission of Removed Students**

The district will decide on a case-by-case basis the placement of a student who enrolls in the district having been assigned to the DAEP in another district, including a district in another state or an open-enrollment charter school. The district may place the student in the district's DAEP or a regular classroom setting.

## **III. Placement and/or Expulsion for Certain Serious Offenses**

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

### **A. Registered Sex Offenders**

Upon receipt of notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove the student and the student will be referred back to their home district where they can continue to receive all of their IEP services.

If the student is under any form of court supervision, including probation, community supervision or parole, the placement will be in DAEP.

The placement may not be in the regular classroom if the board or the associate superintendent or associate superintendent's designee determines that the student's presence:

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

## **Review Committee**

At the end of the first semester of a student's placement in a DAEP 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, whose membership will include the Director of Instruction, Special Education Director or designee, will recommend whether the student should return to the regular classroom or remain in placement.

The Admission, Review and Dismissal (ARD) committee must review placement of a student with a disability who receives special education services.

## **B. Certain Felonies**

Regardless of whether placement or expulsion is required or permitted due to one of the reasons in the DAEP or Expulsions sections, in accordance with Texas Education Code 37.0081, a student may be expelled and placed in either a DAEP if the board or its designee, the Director of Instruction or Special Education Director, makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title V of the Texas Penal Code. The student must have:

- Received deferred prosecution (see glossary) for conduct defined as aggravated robbery or a Title V Felony Offense;
- Been found by a court or jury to have engaged in delinquent conduct (see glossary) for conduct defined as aggravated robbery or a Title V felony offense;
- Been charged with engaging in conduct defined as aggravated robbery or a Title V offense;
- Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title V offense;
- Received probation or deferred adjudication (see glossary) or been arrested for, charged with or convicted of aggravated robbery or a Title V felony offense.

## IV. Expulsion

### A. Offenses Subject to Expulsion [Tec 37.007 and 37.125]

#### Mandatory Expulsions

A student **must** be expelled for any following offense if committed on school property, including a parking lot, parking garage, or other parking area owned by the school district, on a school bus or while attending a school-sponsored or school-related activity on or off school property:

- Bringing to school a firearm, as defined by federal law as:
  - Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive.
  - The frame or receiver of any such weapon.
  - Any firearm muffler or silencer.
  - Any destructive device, such as any explosive, incendiary or poison gas bomb or grenade.
- Use, exhibition or possession of the following, under the Texas Penal Code:
  - A firearm (defined as any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
  - A location-restricted knife, defined as a knife with a blade over five-and-a-half inches.
  - A prohibited weapon, such as an explosive weapon (see glossary); a machine gun; a short-barrel firearm; a firearm silencer; armor-piercing ammunition; a zip gun; or a tire deflation device.
- Behavior containing the elements of the following under Texas Penal Code:
  - Aggravated assault, sexual assault or aggravated sexual assault.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Arson (see glossary).
  - Behavior punishable as a felony that involves being under the influence of, possession or use of, or the selling, giving or delivering to another person: any amount of marihuana or a controlled substance, a dangerous drug, or alcohol; or committing a serious act while under the influence of alcohol.
  - Continuous sexual abuse of a young child or children.
  - Indecency with a child.
  - Murder, capital murder or criminal attempt to commit murder or capital murder; manslaughter; or criminally negligent homicide. Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

## **Discretionary Expulsions**

### **Offenses Engaged in at Any Location**

A student may be expelled for:

- Engaging in conduct that contains the elements of an offense under Section 22.01 of the Penal Code (assault with injury is when a person intentionally, knowingly or recklessly causes bodily injury to another, including the person's spouse) in retaliation against a school district employee or volunteer.
- Engaging in bullying as defined in Section 37.0832 that encourages a student to commit or attempt to commit suicide; or inciting violence against a student through group bullying; or releasing or threatening to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.
- Engaging in criminal mischief if punishable as a felony.
- Making a terroristic threat, false alarm or report (see glossary) (e.g., bomb threats) involving a public school.
- Engaging in conduct that contains the elements of offense of breach of computer security under section 33.02 of the Penal Code, if the conduct involves accessing a computer, computer network or computer system owned by or operated on behalf of a school district, and knowingly altering, damaging, deleting school district property or information, or committing a breach of any other computer, computer network or computer system [Chapter 37.007 (b)(5)].
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault, sexual assault or aggravated sexual assault.
  - Murder or capital murder.
  - Criminal attempt to commit murder or capital murder.

### **Offenses Engaged in at School, Within 300 Feet of School or at a School Event**

A student may be expelled for:

- Engaging in any of the following offenses if committed on school property or within 300 feet of the school's real property line, or while attending a school-sponsored or school-related activity on or off school property:
  - Conduct that contains the elements of an offense under Section 22.01 of the Penal Code (assault with injury is when a person intentionally, knowingly or recklessly causes bodily injury to another, including the person's spouse) against a school district employee or volunteer.
  - Conduct that contains the elements of the offense of deadly conduct (see glossary) under Section 22.05 of the Penal Code.
- Engaging in any following offense if committed within 300 feet of the school's real property boundary line:
  - Aggravated assault, sexual assault or aggravated sexual assault.

- Arson (see glossary).
- Continuous sexual abuse of a young child or children.
- Felony drug or alcohol related offense.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide or aggravated robbery.
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Use, exhibition, or possession of a firearm (see glossary), a location-restricted knife, or prohibited weapon.

In addition, a student may be expelled for any offense that is a state-mandated expellable offense if the offense is committed on the property of another Texas school district in Texas or while the student is attending a school-sponsored or school-related activity at another Texas school district.

A student may be expelled for serious misbehavior if a student is already in a DAEP and continues to violate the district's Code despite documented interventions at the DAEP.

### **B. Expulsion Procedures [TEC 37.007]**

The board delegates the authority to expel students to the superintendent or the superintendent's designee. A student under the age of six may not be removed to a DAEP (as described in 37.008) unless they commit a federal firearms offense. The duration of a student's expulsion will be determined in a case-by-case basis. The maximum period for an expulsion is a calendar year unless it is determined that the student is a threat to the safety of other student or to the district employees or an extended placement is in the student's best interest. Students who commit offenses requiring expulsion at the end of one school year may be expelled to the next school year to complete the assigned term of expulsion.

### **Notice**

The DBC with the department principals will make a written recommendation to the superintendent who will make the ultimate decision.. The associate superintendent will make the decision to expel a student.

### **Placement Pending Notice**

Until a hearing can be held, the principal or other appropriate administrator may place the student in:

- Another appropriate classroom.
- A DAEP.
- Emergency expulsion for a period not to exceed ten school days.
- Out-of-school suspension.
- Student Support Centers (in-school suspension).

## **Firearm Violations**

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 or designee may modify the length of the expulsion on a case-by-case basis. Expelled students may receive educational services in the district's DAEP. Students under the age of ten shall receive educational services in the district's DAEP.

## **Admission of Expelled Students**

The district will decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or open-enrollment charter school and who requests admission into the district.

## **Participation in Activities**

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

## **Emergency Expulsion [37.019]**

In an emergency, the principal or other appropriate administrator may order the immediate expulsion of a student when the continued presence of the student on campus poses a danger of imminent harm to persons or property. When an emergency expulsion occurs, the student and parent/legal guardian will be given oral notice of the reason for the action. The reason must be a reason for which expulsion may be made on a non-emergency basis, and written notification will follow oral notification.

A student who is expelled on an emergency basis will be released to the student's parent, parent's representative, medical providers or law enforcement authorities. Within a reasonable amount of time after the emergency expulsion, but no later than the tenth day after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion. For a student with disabilities the term of the student's emergency expulsion is subject to the requirements of federal law.

## **Individuals with Disabilities Education Act (IDEA)**

A student with disabilities may be removed to an appropriate and different setting or suspended for not more than 10 consecutive school days (to the extent such alternatives would be applied to students without disabilities). School personnel must consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for the child with a disability who violates a code of student conduct.

Within 10 school days of any decision regarding a disciplinary change of placement due to a Code violation, the ARD committee must determine whether the behavior of the student is a manifestation of the student's disability. When making a manifestation determination, the ARD committee must review all relevant information in the student's file, including the student's Individualized Education Program (IEP), any teacher observations and any relevant information provided by the parents to determine if the conduct in question was caused by or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of an IEP implementation failure. If either is applicable the conduct shall be determined to be a manifestation of the student's disability. If the behavior is determined to be a manifestation of the student's disability, the ARD committee must either:

1. Conduct a functional behavioral assessment and implement a behavioral intervention plan if such assessment for conduct was not completed prior to behavior;
2. Or if a behavioral intervention plan has been developed, the ARD shall review the plan, modify it, as necessary, to address the behavior and return the student to the placement from which they were removed, if both the parent/legal guardian and school agree to a change of placement as part of the modification of the behavioral intervention plan, or special circumstances exist.

Special Circumstance: School personnel may remove a student to an appropriate interim alternative placement for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if the student:

- Carries a weapon to school or to a school function.
- Knowingly possesses or uses illegal drugs or sell or solicits the sale of a controlled substance while at school or a school function.
- Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function.

The ARD committee shall determine the interim alternative education setting. If the behavior is determined not to be a manifestation of the student's disability, disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration in which the procedures would be applied to students without disabilities except that services during periods of the removal must be provided.

When a student is removed from the current educational placement either because of special circumstance or because the behavior is not a manifestation of the student's disability, the ARD committee must determine educational services for a Free Appropriate Public Education (FAPE) which may be provided in an alternate setting, so as to enable the child to continue to:

- Participate in the general education curriculum, although in another setting;
- Progress toward meeting the goals set out in the student's IEP;
- Receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

The ARD committee shall determine the interim alternative education setting.

After the tenth cumulative day of removal in a school year, the student must be provided educational services needed to receive a FAPE. Services must enable the student to: continue to participate in the general curriculum, although in another setting, and progress toward meeting the goals set out in the IEP.

On the date in which the decision is made to change a student's placement because of a code of conduct violation, the school must notify the parents/legal guardians of that decision and of all procedural safeguards.

Nothing in the Code shall be construed to prohibit the school district from reporting a crime committed by a student with a disability to appropriate authorities. When reporting a crime to authorities, school district must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by those authorities.

The child with a disability may not be disciplined for bullying, harassment or making a hit list until an ARD committee meeting has been held to review the conduct. An interim action plan would take place as to ensuring the safety of all students until an ARD has been held. The school is also required to investigate reports of bullying as well.

The parent/legal guardian of a student with a disability who disagrees with any decision regarding disciplinary placement or the manifestation determination may request a hearing. During the appeal the child shall remain in the interim alternative educational setting pending the decision or until the expiration of the time period, whichever occurs first, unless the parent/legal guardian and the district otherwise agree. The state or district shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested; a determination shall be made within 10 school days.

## VII. 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 handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is a crime that involves:

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

**Assault** is defined in part by 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.

**Bullying** means 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 a school district's board or the board's designee, the principal or other appropriate administrator determines:

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; or
3. Infringes on the rights of the victim at school; and
4. Includes cyberbullying.

This conduct is considered bullying if it:

1. Interferes with a student's educational opportunities; or
2. Substantially disrupts the operation of a classroom, school, school-sponsored or school-related activity.

The school has discipline authority if bullying:

1. 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. Occurs on a publicly- or privately-owned school bus or vehicle being used for transportation of student to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity.

**Chemical dispensing device** is a device designed, made or adapted for the purpose of causing an adverse psychological or physiological effect on a human being. This category does not include a small chemical dispenser sold commercially for personal protection.

**Club** is an instrument specially designed, made or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, nunchucks and tomahawk are in the same category.

**Criminal street gang** is three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associates in the commission of criminal activities.

**Child Study Team (CST):** All campuses have a CST led by an administrator or his/her designee. The purpose of the CST shall be to review student performance issues to provide and monitor interventions for students experiencing attendance, academic and/or behavioral challenges not effectively addressed with Tier I and Tier II supports.

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

**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** 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.

**Disciplinary Alternative Education Program (DAEP).** It is a disciplinary setting for secondary students that have had a due process conference or hearing and removed or expelled from the traditional school setting.

**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 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 load report as to cause undue public alarm or terror.

**False alarm or report** occurs when a person knowingly initiates, communicates or circulates: a report of a present, past or future bombing; fire; offense; or another 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** means any device designed, made or adapted to muffle the report of a firearm.

**Graffiti** are marks 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** is conduct that:

1. Meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. 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 or substantially harms another student's physical or emotional health or safety.

**Hazing** is an intentional or reckless act, on or off campus, by one person alone or acting with others that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in or maintaining membership in an organization.

**Hit list** is a list of people targeted to be harmed, using a firearm, a knife or any object to be used with intent to cause bodily harm.

**Holistic approach to conflict** would be to help students understand the nature of conflict, what defense mechanisms it triggers in them and how to take responsibility for those feelings. It can then equip students with the skills needed to approach the conflict so that all parties can move forward in a healthy way.

**Incremental interventions** are disciplinary interventions that use a range of graded disciplinary actions and responses in order to control and manage behavioral issues.

**Intimate visual material** is visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct [Civil Practice and Remedies Code Section 98B.001(2)].

**Location-restricted knife** is defined by Texas Penal Code 46.01(6) as a knife with a blade of over five and one-half inches.

**Knuckles** are 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.

**Machine gun** is any firearm that is capable of shooting more than two shots automatically without manual reloading by a single function of the trigger.

**Out-of-school suspension** is defined as a temporary exclusion from school and school activities. Suspension from school may be used alone for violations of school rules or the Code. In addition, suspensions may be used for students who have committed a removal or expulsion offense and for whom a conference or hearing is pending.

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

**Peer mediation** is problem-solving youth-to-youth. In peer mediation, two or more students involved in a dispute meet in a private, safe and confidential setting to work out problems with the assistance of a trained student mediator.

**Possession** means actual care, custody, control or management of an object or substance. A student shall be considered in possession of any substance or object prohibited or regulated by this code if the substance or object is:

1. On the student's person or in the student's personal property, including but not limited to the student's clothing, purse, telecommunications or electronic devices, book bag or briefcase;
2. In any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle or bicycle; or
3. In any school property used by the student, including but not limited to a locker or a desk.

**Proactive intervention:**

1. Being proactive is defined as serving to prepare for, intervene in or control an expected occurrence or situation, especially a negative or difficult one; anticipatory: proactive measures against crime.
2. Proactive interventions would anticipate a known behavior as opposed to reactive interventions, which are interventions that are used only once the behavior occurs. They are consequences (or reactions) to the behavior. The goal is to cut short the behavior to minimize damage.

**Progressive discipline** uses incremental interventions, whenever possible, to address inappropriate behavior with the ultimate goal of teaching pro-social behavior.

**Prohibited weapon** under Texas Penal Code 46.05(a) means:

1. An explosive weapon (see glossary);
2. A machine gun;
3. A short-barrel firearm or firearm silencer, unless registered with the U.S. Bureau of Alcohol Tobacco, Firearms and Explosives or classified as a curio or relic by the U.S. Department of Justice;
4. Armor-piercing ammunition;
5. A chemical dispensing device (see glossary);
6. A zip gun; or
7. A tire deflation device.

**Pro-social behaviors/activities** are any actions intended to help others. One motivation for prosocial behavior is altruism, or the desire to help others with no expectation of reward.

**Public school fraternity, sorority, secret society or gang** means an organization composed wholly or in part of students seeking to perpetuate the organization by taking on additional members from a school's student population based on a decision by membership rather than by the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are exempted from this definition.

**Reasonable belief** is a determination made by the superintendent or designee using all available information, including information furnished under Article 15.27 of the Code of Criminal Procedure.

**Restorative circle process** is a community process for supporting those in conflict. It brings together the three parties to a conflict — those who have acted, those directly impacted and the wider community — within an intentional systematic context to dialogue as equals.

**School-wide tiered framework:** Positive Behavioral Interventions and Supports (PBIS) is a multi-tiered framework that is utilized to achieve important behavior changes. It requires adopting and organizing evidence-based behavioral interventions into an integrated continuum that enhances academic and social behavior outcomes for all students.

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

**Short-barrel firearm** is 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 a shotgun that, as altered, has an overall length of less than 26 inches.

**Social and Emotional Learning (SEL)** is the process through which children and adults acquire and effectively apply knowledge, attitudes and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions.

**Socially and emotionally-safe:** An experience in which one feels safe to express emotions, security and confidence to take risks and feel challenged and excited to try something new. Emotionally safe learning environments can be achieved by making SEL an essential part of education.

**Student Support Centers (In-School Suspension)** is defined as a placement of a student in a location separate from the classroom under the supervision of a teacher or other staff person where the student continues to receive instruction in each course to the extent possible. This does not include time-out arrangements between teachers or specific behavior management programs operated by campuses.

**Suspension:** See listing for “Student Support Centers (In-School Suspension)” and “Out-of-School Suspension.”

**Terroristic threat** is 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 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).

**Title V offenses** are those crimes listed in Title V of the Texas Penal Code that involve injury to a person and may include:

- Murder;
- Kidnapping;
- Trafficking of persons;
- Smuggling or continuous smuggling of persons;
- Assault (see glossary);
- Aggravated assault;
- Sexual Assault
- Aggravated sexual assault;
- Unlawful restraint;
- Voyeurism;
- Indecency with a child;
- Invasive visual recording;
- Disclosure or promotion of intimate visual material;
- Injury to a child, an elderly person, or a disabled person of any age;
- Abandoning or endangering a child;
- Deadly conduct;
- Terroristic threat;
- Aiding a person to commit suicide;
- Tampering with a consumer product.

[See FOC]

**Under the influence** means a student's faculties are noticeably impaired by alcohol and/or drugs though the student need not be legally intoxicated. Impairment of a person's physical and/or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, and/or the presence of physical symptoms of drug or alcohol use or by admission.

**Use** means a student has smoked, ingested, injected, imbibed, inhaled, drunk or otherwise taken internally, on or off campus, a prohibited substance recently enough that it may be detectable by, but not limited to, the following: the student's appearance, actions, breath or speech.

**Zip gun** is 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.

2019-2020  
**Texas School for the Deaf**  
**2020-2021**

# **Código de conducta**

## **Estudiantil**

## Texas School for the Deaf

Estimados padres de familia/ Tutores:

Una de las prioridades importantes de TSD es proporcionar un entorno de aprendizaje seguro para todos los estudiantes. Para ayudarnos a conseguir esta meta, por favor, lea y revise el Código de Conducta Estudiantil de 2020-2021. Este código provee información importante para los padres de familia o tutores legales y los estudiantes sobre los derechos y responsabilidades de todos los miembros de la comunidad de TSD. Describe las expectativas para la conducta estudiantil para fomentar un ambiente de aprendizaje seguro, positivo y de apoyo.

El formato actualizado de nuestro Código de conducta es nuevo para todos nosotros. El propósito de actualizar nuestro Código es para garantizar que compartamos más sobre nuestras prácticas en TSD en referencia del apoyo a todos nuestros estudiantes. Usted encontrará algunos descriptivos de los programas que estamos haciendo en TSD para apoyar a nuestra comunidad. También se incluyen referencias a políticas específicas que la Junta de Gobierno de TSD ha revisado y aprobado, que están disponibles para usted en nuestro sitio web de TSD. El Código El Código se refiere a políticas específicas que aprobó la Junta de Gobierno de TSD, que se enumeran en nuestro sitio web ([https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC\\_ID=348273&type=d&pREC\\_ID=760910](https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC_ID=348273&type=d&pREC_ID=760910)).

Una vez que haya revisado esta guía con su hijo, por favor, firme y feche el formulario de Reconocimiento de distribución electrónica del Código de Conducta Estudiantil adjunto en la página 3. Hay una copia electrónica de este código disponible en el sitio web del TSD. Léala cuando sea necesario durante el ciclo escolar.

Gracias de antemano por su cooperación para ayudar a hacer de la escuela de su hijo un lugar seguro para nuestros miembros de la comunidad,



Stella Egbert  
Director de Instrucción

## Reconocimiento de distribución electrónica del Código de Conducta Estudiantil

Estimados estudiantes y padres de familia o tutores legales:

Sabemos que comparten la prioridad de TSD de proveer un ambiente escolar seguro. Para ayudarnos a alcanzar esta meta, les pedimos que lean y revisen este Código de Conducta Estudiantil (Código).

En nuestros continuos esfuerzos por ser lo más eficaces que sea posible, el sitio web de TSD es la fuente principal de acceso al Código. Las familias que no tengan acceso a Internet pueden obtener una copia en su escuela al solicitarla en cualquier momento durante el ciclo escolar. Para garantizar que cada estudiante del distrito haya tenido la oportunidad de acceder a la información contenida en el Código, estamos requiriendo que uno de los padres o tutores legales de cada estudiante llene la información solicitada a continuación y la entregue al maestro de su hijo o al equipo administrativo de la escuela. Este formulario permanecerá en la carpeta acumulativa de su hijo.

\_\_\_\_\_ Reconozco que puedo acceder electrónicamente al Código de Conducta Estudiantil.

\_\_\_\_\_ Reconozco que puedo obtener una copia impresa al visitar la oficina administrativa de la escuela de mi hijo. El Código de Conducta Estudiantil estará disponible anualmente en la oficina administrativa de la escuela.

Ustedes son responsables de leer las reglas, expectativas y otra información aquí contenida y de firmar y entregar el formulario de reconocimiento adjunto. Todos los estudiantes tendrán que rendir cuentas de su comportamiento y estarán sujetos a las consecuencias disciplinarias descritas en el Código de Conducta Estudiantil. No leer el Código no exime al estudiante de ninguna consecuencia si ha infringido el Código.

Cada ciclo escolar habrá una copia impresa del Código disponible para ustedes en la oficina administrativa de la escuela de sus hijos. Visiten esta oficina para obtener la copia más reciente del Código.

Nombre del estudiante: \_\_\_\_\_ Depto.: \_\_\_\_\_ Grado: \_\_\_\_\_

Firma del estudiante:

\_\_\_\_\_ Fecha: \_\_\_\_\_

Firma del padre de familia o tutor legal:

\_\_\_\_\_ Fecha: \_\_\_\_\_

Firma del maestro:

\_\_\_\_\_ Fecha: \_\_\_\_\_

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# Código de Conducta Estudiantil de Texas School for the Deaf

## Declaración de la misión de TSD

Texas School for the Deaf garantiza que los estudiantes aprendan, crezcan y pertenezcan a un entorno rico en lenguaje, mientras que apoya a estudiantes, familias y profesionales a través de servicios de apoyo estatal.

Para lograr esta misión, todo el personal de TSD demostrará la actitud y las habilidades para modelar y apoyar vidas responsables, satisfactorias y respetuosas. Para garantizar que el entorno de aprendizaje de los estudiantes sea social y emocionalmente seguro y libre de interrupciones, se espera que cada educador:

- Establecer relaciones positivas en la comunidad escolar.
- Explorar oportunidades para intervenir de forma proactiva antes de tomar medidas disciplinarias.
- Modelar cortesía y respeto.
- Tomen una estrategia holística para la resolución de conflictos y problemas.
- Escuchen de forma activa.
- \$omunicarse con todas las partes interesadas pertinentesT.
- Mantener la equidad (ver glosario) en mente.

## Los padres de familia\* como aliados

(\*Los padres de familia incluyen a una persona en relación parental, pero no incluyen a una persona a la que una orden judicial haya revocado los derechos de una relación de padre e hijo o el derecho a la custodia o al acceso a un niño [\$26.002 del Código de Educación]).

Los estudiantes, padres de familia y el personal escolar juegan un papel en mantener la seguridad de la escuela y deben cooperar los unos con los otros para alcanzar esta meta. El personal escolar debe mantener informados a los padres de familia sobre el comportamiento de sus hijos e incluirlos como aliados para solucionar problemas en las áreas que son causa de preocupación. Los métodos para llegar hasta los padres de familia pueden incluir, pero no se limitan, a una llamada telefónica o comunicación escrita. Como ejemplos a seguir, los padres de familia y el personal escolar deben demostrar el comportamiento que ellos desean que los estudiantes imiten.

Los padres de familia deben estar familiarizados con el Código de Conducta Estudiantil (Código) para garantizar que se conviertan en aliados activos e involucrados que promuevan un entorno seguro y de apoyo. 4Los funcionarios escolares son responsables de compartir la información que se encuentra en este documento con estudiantes, padres de familia y personal. Se les recomienda a las escuelas que proporcionen para padres de familia del entendimiento del Código y cómo pueden trabajar mejor con la escuela para aumentar el crecimiento social y emocional de su hijo. Los educadores son responsables de informar a los padres de familia sobre el comportamiento de sus hijos y de fomentar las destrezas que los estudiantes necesitan para ser exitosos en la escuela y en la sociedad. Se les recomienda a los padres de familia que conversen con los maestros de sus hijos y otros miembros del personal escolar sobre asuntos que pueden afectar el comportamiento y compartan estrategias que pueden ser efectivas para el comportamiento estudiantil.

Es importante que exista un máximo nivel de consulta y comunicación entre la escuela y el hogar. Una variedad de conferencias (incluyendo las juntas ARD) a las que asiste el director o su representante designado, consejero guía, los padres del estudiante y uno o más de los maestros del estudiante son un método efectivo para fomentar la participación de los padres y deben llevarse a cabo con el estudiante presente siempre y cuando sea apropiado. Los padres de familia que quieren hablar de las inquietudes deben contactar a la escuela.

En el caso de que un estudiante se comporte inapropiadamente, el director o la persona asignada por el director debe informar al padre del estudiante sobre el comportamiento. Cuando se sospeche que un estudiante ha cometido un crimen, se debe llamar a la policía y se debe contactar con el padre de familia.

*Los padres que tengan preguntas o inquietudes sobre decisiones disciplinarias para estudiantes a causa de infracciones del Código, deben comunicarse con el director de la escuela o Director de Instrucción.*

## **Fomentar el comportamiento positivo de los estudiantes**

La cultura y el clima escolar tienen un impacto profundo en el progreso académico de los estudiantes y las relaciones con sus compañeros y los adultos. Se espera que todas las escuelas promuevan una cultura escolar positiva que proporcione a los estudiantes un ambiente de apoyo en el que puedan crecer social y académicamente. Las conexiones de los estudiantes con la escuela por medio de oportunidades para que participen en una amplia gama de actividades para beneficio de la sociedad (ver glosario) en las que puedan crear un vínculo con adultos que los apoyen y se interesen por ellos, junto a un programa integral de prevención e intervención, les proporciona a los estudiantes las experiencias, estrategias, destrezas de vida y apoyo que necesitan para prosperar.

El aprendizaje social y emocional (SEL, por sus siglas en inglés) es un componente básico de cualquier programa escolar universal de prevención para todos los estudiantes. Se espera que las escuelas desempeñen un papel proactivo en cultivar el comportamiento social adecuado de los estudiantes. Proporcionando opciones de apoyo para el comportamiento positivo, al igual que oportunidades significativas de SEL fomenta la resiliencia. El SEL eficaz ayuda a que los estudiantes desarrollen destrezas fundamentales para la vida, incluyendo reconocer y manejar las emociones, desarrollar interés y preocupación por los demás, establecer relaciones positivas, tomar decisiones responsables y manejar situaciones difíciles de manera constructiva y con ética. Cuando los estudiantes desarrollan destrezas de SEL, pueden experimentar relaciones más positivas con sus compañeros, demostrar comportamientos sociales más positivos y son menos propensos al mal comportamiento.

Establecer un esquema de apoyo y de intervenciones para el comportamiento con niveles de apoyo en toda la escuela es esencial para implementar la disciplina progresiva. La meta del apoyo al comportamiento es fomentar la resiliencia, ayudar a los estudiantes a entender y a seguir las reglas de la escuela, y apoyarles para desarrollar las destrezas que necesitan para cumplir con las expectativas de comportamiento. Los miembros del personal escolar también son responsables de abordar el comportamiento inapropiado de los estudiantes que interrumpa el aprendizaje.

Se espera que la administración, maestros, consejeros y otros miembros del personal escolar involucren a los estudiantes en las estrategias de prevención e intervención para manejar los problemas de comportamiento de un estudiante y conversen sobre estas estrategias con el estudiante y sus padres.

Las estrategias de intervención y prevención pueden incluir, pero no se limitan, a las siguientes: apoyo y servicios que aborden circunstancias personales y familiares; SEL; resolución de conflictos; mediación con compañeros; negociación colaborativa; círculos restaurativos; manejo de la ira; manejo del estrés; resolución colaborativa; adquisición de destrezas de comunicación; uso de materiales o métodos

alternativos de instrucción; servicios de enriquecimiento; asignación a una clase alternativa; creación o análisis de evaluaciones funcionales del comportamiento y planes de intervención del comportamiento, que deben crearse o analizarse como una estrategia de intervención temprana.

Por medio del uso de estrategias de intervención y prevención que involucran a los estudiantes y les dan un claro sentido de propósito, los miembros del personal escolar facilitan el crecimiento académico, social y emocional de los estudiantes, y los ayudan a cumplir con las reglas y normas escolares.

## **Apoyos al comportamiento positivo**

Entender la disciplina como una "oportunidad educativa" es fundamental para el empleo de una estrategia disciplinaria positiva. El apoyo para el comportamiento positivo utiliza intervenciones graduales para corregir el comportamiento inapropiado con el objetivo final de enseñar el comportamiento social positivo. El apoyo para el comportamiento positivo no busca el castigo. Por el contrario, el apoyo para el comportamiento positivo busca responsabilidad y cambios de comportamientos.

La meta del apoyo para el comportamiento positivo es la prevención de la repetición del comportamiento negativo al ayudar a los estudiantes a aprender de sus errores. El apoyo para el comportamiento positivo ayuda a los estudiantes que han demostrado un comportamiento inaceptable a lograr:

- entender por qué el comportamiento es inaceptable y el daño que ha causado; entender qué podrían haber hecho de forma diferente en la misma situación;
- asumir la responsabilidad de sus acciones;
- que se les dé la oportunidad de aprender estrategias y destrezas sociales para que las puedan utilizar en el futuro; y
- entender la progresión a consecuencias más estrictas si se repite el comportamiento.

Se deben hacer todos los esfuerzos razonables para corregir el comportamiento de los estudiantes a través de intervenciones de orientación y otras estrategias basadas en la escuela, como las prácticas restaurativas.

Las intervenciones de orientación son esenciales, porque el comportamiento inapropiado o las infracciones del Código pueden ser síntomas de problemas más serios que esté experimentando el estudiante. El personal de la escuela debe ser sensible a los asuntos que pueden influenciar el comportamiento de los estudiantes y responder de las maneras que mejor apoyen sus necesidades.

Las respuestas disciplinarias apropiadas deben enfatizar la prevención e intervención efectiva, cultivar resiliencia, prevenir la interrupción a la educación de los estudiantes y promover una cultura escolar positiva. Cuando la mala conducta de un estudiante lleva a una asignación afuera del salón de clases, la escuela debe considerar utilizar la mediación entre compañeros o el proceso de círculos restaurativos como una estrategia eficaz para apoyar el regreso exitoso del estudiante a su programa regular.

Para los estudiantes con discapacidades cuyo comportamiento les impide participar en la escuela, una evaluación funcional del comportamiento (FBA, por sus siglas en inglés) es una herramienta esencial para entender las causas de su comportamiento. Se puede desarrollar un plan de intervención de comportamiento (BIP, por sus siglas en inglés) después de un FBA, que proporciona estrategias específicas para tratar con el comportamiento del estudiante, y será compartido en una junta ARD.

## **Cómo abordar las necesidades conductuales de los niños de prekínder a 2.º grado**

Se prohíbe asignar a un estudiante matriculado en un grado por debajo de tercer grado a una suspensión fuera de la escuela, a menos que, cuando se encuentre en la propiedad escolar o mientras asista a una actividad patrocinada o relacionada con la escuela dentro o fuera de la propiedad escolar, el estudiante demuestre: una conducta que contenga elementos de una infracción relacionada con armas (portar armas ilegalmente o armas prohibidas); una conducta que contenga elementos de una infracción violenta (agresión [ver glosario], agresión sexual, agresión agravada o agresión sexual agravada); o venderle, darle o entregarle a otra persona o estar en posesión, consumir o estar bajo la influencia de lo siguiente: cualquier cantidad de marihuana o alguna sustancia controlada, una droga peligrosa o una bebida alcohólica [§37.005 del Código de Educación de Texas].

No hay una solución simple para las necesidades complejas de los estudiantes. Cuando respondemos a un estudiante de prekínder a 2.º grado es fundamental que nos hagamos las siguientes preguntas: ¿Qué vemos cuando el estudiante está frente a nosotros? ¿Cuáles son las causas reales del comportamiento? ¿Qué necesita el estudiante?

**No debemos preguntar: ¿Cuál es el problema de este estudiante?**

**En cambio, debemos preguntar: ¿Qué le está sucediendo al estudiante?**

TSD se esfuerza por garantizar que respondamos a las necesidades de los estudiantes a través de un enfoque de niveles. Tener un enfoque de niveles nos permite apoyar a nuestros estudiantes en todos los niveles, y para aquellos que se benefician de servicios personalizados y complementarios y / o intensivos más allá del Nivel 1.

### **Prevención de nivel 1**

**Intervenciones y apoyo al comportamiento positivo (PBIS, por sus siglas en inglés):** Una amplia gama de estrategias sistémicas e individualizadas con énfasis en intervenciones proactivas para que todos los adultos promuevan, enseñen, refuercen y monitoricen los comportamientos positivos de los estudiantes, mientras previenen el comportamiento problemático de todos los estudiantes.

**Prácticas restaurativas:** Un flujo continuo de prácticas sensibles disponibles para un plantel que se enfocan en crear una cultura y ambiente escolar que apoye las necesidades de cada estudiante y su familia.

**Aprendizaje Social y Emocional (SEL, por sus siglas en inglés):** Una estrategia fundamental basada en investigaciones en la que los estudiantes aprenden destrezas fundamentales para la vida, como reconocer y manejar las emociones, resolver problemas de forma eficaz y establecer relaciones positivas por medio de la instrucción explícita y el ejemplo de los adultos. TSD está pasando a la siguiente etapa de implementación, que incluye una integración profunda del SEL en la enseñanza y aprendizaje básico en cada salón de clases, al maximizar la implementación en cada plantel y garantizar sistemas continuos de provisión de intervención y apoyo.

**Intervenciones relacionales basadas en la confianza (TBRI, por sus siglas en inglés):** TSD está comprometido a ser un plantel con más información de trauma y de aprender las estrategias esenciales para mejor apoyar a nuestros estudiantes a través de este conocimiento. El TBRI es una intervención con conocimiento del trauma diseñada para satisfacer las necesidades de niños que han experimentado abuso, negligencia o trauma y estudiantes que no están respondiendo al ambiente de aprendizaje.

## Respuesta dirigida de nivel II

### **Evaluación y monitorización**

- Preguntas sobre la escuela o de reflexión escolar
- Junta del Equipo de Estudio del Niño, Juntas de enfoque, Juntas con personal del estudiante
- Conferencia con los padres o tutores legales y personal escolar de apoyo
- Creación o monitorización de un plan académico o en colaboración con el estudiante, maestro, y el personal de la escuela
- Círculo restaurativo (con apoyo del personal del distrito cuando sea necesario)

### **Apoyos**

- Observaciones del salón de clases y de los compañeros por parte de la administración del plantel para proporcionar reflexión y apoyo
- Consejería con el consejero escolar o un proveedor de servicios (dependiendo de la capacidad)
- Creación de un área de paz en el salón de clases si es apropiado para la edad
- Creación de un programa SEL en el plantel
- Apoyo a las familias en términos de referencias externas a recursos basados en la comunidad para apoyar aún más a los estudiantes y sus familias.

## Respuesta intensiva de nivel III

### **Evaluación y monitorización**

- Monitoreo constante en el plan de apoyo dentro de un equipo de personal estudiantil y servicios de apoyo adicionales e integrales

### **Apoyo**

- Recursos adicionales proporcionados dentro del sistema escolar como se acordó en la junta ARD, como apoyo al comportamiento, consejería y otras necesidades de servicios relacionados
- Remisión a socios comunitarios y proveedores de servicios

## **Resumen**

Este Código de Conducta Estudiantil (Código), revisado y aprobado por la Mesa Directiva de TSD, proporciona información y dirección a los estudiantes y padres con respecto a las expectativas de comportamiento, y las consecuencias de las violaciones del código de conducta. Se alienta a los padres / tutores legales y estudiantes a leer y revisar regularmente el Código del distrito para garantizar un año escolar exitoso y proactivo para todos.

### **El distrito tiene la autoridad para manejar la disciplina y dar consecuencias cuando:**

- El interés de la escuela está involucrado dentro o fuera del plantel escolar en conjunto con o independientemente de las clases y actividades patrocinadas por la escuela.
- Los estudiantes violan el código de conducta durante el día escolar mientras asisten o participan en una actividad relacionada con la escuela o patrocinada por la escuela, incluso en cualquier vehículo propiedad del distrito.
- Los estudiantes publican mensajes amenazantes en las redes sociales hacia otro estudiante, personal o propiedad del distrito, independientemente de la hora o el lugar.
- Los estudiantes participan en actividades delictivas específicas, según lo determine la policía, independientemente de la hora o el lugar.

### **Determinando consecuencias:**

- Como lo requiere la ley, nuestra Directora de Educación Especial, Elizabeth Sterling, servirá como Coordinadora de Comportamiento del Distrito (DBC). El DBC es el principal responsable de mantener las políticas y procedimientos de disciplina de los estudiantes. Los directores de departamento y los equipos administrativos determinarán las consecuencias apropiadas en función de estas políticas y procedimientos.
- Antes de que el DBC y la administración del departamento recomienden una suspensión o el traslado del estudiante a un entorno escolar alternativo, deben considerar:
  - Si el estudiante actuó en defensa propia;
  - La intención o falta de intención del estudiante en el momento en que el estudiante participó en la conducta;
  - El historial disciplinario del estudiante;
  - Si el estudiante tiene una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar la ilicitud de su conducta, independientemente de si la decisión implica una acción obligatoria o discrecional.
  - El estatus del estudiante bajo la custodia del Departamento de servicios de protección a la familia o de un estudiante estatus como estudiante que no tiene hogar.
  
- El DBC y la administración del departamento pueden ofrecer a los estudiantes las siguientes opciones para restablecer el orden, ayudar a los estudiantes con su desarrollo social y emocional, y mantener a los estudiantes comprometidos con su progreso académico en su campus de origen:
  - Conferencia con padres de familia/maestros;
  - Resolución de conflictos;
  - Circulos del salón de clases (utilizado para establecer un acuerdo de respeto, crear comunidad escolar, reparar el daño y enseñar estrategias de toma de decisión y/o contenido);
  - Entrenamiento de comportamiento;
  - Plan para mejorar el comportamiento;
  - Referencia al equipo de apoyo estudiantil de la escuela;
  - Referencia a servicios sociales en la comunidad;
  - Transferir al estudiante a otro salón de clases;
  - Suspensión dentro de la escuela o Suspensión fuera de la escuela.
  
- El distrito puede recomendar a un estudiante que obtenga servicios de educación alternativa por mala conducta grave o persistente o cuando el estudiante infringe las leyes locales o estatales:
  - Los estudiantes tienen el derecho a participar en una conferencia de debido proceso antes de que sean removidos de su entorno escolar regular.
  - Los estudiantes pueden ser trasladados a un programa de educación alternativa del distrito (DAEP).
  - Los estudiantes no se les puede permitir asistir o participar en actividades extracurriculares.

## Propósito

El Código es la respuesta específica del distrito a los requisitos del Capítulo 37: Disciplina; ley y orden del Código de Educación de Texas.

El Código les provee una guía clara e información confiable a los estudiantes, padres de familia y personal, para que todos sepan qué esperar si surgen problemas disciplinarios. Este Código está en línea con las metas y filosofía de TSD de respeto, éxito, prevención, guía e intervención temprana.

La ley exige que el distrito defina la mala conducta que puede o debe resultar en una escala de consecuencias disciplinarias específicas.

Las reglas de conducta y disciplina no deben tener el efecto de discriminar con base en raza, color, religión, género, identidad de género, expresión de género, orientación sexual, origen nacional, discapacidad, edad, estatus migratorio o cualquier otro motivo prohibido por la ley.

Este Código es el resultado de la colaboración entre el distrito, personal escolar, los padres de familia y otros miembros de la comunidad. Este código, adoptado por la mesa directiva de TSD, ofrece información y orientación para los estudiantes y padres de familia sobre los estándares de conducta y las consecuencias por la mala conducta. En caso de un conflicto entre el Código y una norma de la mesa directiva, predominará el Código.

A lo largo de todo este documento se hace referencia al Capítulo 37 del Código de Educación de Texas (TEC, por sus siglas en inglés), que rige diversos aspectos del Código. Los reglamentos, normas y anexos del TEC y de TSD relacionados con la disciplina y el manejo de la conducta están disponibles en línea:

TEC: <http://www.statutes.legis.state.tx.us/?link=ED>

Normas, reglamentos y anexos de TSD: [https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC\\_ID=348273&type=d&pREC\\_ID=889409](https://www.tsd.state.tx.us/apps/pages/index.jsp?uREC_ID=348273&type=d&pREC_ID=889409)

## I. Expectativas para la conducta estudiantil

Para lograr la misión de TSD, todos los estudiantes demostrarán la actitud y las destrezas necesarias para llevar una vida responsable, satisfactoria y respetable; todos los estudiantes entenderán los componentes de un estilo de vida saludable. Para garantizar que los estudiantes aprendan en un ambiente psicológica, física y emocionalmente seguro y sin interrupciones, se espera que todos los estudiantes:

- Demuestren cortesía y respeto por los demás;
- Se comporten de manera responsable;
- Asisten a todas las clases con regularidad y a tiempo;
- Eviten infracciones del Código;
- Se preparen y traigan los útiles adecuados y los trabajos a cada clase;
- Cooperen con el personal escolar o le ayuden a mantener la seguridad, el orden y la disciplina;
- Estén aseados y vestidos de forma apropiada según el código de vestir del distrito o de la escuela;
- respeten la propiedad ajena, incluyendo la propiedad y las instalaciones del distrito;
- respeten los derechos y privilegios de otros estudiantes y de los maestros y demás

Un estudiante cuya conducta demuestre falta de respeto hacia los demás, incluida la interferencia en el acceso de una persona a la educación pública o a un entorno seguro, estará sujeto a medidas disciplinarias. El distrito o las escuelas individuales pueden imponer normas en la escuela o el salón de clases además de las que se

establecen en el Código. Estas normas se pueden detallar en los manuales estudiantiles de cada escuela o publicar en los salones de clases, y pueden o no constituir infracciones del Código.

En general, el propósito de las medidas disciplinarias es corregir la mala conducta y animar a todos los estudiantes a cumplir con sus responsabilidades como ciudadanos de la comunidad escolar. Las medidas disciplinarias y la duración de la tarea dependerán del juicio profesional de los maestros y administradores y de una variedad de técnicas para el manejo de la disciplina. Las medidas disciplinarias estarán relacionadas, entre otros aspectos, con la gravedad de la infracción, la edad y grado escolar del estudiante, la frecuencia de la mala conducta, la actitud del estudiante, el hecho de si el estudiante actuó en defensa propia, el efecto de la mala conducta en el entorno escolar, la intención o falta de intención en el momento en que el estudiante manifestó el comportamiento, el hecho de si el estudiante tiene una discapacidad que afecte considerablemente su capacidad para comprender que el comportamiento fue inapropiado (como lo requiere la Ley de Educación para Personas con Discapacidades [*Individuals with Disabilities Education Act*, IDEA] y la ley 504) y la situación del estudiante bajo la tutela legal del Departamento de Familia y Servicios de Protección o la condición de indigencia del estudiante. Con base en estos factores, se pueden considerar diversas técnicas y respuestas disciplinarias para determinada infracción (a menos que la ley lo especifique de otra manera).

Las siguientes técnicas se pueden usar solas o en combinación con las técnicas estipuladas para las infracciones del Código e infracciones no relacionadas con este, como las infracciones de las normas de la escuela o del salón de clases:

- corrección verbal;
- tiempo para tranquilizarse;
- cambios de asiento en el salón de clases o en vehículos del distrito u operados por el distrito;
- ayuda psicológica por parte de maestros, consejeros o personal administrativo;
- reuniones entre padres y maestros;
- confiscación de objetos que alteran el proceso educativo;
- contratos de conducta;
- envío del estudiante a la oficina u otra área asignada, o a los Centros de Apoyo Estudiantil (suspensión en la escuela);
- asignación a otro salón de clases;
- tiempo adicional fuera del horario de clase;
- limitación o revocación de los beneficios de transporte en autobuses del distrito;
- asignación de deberes de la escuela además del trabajo en clase;
- retiro de beneficios, como la participación en actividades extracurriculares y el derecho a solicitar y ocupar cargos honorarios;
- técnicas o sanciones específicas de códigos de conducta de ciertas organizaciones estudiantiles;
- periodo de prueba evaluado y administrado por la escuela;
- reducción de calificaciones por copiar, hacer plagio y otras razones permitidas por la política;
- derivación a un organismo o una autoridad legal externa para procesos judiciales además de medidas disciplinarias impuestas por el distrito;
- otras estrategias y consecuencias según lo especifique el Código o lo consideren apropiado los administradores de la escuela, como suspensión, remoción o expulsión.

Nota: El castigo corporal no está permitido en TSD.

Cuando las consecuencias disciplinarias requieran una reunión de admisión, evaluación y expulsión (*Admission, Review, and Dismissal*, ARD), el coordinador de comportamiento del distrito (*District Behavior Coordinator*, DBC) o el director intentarán informar de buena fe al estudiante y a los padres o al tutor legal sobre la hora y el lugar de la reunión. El distrito puede llevar a cabo la reunión si se ha intentado programarla.

## **Autoridad disciplinaria**

Las normas escolares y la autoridad del distrito para imponer medidas disciplinarias se aplican siempre que estén de por medio los intereses de la escuela, en el predio escolar o fuera de este, en relación o no con las clases y actividades patrocinadas por la escuela. El distrito tiene autoridad disciplinaria sobre un estudiante:

- durante la jornada escolar habitual, cuando el estudiante esté dentro de 91 metros de distancia de los límites de la escuela, y mientras viaja a la escuela o de regreso a casa en el transporte del distrito;
- durante los periodos de almuerzo en los que se permite al estudiante salir de la escuela;
- mientras el estudiante esté presente en alguna actividad relacionada con la escuela, incluida la escuela de verano, independientemente de la hora o el lugar;
- por cualquier mala conducta relacionada con la escuela, independientemente de la hora o el lugar;
- cuando se comete un delito dentro o fuera de la escuela o en un evento relacionado con la escuela;
- cuando se amenaza o se toma represalias en contra de un empleado o voluntario de la escuela, independientemente de la hora o el lugar;
- cuando el estudiante comete un delito grave en la comunidad, como lo estipula el Código de Educación de Texas;
- de acuerdo con cualquier código de conducta adoptado a nivel escolar relacionado con la participación en un club, organización o actividad extracurricular del estudiante;
- cuando el estudiante tiene que registrarse como agresor sexual.

Nota: Además de las consecuencias disciplinarias, se denunciarán los delitos menores y graves cometidos en la escuela, que quedarán a cargo de la autoridad policial pertinente. Consulte la política FNF del distrito para obtener información sobre las inspecciones.

## **Coordinador de comportamiento del distrito (DBC)**

Como lo exige la ley, se debe designar a una persona en cada distrito para actuar como DBC. Esta persona puede ser el director de la escuela o cualquier otro administrador de la escuela seleccionado por el director. El DBC es el principal responsable de mantener la disciplina estudiantil. La DBC de TSD es Elizabeth Sterling, nuestra directora de educación especial. Los directores del Departamento trabajan con la Sra. Sterling para respaldar el programa de comportamiento del distrito.

## **Debido proceso**

Se le otorgará a un estudiante el debido proceso conforme a este Código y la ley estatal antes de que se tome la decisión de suspender a un estudiante de la escuela o asignarlo al Programa de Educación Alternativa del Distrito (*District Alternative Education Program*, DAEP). Aunque este Código describe en detalle los procedimientos específicos que se aplican a las consecuencias disciplinarias, estas disposiciones generales se aplican cada vez que se expulsa a un estudiante de una clase o entorno escolar por razones disciplinarias. El estudiante recibirá un aviso de las acusaciones en su contra. Si el estudiante niega estas acusaciones, los directivos de la escuela proporcionarán una explicación de las razones por las que creen que hubo una mala conducta. Se le ofrecerá al estudiante que presente su versión de la historia.

A más tardar el tercer día de clase después del día en que un maestro o administrador de la escuela retiró al estudiante de la clase, el DBC programará una reunión con el administrador de la escuela, los padres o el tutor legal del estudiante, el maestro que expulsó al estudiante de la clase (si corresponde) y el estudiante.

En la reunión, el estudiante obtendrá una explicación de las razones por las cuales se lo expulsó y tendrá la oportunidad de brindar una respuesta. Es posible que el estudiante no se reincorpore a su salón de clases habitual hasta que no se lleve a cabo esta reunión. El DBC o el equipo administrativo del Departamento intentarán invitar de buena fe a los padres y al estudiante a la reunión de expulsión, pero pueden proceder con la medida disciplinaria independientemente de si el estudiante y los padres se encuentran o no presentes.

Antes de ordenar la suspensión de un estudiante o su expulsión al DAEP, el DBC y el equipo administrativo del Departamento considerarán si existen factores atenuantes, es decir, el hecho de si el estudiante actuó en defensa propia, la intención o falta de intención en el momento en que el estudiante manifestó la mala conducta, los antecedentes disciplinarios del estudiante, el hecho de si el estudiante tiene una discapacidad que afecte considerablemente su capacidad para comprender que el comportamiento fue inapropiado y la situación del estudiante bajo la tutela legal del Departamento de Familia y Servicios de Protección o la condición de indigencia del estudiante.

Después de la reunión, el DBC o la administración del Departamento presentarán ante los padres o el tutor legal un aviso por escrito del resultado de la audiencia, en conformidad con las disposiciones pertinentes del Código.

## **II. Mala conducta general**

### **A. Definición de mala conducta general**

La mala conducta general es un comportamiento inaceptable o inapropiado manifestado por un estudiante, es decir, es aquella situación en la que no se acatan las políticas de TSD, las leyes estatales o el Código.

En la escuela, en los vehículos del distrito u operados por el distrito y en todas las actividades relacionadas con la escuela, los siguientes son comportamientos y conductas prohibidos, entre otros:

### **Infracciones generales o de las normas/varias infracciones**

- Copiar el trabajo de otra persona
- Infringir el código de vestimenta del distrito o de la escuela
- Usar de manera indebida un extintor de incendios
- Infringir las normas de seguridad
- Desobedecer las normas de conducta en los autobuses escolares
- Infringir repetidas veces las normas de comportamiento ya comunicadas de la escuela o del salón de clases
- No cumplir con las indicaciones proporcionadas por el personal de la escuela
- Comportarse de manera tal que cause problemas en el entorno escolar o altere el proceso educativo
- Irse del predio de la escuela o de los eventos patrocinados por la escuela sin permiso
- Dañar o destrozar los bienes ajenos
- Destruir o dañar los bienes escolares, incluidos los libros de texto, los casilleros, los muebles y otro equipo, con grafiti (consulte el glosario) o de otras formas

- Falsificar documentos impresos o digitales, aprobaciones u otros documentos escolares relacionados
- Hacer apuestas
- Cometer hurto, robo o asalto
- Manifestar una conducta que constituye un delito
- Manifestar cualquier comportamiento que les dé a los directivos de la escuela un fundamento para creer que esa conducta alterará considerablemente el programa escolar o incitará a la violencia
- Infringir cualquier ley local, estatal o federal
- Manifestar una conducta física o verbal indebida; cometer extorsión, coerción o chantaje (obtener dinero u otro objeto de valor de alguien contra su voluntad); u obligar a una persona a actuar mediante el uso de fuerza o la amenaza de fuerza
- Grabar la imagen o la voz de otras personas sin el consentimiento previo de esas personas para grabarlas, o grabar de cualquier manera que perturbe el entorno educativo o que invada la privacidad de otras personas
- Decir groserías, usar lenguaje vulgar o hacer gestos obscenos
- Decir insultos, utilizar palabras despectivas contra grupos étnicos o razas o hacer declaraciones despectivas que les den a los directivos de la escuela un fundamento para creer que esa conducta alterará el programa escolar o incitará a la violencia
- Manifestar una conducta que constituya acoso sexual o basado en el género o abuso sexual, ya sea con palabras, gestos o cualquier otra clase de conducta sexual, incluida la solicitud de favores sexuales
- Realizar un contacto físico o sexual indebido
- Cometer hostigamiento (consulte el glosario)
- Cometer violencia de pareja (consulte el glosario)
- Cometer acoso escolar (consulte el glosario)
- Cometer ciberacoso (consulte el glosario)
- Realizar ritos de iniciación (consulte el glosario)
- Arrojar objetos que puedan causar lesión corporal o daño a los bienes
- Participar en peleas
- Cometer acciones agresivas o perturbadoras o manifestaciones en grupo que alteren considerablemente las actividades escolares o interfieran de forma considerable en estas
- Hacer acusaciones falsas o realizar bromas de mal gusto con respecto a la seguridad escolar
- Manifestar un comportamiento amenazador hacia otro estudiante, empleado o bienes del distrito, incluida la creación de una lista de posibles víctimas, definida como una lista negra; usar un arma de fuego (consulte el glosario), una navaja o cualquier otro objeto con la intención de causar daño corporal
- Participar en Asesino o cualquier otro juego organizado de matanza o eliminación simulada que incluya, entre otras cosas, listas negras, golpizas o matanzas, independientemente de los medios (por ejemplo, pistolas de juguete o marcadores)

## ***Amenazas***

El distrito toma en serio todas las amenazas. Las amenazas de cualquier naturaleza se toman en serio y se investigan en la máxima medida en que lo permitan la ley y la política del distrito. No se toleran las amenazas de ningún tipo contra una escuela, los estudiantes o el personal. Los directivos de la escuela y las autoridades policiales investigan todas las amenazas escolares.

Las amenazas que dan lugar a evacuaciones, cierres de emergencia, investigaciones por parte de un funcionario o agencia organizada para manejar emergencias tendrán como consecuencia la aplicación de la política de disciplina. Se tomarán todas las medidas disciplinarias conforme al Capítulo 37 del Código de Educación de Texas (*Texas Education Code*, TEC), las leyes federales y estatales con respecto a los estudiantes con discapacidades, y el Código de Conducta del Estudiante. Le recomendamos insistir con sus hijos en el hecho de que todos estos tipos de amenazas, hechas de manera verbal o a través de una red social, se investigan inmediatamente. Se puede detener o arrestar a los estudiantes bajo el cargo de amenaza terrorista, incluso si la amenaza no es creíble.

## ***Hostigamiento y acoso escolar***

El distrito cree que todos los estudiantes aprenden mejor en un entorno sin violencia de pareja, discriminación, hostigamiento y represalias, y que se vela mejor por su bienestar si no tienen que enfrentar este tipo de conducta prohibida mientras asisten a la escuela. Se espera que los estudiantes traten a otros estudiantes y a los empleados del distrito con cortesía y respeto, de manera que se eviten comportamientos que se sabe que son ofensivos y que no manifiesten esos comportamientos cuando se les pida que lo hagan. Se espera que los empleados del distrito traten a los estudiantes con cortesía y respeto.

La mesa directiva ha establecido políticas y procedimientos para prohibir y responder rápidamente en casos de comportamientos inapropiados y ofensivos que se basen en la raza, el color, la religión, el sexo, el género, la identidad de género, la expresión de género, la orientación sexual, la nacionalidad, la discapacidad, la edad, la condición de inmigrante o cualquier otra razón prohibida por la ley (consulte la política FFH).

Cuando se reciba el informe de conducta prohibida como la define la política FFH, el distrito determinará si las acusaciones, en caso de que se compruebe que son ciertas, constituirían una conducta prohibida como la define esa política. De lo contrario, el distrito se remitirá a la política FFI para determinar si las acusaciones, en caso de que se compruebe que son ciertas, constituirían acoso escolar, como lo definen la ley y esa política. Si la presunta conducta prohibida comprobada constituiría una conducta prohibida y también se consideraría acoso escolar como lo definen la ley y la política FFI, también se llevará a cabo una investigación por acoso escolar.

En la medida de lo posible, el distrito respetará la privacidad del estudiante; sin embargo, puede ser necesario divulgar en forma limitada cierta información para poder realizar una investigación minuciosa y para cumplir con la ley. Las acusaciones de conductas prohibidas, lo que incluye la violencia de pareja, la discriminación, el hostigamiento y las represalias, se investigarán inmediatamente.

Durante el curso de una investigación y cuando corresponda, el distrito tomará medidas provisionales para responder a la presunta conducta prohibida.

Si la investigación del distrito indica que hubo una conducta prohibida, se tomarán las medidas disciplinarias correspondientes y, en algunos casos, se tomarán medidas correctivas como respuesta a la conducta. El distrito puede tomar medidas disciplinarias y correctivas incluso si la conducta que es objeto del reclamo no es ilícita.

## *La Ley de David y la disciplina*

Se puede expulsar a un estudiante de la clase y asignarlo a un programa disciplinario de educación alternativa o expulsarlo (sección 37.0052) si el estudiante comete “acoso escolar” o “ciberacoso” como se definen en la sección 37.0832, es decir, cuando un estudiante incita a otro estudiante a suicidarse o intentar suicidarse o promueve la violencia contra un estudiante a través del acoso escolar grupal, o divulga o amenaza con divulgar material visual íntimo de un menor o estudiante de 18 años de edad o más sin el consentimiento del estudiante.

Las escuelas tienen la autoridad de aplicar medidas disciplinarias por acoso escolar que tenga lugar en la escuela o en el lugar donde se realiza una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la escuela; acoso escolar que tenga lugar en un autobús escolar de propiedad pública o privada o en un vehículo usado para el transporte de estudiantes hacia o desde la escuela o una actividad patrocinada por la escuela o relacionada con la escuela; y ciberacoso que tenga lugar fuera de la escuela o fuera de una actividad patrocinada por la escuela o relacionada con la escuela si el ciberacoso interfiere en las oportunidades educativas de un estudiante o altera de manera considerable la dinámica organizada de una clase, escuela o actividad patrocinada o relacionada con la escuela.

### **Artículos cuya distribución, posesión, venta o uso están prohibidos**

- Materiales pornográficos.
- Material impreso o electrónico diseñado para promover o fomentar comportamiento ilegal o que podría ser una amenaza para la seguridad de la escuela; esto incluye el correo electrónico o los sitios web utilizados en la escuela para fomentar comportamiento ilegal o servir de amenaza para la seguridad escolar.
- Pegamento o pintura en aerosol que contenga sustancias químicas volátiles o el cual sea adictivo.
- Bebidas alcohólicas (incluido el consumo antes de llegar a las instalaciones escolares o mientras se está en estas); esto incluye cometer un acto o una infracción grave bajo la influencia del alcohol.
- Uso de medicamentos disponibles sin receta de manera que no concuerde con el uso previsto del medicamento según se indique en la etiqueta del fabricante o con la política del distrito relacionada con la manipulación de esa clase de medicamentos.
- Medicamentos recetados o de venta libre que se tomen de manera tal que se cometa una infracción.
- Medicamentos recetados propios de un estudiante que se dan a otro estudiante u otro estudiante tiene bajo su poder o el hecho de que un estudiante quede bajo la influencia del medicamento recetado de otra persona.
- Parafernalia para drogas.
- Medicamentos que parezcan drogas o artículos que imiten o sean como drogas y contrabando.
- Fósforos o encendedores.
- Productos de tabaco, incluidos los cigarrillos, los puros, los minipuros, los productos de tabaco soluble, los productos tradicionales de tabaco sin humo, incluido el tabaco de mascar y rapé húmedo.
- Productos vaporizadores, incluidos los cigarrillos electrónicos (consulte el glosario), los dispositivos vaporizadores electrónicos, los vaporizadores personales o los sistemas electrónicos de administración de nicotina, sus accesorios y líquidos para cigarrillos electrónicos.
- Venta, entrega, posesión, consumo o estado bajo la influencia de cierta cantidad de marihuana, una sustancia controlada o una droga peligrosa.
- Cualquier artículo que en general no se considere un arma, incluidos los útiles escolares, cuando el director o la persona designada determine que existe un peligro.

- Navajas de afeitar, cortadores de cartón, cadenas o cualquier otro objeto usado para amenazar o lastimar físicamente a otra persona.
- Navajas, instrumentos con navajas, navajas automáticas, pistolas de aire, pistolas de juguete, surtidores de sustancias químicas (consulte el glosario), aerosol irritante o rociador de pimienta, fuegos artificiales, imitaciones de armas de fuego, dispositivos electrónicos para aturdir, municiones y otros artículos peligrosos.
- Un arma de fuego (consulte el glosario); una ametralladora; un arma de fuego de cañón corto; un silenciador de arma de fuego; munición perforante de armadura; un arma de fuego improvisada; una navaja restringida en ciertos lugares, que se define como un cuchillo con una hoja de más de 14 cm; un cuchillo mariposa; un garrote (consulte el glosario); un arma prohibida, como un arma explosiva (consulte el glosario); un puño americano.
- Cualquier artículo, aparte de los que se definen como armas de fuego (consulte el glosario) en virtud de la ley estatal y federal, capaz de lanzar un proyectil y causar lesión de cualquier manera, lo que incluye, entre otros elementos, un resorte, aire comprimido, resorte-pistón, neumático o CO2. Algunos ejemplos incluyen, entre otros, pistolas de balines, pistolas de aire, escopetas de balines y cualquier dispositivo de protección diseñado para administrar un choque eléctrico.
- Posesión de una arma hecha en casa, que se define como un aparato u objeto fabricado, modificado o adaptado por una persona con el fin de hacerle daño a otra con su uso o uso previsto.

Tenga en cuenta que se debe poseer y usar los dispositivos de búsqueda o teléfonos celulares de acuerdo con la política del distrito y de la escuela.

### **Uso inapropiado de computadoras, Internet y correo electrónico**

- Infringir políticas, normas o cualquier acuerdo firmado por el estudiante o sus padres con respecto al uso de recursos tecnológicos [Política de uso aceptable de TSD]
- Intentar obtener acceso a claves de acceso u otra información de seguridad del distrito, los estudiantes o los empleados o vulnerarlas, o cargar o crear un virus informático, ya sea en la escuela o fuera de esta, si la conducta ocasiona una alteración considerable del entorno educativo
- Intentar alterar, destruir o desactivar recursos tecnológicos del distrito, incluidos, entre otros, las computadoras y el equipo relacionado, los datos del distrito, los datos de otras personas u otras redes conectadas al sistema del distrito, ya sea en la escuela o fuera de esta, si la conducta ocasiona una alteración considerable del entorno educativo
- Usar el correo electrónico o los sitios web para propiciar un comportamiento ilegal o incitarlo o propiciar amenazas para la seguridad escolar, incluso fuera de la escuela, si la conducta ocasiona una alteración considerable del proceso educativo
- Enviar, publicar o poseer mensajes electrónicos abusivos, obscenos, de naturaleza sexual, amenazantes, intimidantes, perjudiciales para la reputación de otras personas o ilegales, incluidos el ciberacoso (consulte el glosario) y “sexteo”, ya sea en la escuela o fuera de esta, si la conducta ocasiona una alteración considerable del entorno educativo

### **B. Consecuencias de la mala conducta general**

Se tomarán medidas disciplinarias con los estudiantes que manifiesten una mala conducta general como se define en la parte A. Se aplicarán técnicas apropiadas para el manejo de la disciplina como medidas disciplinarias para los estudiantes, se expulsará al estudiante del entorno de clase habitual o se lo asignará a un Programa Disciplinario de Educación Alternativa (DAEP).

## **Notificación**

El DBC o la administración del Departamento notificarán de inmediato a los padres del estudiante por teléfono o en persona sobre cualquier infracción que pudiera tener como consecuencia una suspensión dentro o fuera de la escuela. Para la asignación a un DAEP, se debe llevar a cabo una reunión de ARD. El DBC o la administración del Departamento también notificarán a los padres de un estudiante si un oficial de una autoridad policial toma en custodia a un estudiante según las disposiciones disciplinarias del código de educación. Se hará un intento de buena fe el día en que se tomó la medida para darle al estudiante una notificación por escrito de la medida disciplinaria para que se la entregue a uno de sus padres o al tutor legal. Si es imposible comunicarse con los padres por teléfono o en persona antes de las 05:00 p. m. del primer día hábil después del día en que se tomó la medida disciplinaria, el DBC enviará una notificación por escrito mediante el correo postal de EE UU. Si el DBC no puede notificar a los padres, el director o la persona designada deberán enviarle una notificación.

## **Expulsión del autobús escolar**

Debido a que la principal responsabilidad del distrito es transportar a los estudiantes en los vehículos del distrito de la manera más segura posible, el operador del vehículo tiene que enfocarse en conducir y no distraerse con el mal comportamiento de los estudiantes. Por lo tanto, cuando las técnicas para el manejo de la disciplina apropiadas no ayuden a mejorar el comportamiento de los estudiantes o cuando una mala conducta específica justifique la expulsión inmediata, el conductor del autobús puede enviar al estudiante a la oficina del director para mantener una disciplina eficaz en el autobús. El director debe emplear técnicas adicionales para el manejo de la disciplina, según corresponda. Si surgen inquietudes con respecto al transporte en el autobús de manera segura, se realizará una reunión de ARD.

## **Expulsión por parte del maestro (sección 37002 [B] [D] del TEC)**

El maestro también tiene autoridad para expulsar a un estudiante. Un maestro puede expulsar de la clase a un estudiante que, sobre la base de los registros del maestro, haya quedado demostrado que el estudiante interfiere repetidas veces en la capacidad del maestro para comunicarse eficazmente con los estudiantes en la clase o en la capacidad de los demás estudiantes para aprender; o cuyo comportamiento según el maestro es tan rebelde, problemático o abusivo que interfiere seriamente en la capacidad del maestro para comunicarse eficazmente con los estudiantes de la clase o en la capacidad de los estudiantes para aprender (sección 37.002 [b] del TEC). Un maestro o administrador puede también expulsar a un estudiante de la clase por una infracción por la que se puede suspender al estudiante o asignarlo a un Programa Disciplinario de Educación Alternativa (sección 37.002 [d] del TEC). Si se cometen las siguientes infracciones contra el maestro, el estudiante no puede reincorporarse a la clase sin el consentimiento del maestro: agresión con lesión corporal, agresión agravada, agresión sexual o agresión sexual agravada. El director o administrador pertinente debe enviar una copia de la documentación del maestro o de la infracción del Código de Conducta a uno de los padres o al tutor legal del estudiante dentro de las 24 horas después de haberla recibido.

## **Reunión**

Cuando se expulsa a un estudiante del salón de clases habitual, se programará una reunión antes de que pasen tres días escolares con el estudiante, sus padres o tutor legal y el maestro. Nuestro objetivo es garantizar una solución al problema cuando surja. Hasta que se lleve a cabo la reunión, el director u otro administrador pertinente puede aplicar las siguientes medidas:

- asignar al estudiante a otro salón de clases apropiado;
- resolver la suspensión en la escuela;
- asignar al estudiante a un Programa Disciplinario de Educación Alternativa;
- resolver la suspensión fuera de la escuela.

Después de la reunión, el director les informará al estudiante y a sus padres las consecuencias de la infracción al Código. Cuando se ha expulsado formalmente a un estudiante de la clase (sección 37.002 del TEC), el director u otro administrador no pueden reincorporarlo a la clase sin el consentimiento correspondiente del maestro, a menos que el equipo administrativo o el comité de ARD lo recomienden.

### **Suspensión (sección 37.005 del TEC)**

Se puede suspender a los estudiantes por cualquier comportamiento mencionado en el Código como una infracción de mala conducta general, una infracción que tenga como consecuencia la asignación a un Programa Disciplinario de Educación Alternativa o una infracción que justifique la expulsión. Además, se pueden usar las suspensiones con los estudiantes que hayan cometido una infracción que justifique la expulsión y para los cuales deba llevarse a cabo una reunión o audiencia. La ley estatal permite suspender a un estudiante de la escuela durante hasta tres días escolares por infracción. Se deberá llevar a cabo una reunión de ARD con los estudiantes que tienen diez o más días acumulados.

El administrador considerará si existen factores atenuantes que se puedan aplicar, como el hecho de si el estudiante actuó en defensa propia, la intención o falta de intención en el momento en que el estudiante manifestó la mala conducta, los antecedentes disciplinarios del estudiante, el hecho de si el estudiante tiene una discapacidad que afecte considerablemente su capacidad para comprender que el comportamiento fue inapropiado y la situación del estudiante bajo la tutela legal del Departamento de Familia y Servicios de Protección o la condición de indigencia del estudiante. El director u otro administrador apropiado determinará la duración de la suspensión. El director u otro administrador pertinente determinará las restricciones a la participación en actividades extracurriculares y no curriculares patrocinadas por la escuela o relacionadas con esta. Un estudiante puede apelar la decisión del DBC ante el director de la escuela o la persona designada. El estudiante permanecerá en suspensión hasta que se apele la decisión. La decisión del director de la escuela no se puede apelar.

No se puede resolver la suspensión fuera de la escuela de ningún estudiante de escuela primaria matriculado en un nivel de grado inferior a tercer grado, a menos que cuando se encuentre en la escuela o mientras asista a una actividad patrocinada o relacionada con la escuela en la escuela o fuera de esta, el estudiante haya manifestado lo siguiente: una conducta que contenga las características de un delito relacionado con armas (armas ilegales o armas prohibidas); una conducta que contenga las características de un delito de violencia (agresión [consulte el glosario], agresión sexual, agresión agravada o agresión sexual agravada); o la venta, entrega a otra persona o posesión, el uso o el estado bajo la influencia de cierta cantidad de marihuana o una sustancia controlada, una droga peligrosa o una bebida alcohólica (sección 37.005 del TEC).

No se puede resolver la suspensión fuera de la escuela de ningún estudiante en condiciones de indigencia, a menos que cuando se encuentre en la escuela o mientras asista a una actividad patrocinada o relacionada con la escuela en la escuela o fuera de esta, el estudiante haya manifestado lo siguiente: una conducta que contenga las características de un delito relacionado con armas (armas ilegales o armas prohibidas); una conducta que contenga las características de un delito de violencia (agresión [consulte el glosario], agresión sexual, agresión agravada o agresión sexual agravada); o la venta, entrega a otra persona o posesión, el uso o el estado bajo la influencia de cierta cantidad de marihuana o una sustancia controlada, una droga peligrosa o una bebida alcohólica (sección 37.005 del TEC).

## Programa Disciplinario de Educación Alternativa (DAEP)

### A. Comportamiento sujeto a la asignación a un DAEP

#### Expulsiones obligatorias

Se debe asignar a un estudiante a un Programa Disciplinario de Educación Alternativa si comete una de las siguientes infracciones en la escuela, incluidos el estacionamiento, la cochera u otra área de estacionamiento que pertenezca al distrito escolar; en un autobús escolar; dentro de 91 metros de distancia de los límites de la escuela; mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela en la escuela o fuera de esta (sección 37.005 del TEC), lo cual se debe determinar en una reunión de ARD:

- manifestar una conducta que constituya un delito grave;
- manifestar agresión con lesión;
- vender, dar, entregar, poseer, usar o estar bajo la influencia de cierta cantidad de marihuana o una sustancia controlada o una droga peligrosa, en una cantidad que no constituya un delito grave;
- vender, dar o entregar una bebida alcohólica; cometer un acto o una infracción grave bajo la influencia del alcohol;
- poseer, consumir o estar bajo la influencia de una bebida alcohólica;
- comportarse de manera tal que el comportamiento contenga elementos de una infracción relacionada con la adicción a pegamento o pintura en aerosol o sustancias químicas volátiles, de un acto lascivo en público o de exhibicionismo;
- manifestar una conducta que contenga las características de una infracción de hostigamiento en virtud de la sección 42.07(a)(1), (2), (3) o (7) del Código Penal contra un empleado del distrito escolar.

Además, se debe asignar a un estudiante a un DAEP si hace lo siguiente:

- Manifiesta una conducta que contenga las características de una infracción de represalias en contra de un empleado escolar, sin importar dónde o cuándo se manifieste la conducta.
- Comete “acoso escolar”, como se define en la sección 37.0832, es decir, cuando un estudiante incita a otro estudiante a suicidarse o intentar suicidarse, o promueve la violencia contra un estudiante a través del acoso escolar grupal, o divulga o amenaza con divulgar material visual íntimo de un menor o estudiante de 18 años o más sin su consentimiento.
- Realiza una amenaza terrorista o emite una falsa alarma o denuncia (consulte el glosario) (p. ej., amenazas de bombas).

Texas School for the Deaf no tiene la intención de ayudar a estudiantes cuyas necesidades se abordan adecuadamente en un hogar u hospital o en un centro de tratamiento residencial o a estudiantes cuyas necesidades primarias y continuas están relacionadas con un déficit emocional, conductual o cognitivo grave o profundo. § 30.051(a) del Código de Educación de Texas Los estudiantes serán derivados a su agencia de educación local (*Local Education Agency*, LEA) para continuar recibiendo servicios por una conducta que tenga como consecuencia a) una expulsión, b) la declaración de delincuente o de necesidad de supervisión y libertad condicional u otro dictamen similar por esa conducta, o c) una condena por un delito penal y libertad condicional u otro dictamen similar. (Código de Educación de Texas 25.001[d]).

Los estudiantes que no cumplan con los criterios legales mencionados anteriormente para recibir servicios en la escuela no reunirán los requisitos para la inscripción continua cuando las definiciones en esta política se apliquen a la información relevante. Si la escuela determina que un posible estudiante no reúne los requisitos para asistir a la escuela, la escuela puede proporcionar recursos a la familia o la agencia de educación local (LEA) a pedido (FD).

Un estudiante menor de 10 años que manifieste una conducta que justifique una expulsión descrita en la sección 37.007 recibirá servicios educativos en el DAEP del distrito. No se puede asignar a un estudiante menor de seis años a un DAEP (según se describe en la sección 37.008), a menos que cometa un delito federal que involucre armas de fuego.

### **Expulsiones discrecionales**

También es posible expulsar a un estudiante de la clase y asignarlo a un DAEP en virtud de la sección 37.008 por una conducta que tenga lugar fuera de la escuela y mientras el estudiante no se encuentre en una actividad patrocinada por la escuela o relacionada con esta en los siguientes casos:

- La continua presencia del estudiante en el salón de clases habitual constituye una amenaza para la seguridad de los demás estudiantes o maestros, o será perjudicial para el proceso educativo.

Además, se puede expulsar al estudiante de la clase y asignarlo a un DAEP si se comprueba lo siguiente:

- El estudiante participa en la sociedad estudiantil de una escuela pública, una sociedad secreta o una pandilla, incluso si participa como miembros o futuro miembro, o incita a otras personas para que sean miembros o futuros miembros de dicho grupo.
- El estudiante participa en la actividad de una pandilla callejera delictiva (consulte el glosario).

También se **puede** asignar a un estudiante a un DAEP por mal comportamiento grave o persistente. El distrito define “persistente” como dos o más infracciones del Código o casos repetidos de la misma infracción. Se puede asignar a un estudiante por mal comportamiento persistente si las intervenciones conductuales no han sido exitosas y la asignación a un DAEP se considera necesaria para mejorar el comportamiento del estudiante. El distrito define infracciones “graves” como aquellas que representan un peligro físico para el estudiante, otras personas o la propiedad. Se llevará a cabo una reunión de ARD.

## **B. Asignación a un DAEP**

La mesa directiva le delega al director la autoridad de asignar a un estudiante a un DAEP, en el que el estudiante estará separado de los demás estudiantes durante el día escolar entero y recibirá instrucción en las materias esenciales con el propósito de alcanzar o mantener el nivel de grado. El estudiante también recibirá ayuda psicológica. El tiempo que dure la asignación de un estudiante a un DAEP se determinará según cada caso en particular. El período máximo de asignación a un DAEP es de 45 días.

## **Expulsión por parte del maestro/administrador (sección 37.006 del TEC)**

Un maestro expulsará a un estudiante de la clase y lo enviará al director u otro administrador pertinente si el estudiante comete una infracción especificada en la sección 37.006 del TEC. (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.006>). Cuando se alega una infracción de la sección 37.006 del TEC, el director u otro administrador pertinente programará una reunión con el estudiante, uno de sus padres y el maestro (si corresponde) dentro de los tres días escolares posteriores a la recepción del informe de la infracción. El administrador de la escuela hará un intento de buena fe para programar la audiencia en colaboración con los padres del estudiante, pero puede proceder con la audiencia en ausencia de los padres si estos no asisten a la reunión después de que se ha hecho un intento válido para garantizar la asistencia de los padres.

Hasta que se pueda llevar a cabo una reunión como consecuencia de la expulsión por parte de un maestro o administrador, el director o el administrador pertinente puede aplicar las siguientes medidas:

- asignar al estudiante a otro salón de clases apropiado;
- resolver la suspensión en la escuela;
- asignar al estudiante a un DAEP;
- resolver la suspensión fuera de la escuela.

El debido proceso se otorgará en la audiencia o reunión de ARD. El director o el administrador pertinente explicará las acusaciones en contra del estudiante y le dará la oportunidad al estudiante de explicar su versión del incidente. Antes de ordenar la asignación del estudiante a un DAEP, el administrador considerará los siguientes factores atenuantes: el hecho de si el estudiante actuó en defensa propia, la intención o falta de intención en el momento en que el estudiante manifestó la mala conducta, los antecedentes disciplinarios del estudiante y el hecho de si el estudiante tiene una discapacidad que afecte considerablemente su capacidad para comprender que la conducta fue inapropiada. Después de la reunión, si se asigna al estudiante a un DAEP, se les proporcionará una orden de asignación por escrito al estudiante y a los padres, junto con la notificación del derecho de apelar la expulsión. La orden incluirá la notificación sobre la obligación del distrito escolar de darle al estudiante la oportunidad de terminar los cursos requeridos para graduarse sin costo alguno para el estudiante.

Si la asignación de un estudiante a un DAEP no se realiza conforme a las pautas de asignación del distrito según se establecen en este Código, la orden tiene que notificar el incumplimiento.

## **Participación en actividades**

El distrito no permite que un estudiante asignado a un DAEP participe en actividades extracurriculares o cocurriculares patrocinadas por la escuela o relacionadas con esta, lo que incluye solicitar u ocupar un puesto honorario o ser miembro de clubes u organizaciones patrocinados por la escuela. Consulte la política del distrito FMH con respecto a la expulsión de graduados de último año y la participación en actividades iniciales.

### **Asignación de emergencia a un DAEP (Sección 37.019)**

En aquellas situaciones que el director o un administrador pertinente consideren como emergencias, el director puede ordenar la asignación inmediata de un estudiante cuando el estudiante es tan rebelde, perturbador o abusivo que su presencia interfiere seriamente en la capacidad del maestro para comunicarse eficazmente con los estudiantes en la clase, la capacidad de sus compañeros para aprender o la dinámica de la escuela o alguna actividad patrocinada o relacionada con la escuela. Tal como lo exige la ley, la reunión apropiada necesaria para la asignación a un DAEP se programará para el estudiante en el plazo de diez días.

### **Admisión de estudiantes expulsados**

El distrito decidirá en cada caso individual la asignación de un estudiante que se matricula en el distrito y que estaba asignado a un DAEP en otro distrito, incluido un distrito de otro estado o de una escuela subvencionada de matrícula abierta. El distrito puede asignar al estudiante a un DAEP del distrito o a un salón de clases normal.

### **III. Asignación o expulsión por ciertas infracciones graves**

Esta sección incluye dos categorías de infracciones graves para las cuales el Código de Educación de Texas establece procedimientos especiales y requiere consecuencias específicas.

#### **A. Delincuentes sexuales registrados**

Al recibir la notificación de conformidad con la ley estatal de que actualmente se requiere que un estudiante se registre como delincuente sexual, la administración debe expulsar al estudiante, quien se derivará nuevamente a su distrito de origen donde puede continuar recibiendo todos sus servicios del Programa de Educación Individualizada (Individualized Education Program, IEP).

Si el estudiante se encuentra bajo alguna forma de supervisión judicial, incluidas la libertad condicional, la supervisión comunitaria o la libertad bajo palabra, se lo asignará a un DAEP.

La asignación no puede ser al salón de clases habitual si la mesa directiva o el superintendente adjunto o la persona designada del superintendente adjunto determina que la presencia del estudiante:

- Constituye una amenaza para la seguridad de otros estudiantes o maestros.
- Será perjudicial para el proceso educativo.
- No es lo más conveniente para los estudiantes del distrito.

## **Comité de Evaluación**

Al final del primer semestre de la asignación de un estudiante a un DAEP y antes del comienzo de cada año escolar en el cual el estudiante permanece en un programa alternativo, el distrito convocará a un comité, de conformidad con la ley estatal, para evaluar la asignación del estudiante. El comité, cuyos miembros serán el director de instrucción, el director de educación especial o la persona designada, recomendará si el estudiante debe reincorporarse al salón de clases habitual o permanecer en el programa.

El Comité de Admisión, Evaluación y Expulsión (ARD) debe evaluar la asignación de un estudiante con una discapacidad que recibe servicios de educación especial.

## **B. Ciertos delitos graves**

Independientemente de si se exige la asignación o expulsión debido a una de las razones estipuladas en las secciones del DAEP o Expulsiones, de acuerdo con la sección 37.0081 del Código de Educación de Texas, se puede expulsar y asignar a un estudiante a un DAEP si la mesa directiva o la persona designada, el director de instrucción o el director de educación especial, llegan a ciertas conclusiones y se presentan las siguientes circunstancias en relación con el asalto agravado o delito grave en virtud del Título V del Código Penal de Texas. Se deben cumplir las siguientes condiciones:

- El estudiante debe haber recibido un proceso judicial diferido (consulte el glosario) por conducta definida como asalto agravado o delito grave en virtud del Título V.
- El estudiante debe haber sido hallado culpable por un tribunal o jurado de participación en conducta delincuente (consulte el glosario) según la definición de asalto agravado o delito grave en virtud del Título V.
- El estudiante debe haber sido acusado de participar en conducta definida como asalto agravado o delito grave en virtud del Título V.
- El estudiante debe haber sido derivado a un tribunal de menores por su supuesta participación en una conducta delincuente según la definición de asalto agravado o delito grave en virtud del Título V.
- El estudiante debe haber recibido libertad condicional o suspensión condicional del proceso (consulte el glosario), o haber sido arrestado, acusado o declarado culpable de asalto agravado o delito grave en virtud del Título V.

## IV. Expulsión

### A. Infracciones sujetas a expulsión (secciones 37.007 y 37.125 del TEC)

#### Expulsiones obligatorias

Se **debe** expulsar a un estudiante por cualquier infracción que se haya cometido en la escuela, incluidos el estacionamiento, la cochera u otra área de estacionamiento que pertenezca al distrito escolar; en un autobús escolar; o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela en la escuela o fuera de esta:

- Traer un arma de fuego a la escuela, según las siguientes definiciones de la ley federal:
  - cualquier arma (incluso las pistolas de salva) que sirve, está diseñada o puede fácilmente transformarse para expulsar un proyectil por la acción de un explosivo;
  - el almacén o receptor de cualquier arma;
  - cualquier amortiguador o silenciador de arma de fuego;
  - cualquier dispositivo destructor, como cualquier bomba explosiva, incendiaria o de gas venenoso, o granada.
- Usar, exhibir o poseer lo siguiente según el Código Penal de Texas:
  - un arma de fuego (definida como cualquier artefacto diseñado, fabricado o adaptado para lanzar proyectiles a través de un cañón usando la energía generada por una explosión o sustancia incendiaria o cualquier artefacto fácilmente convertible para ese uso);
  - una navaja restringida en ciertos lugares, que se define como un cuchillo con una hoja de más de 14 cm,
  - un arma prohibida, como un arma explosiva (consulte el glosario); una ametralladora; un arma de fuego de cañón corto; un silenciador de arma de fuego; munición perforante de armadura; un arma de fuego improvisada; o un aparato para desinflar neumáticos.
- Manifestar un comportamiento que tengan las características de lo siguiente, según el Código Penal de Texas:
  - agresión agravada, agresión sexual o agresión sexual agravada;
  - secuestro agravado;
  - asalto agravado;
  - incendio provocado (consulte el glosario);
  - comportamiento que constituya un delito grave que involucre estar bajo la influencia de cierta cantidad de marihuana o alguna sustancia controlada, una droga peligrosa o alcohol, o tenerlos bajo poder o consumirlos, venderlos o entregarlos a otra persona; o cometer un acto grave bajo la influencia del alcohol;
  - abuso sexual continuo de un niño o niños pequeños;
  - indecencia con un menor;
  - homicidio, homicidio en primer grado o intento delictivo de cometer homicidio u homicidio en primer grado; homicidio culposo; u homicidio involuntario negligente; represalias contra un empleado escolar combinadas con una de las infracciones mencionadas anteriormente en la escuela o fuera de esta, o en una actividad relacionada con la escuela.

## **Expulsiones discrecionales**

### **Infracciones cometidas en cualquier lugar**

Se puede expulsar a un estudiante por las siguientes razones:

- Manifestar una conducta que contenga las características de una infracción según la sección 22.01 del Código Penal (agresión con lesión es cuando una persona intencionalmente, a sabiendas o imprudentemente le causa una lesión corporal a otra, incluido su cónyuge) en represalias contra un empleado o voluntario del distrito escolar.
- Participar en acoso escolar como se define en la sección 37.0832, es decir, cuando un estudiante incita a otro estudiante a suicidarse o intentar suicidarse, o promueve la violencia contra un estudiante a través del acoso escolar grupal, o divulga o amenaza con divulgar material visual íntimo de un menor o estudiante de 18 años o más sin su consentimiento.
- Cometer un delito que constituye un delito grave.
- Realizar una amenaza terrorista, emitir una falsa alarma o denuncia (consulte el glosario) (p. ej., amenazas de bombas) que involucre a una escuela pública.
- Manifestar una conducta que contenga las características de una infracción por vulneración de la seguridad informática en virtud de la sección 33.02 del Código Penal, si la conducta implica el acceso a una computadora, red informática o sistema informático que sea de un distrito escolar u operado en nombre de un distrito escolar, y a sabiendas alterar, dañar, borrar propiedad o información del distrito escolar, o cometer una violación de cualquier otra computadora, red informática o sistema informático (capítulo 37.007[b][5]).
- Manifestar una conducta que contenga las características de una de las siguientes infracciones en contra de otro estudiante, sin importar dónde tenga lugar la conducta:
  - agresión agravada, agresión sexual o agresión sexual agravada;
  - homicidio u homicidio en primer grado;
  - intento delictivo de cometer homicidio en primer grado u homicidio.

### **Infracciones cometidas en la escuela dentro de 91 metros de distancia de la escuela o en un evento escolar**

Se puede expulsar a un estudiante por las siguientes razones:

- Participar en cualquiera de las siguientes infracciones si se cometieron en la escuela o dentro de 91 metros de distancia de los límites de la escuela, o mientras se asistía a una actividad patrocinada por la escuela o relacionada con esta en la escuela o fuera de esta:
  - una conducta que contenga las características de una infracción en virtud de la sección 22.01 del Código Penal (agresión con lesión es cuando una persona intencionalmente, a sabiendas o imprudentemente le causa una lesión corporal a otra, incluido su cónyuge) contra un empleado o voluntario del distrito escolar;
  - una conducta que contenga las características de la infracción de conducta mortal (consulte el glosario) en virtud de la sección 22.05 del Código Penal.
- Participar en cualquiera de las siguientes infracciones si se cometieron dentro de 91 metros de distancia de los límites de la escuela:
  - agresión agravada, agresión sexual o agresión sexual agravada;
  - incendio provocado (consulte el glosario);

- abuso sexual continuo de un niño o niños pequeños;
- delito grave relacionado con las drogas o el alcohol;
- indecencia con un niño, secuestro agravado, homicidio culposo, homicidio involuntario negligente; homicidio o asalto agravado;
- homicidio, homicidio en primer grado o intento delictivo de cometer homicidio u homicidio en primer grado,
- uso, exhibición o posesión de un arma de fuego (consulte el glosario), una navaja restringida en ciertos lugares o un arma prohibida.

Además, se puede expulsar a un estudiante por cualquier infracción por la que se justifique la expulsión obligatoria del estado si la infracción se comete en la propiedad de otro distrito escolar de Texas en Texas o mientras el estudiante asiste a una actividad patrocinada o relacionada con la escuela en otro distrito escolar de Texas.

Se puede expulsar a un estudiante por mal comportamiento grave si ese estudiante está ya en un DAEP y continúa infringiendo el Código del distrito a pesar de intervenciones documentadas en el DAEP.

### **B. Procedimientos de expulsión (sección 37.007 del TEC)**

La mesa directiva delega al superintendente o a la persona designada por este la autoridad de expulsar estudiantes. No se puede asignar a un estudiante menor de seis años a un DAEP (según se describe en la sección 37.008), a menos que cometa un delito federal que involucre armas de fuego. El plazo de la expulsión se determinará según cada caso en particular. El plazo máximo para una expulsión es un año calendario, a menos que se determine que el estudiante es una amenaza para la seguridad de los demás estudiantes o de los empleados del distrito, o que una asignación prolongada sea lo más conveniente para el estudiante. Se puede expulsar a los estudiantes que cometan infracciones que requieren su expulsión al final de un año escolar hasta el año escolar siguiente para completar el plazo de expulsión asignado.

### **Notificación**

El DBC junto con los directores del Departamento harán una recomendación por escrito al superintendente, quien tomará la decisión final. El superintendente adjunto tomará la decisión de expulsar al estudiante.

### **Asignación hasta recibir notificación**

Hasta que se pueda llevar a cabo la audiencia, el director u otro administrador pertinente puede tomar alguna de las siguientes medidas:

- asignar al estudiante a otro salón de clases apropiado;
- asignar al estudiante a un DAEP;
- resolver una expulsión de emergencia por un plazo que no supere los diez días escolares;
- resolver la suspensión fuera de la escuela;
- enviar al estudiante a Centros de Apoyo Estudiantil (suspensión en la escuela).

### **Infracciones con armas de fuego**

Las leyes estatales y federales requieren que se expulse a un estudiante del salón de clases habitual durante un periodo mínimo de un año calendario por llevar a la escuela un arma de fuego, tal como la define la ley federal. Sin embargo, el superintendente o la persona designada por este puede modificar la duración de la expulsión según cada caso en particular. Los estudiantes expulsados pueden recibir servicios educativos en el DAEP del distrito. Los estudiantes menores de diez años recibirán servicios educativos en el DAEP del distrito.

### **Admisión de estudiantes expulsados**

El distrito decidirá según el caso la asignación de un estudiante sujeto a una orden de expulsión de otro distrito o de una escuela subvencionada de matrícula abierta y que solicite admisión al distrito.

### **Participación en actividades**

Los estudiantes expulsados tienen prohibido estar en el predio de la escuela o asistir a actividades patrocinadas por la escuela o relacionadas con esta durante el periodo de expulsión.

### **Expulsión de emergencia (37.019)**

En una emergencia, el director u otro administrador pertinente puede ordenar la expulsión inmediata de un estudiante cuando su continua presencia en la escuela represente un peligro de daño inminente a personas o a la propiedad. Cuando ocurre una expulsión de emergencia, el estudiante y sus padres o tutor legal recibirán una notificación oral de la razón de la medida. La razón tiene que ser una razón por la cual se puede realizar la expulsión en un caso que no sea una emergencia, y la notificación por escrito se realizará después de la notificación oral.

El estudiante expulsado de emergencia será entregado a los padres, el representante de los padres, los proveedores médicos o las autoridades policiales. Dentro de un periodo razonable después de la expulsión de emergencia, pero no después del décimo día después de la fecha de la expulsión de emergencia, se le otorgará al estudiante el debido proceso que se requiere para un estudiante que enfrenta una expulsión. Para un estudiante con discapacidades, el plazo de la expulsión de emergencia está sujeto a los requisitos de la ley federal.

## **Ley de Educación para Personas con Discapacidades (IDEA)**

Un estudiante con discapacidad puede ser trasladado a un programa apropiado y diferente o suspendido durante no más de 10 días escolares consecutivos (en la medida en que tales alternativas se apliquen a estudiantes sin discapacidades). El personal escolar debe considerar las circunstancias especiales según el caso al determinar si un cambio de programa es apropiado para un niño con una discapacidad que haya infringido un código de conducta estudiantil.

Dentro del plazo de 10 días escolares después de que se haya tomado una decisión con respecto a un cambio de asignación disciplinario a causa de una infracción del Código, el comité de ARD debe determinar si el comportamiento del estudiante es una manifestación de la discapacidad del estudiante. Cuando se hace una determinación de manifestación, el Comité de ARD debe revisar toda la información relevante en el expediente del estudiante, incluidos el Programa de Educación Individualizada (IEP), todas las observaciones de los maestros y toda la información relevante proporcionada por los padres, para determinar si la conducta en cuestión se manifestó como consecuencia de la discapacidad del estudiante o si tiene relación directa y considerable con la discapacidad del estudiante, o si la conducta en cuestión fue el resultado directo de una falla en la implementación del IEP. Si se aplica cualquiera de las circunstancias, se determinará que la conducta es una manifestación de la discapacidad del estudiante. Si se determina que el comportamiento es una manifestación de la discapacidad del estudiante, el comité de ARD debe hacer lo siguiente:

1. llevar a cabo una evaluación funcional del comportamiento e implementar un plan de intervención conductual si tal evaluación de conducta no se hizo antes de que se manifestara el comportamiento;
2. o bien, si se diseñó un plan de intervención conductual, el Comité de ARD debe revisar el plan y modificarlo según sea necesario para abordar el comportamiento y reincorporar al estudiante al programa del que se lo expulsó si tanto los padres o tutor legal como la escuela acceden a un cambio de asignación como parte de la modificación del plan de intervención conductual o si existen circunstancias especiales.

Circunstancia especial: El personal de la escuela puede asignar a un estudiante a un programa provisional alternativo apropiado durante no más de 45 días escolares, independientemente de si se determina que el comportamiento es una manifestación de la discapacidad del estudiante en los siguientes casos:

- El estudiante lleva un arma a la escuela o a una actividad escolar.
- El estudiante a sabiendas posee o consume drogas ilegales, o vende u ofrece a la venta una sustancia controlada en la escuela o en una actividad escolar.
- El estudiante le ha provocado una lesión corporal grave a otra persona en la escuela, en las instalaciones escolares o en una actividad escolar.

El comité de ARD determinará cuál será el programa de educación alternativo provisional. Si se determina que el comportamiento no es una manifestación de la discapacidad del estudiante, los procedimientos disciplinarios que se deben aplicar a los estudiantes sin discapacidades pueden aplicarse al estudiante de la misma manera y durante el mismo tiempo en que se aplicarían los procedimientos a estudiantes sin discapacidades, con la excepción de que deben brindarse los servicios durante el periodo de expulsión.

Cuando se expulsa a un estudiante del programa de educación actual, ya sea por una circunstancia especial o porque el comportamiento no es una manifestación de la discapacidad del estudiante, el Comité de ARD debe determinar los servicios de educación para una educación pública, apropiada y gratuita (*Free Appropriate Public Education*, FAPE) que se puedan proporcionar en un programa alternativo, para permitir que el niño siga realizando lo siguiente:

- participando en el plan de estudios de educación general, aunque en otro programa;
- avanzar hacia el logro de los objetivos establecidos en el IEP del estudiante;
- obtener, según corresponda, una evaluación funcional del comportamiento, servicios de intervención conductual y modificaciones diseñadas para abordar la mala conducta para que no vuelva a ocurrir.

El comité de ARD determinará cuál será el programa de educación alternativo provisional.

Después del décimo día acumulado de expulsión en un año escolar, el estudiante debe recibir los servicios de educación necesarios para tener una FAPE. Los servicios tienen que permitirle al estudiante participar en el plan de estudios general, aunque en otro programa, y avanzar hacia el logro de los objetivos establecidos en el IEP.

La escuela tiene que informarles a los padres o al tutor legal acerca de la decisión de cambiar la asignación de un estudiante a causa de una infracción del código de conducta y acerca de todas las garantías procesales el mismo día en que se tome dicha decisión.

Ninguna disposición del Código debe interpretarse como una prohibición al distrito escolar de denunciar un delito cometido por un estudiante con una discapacidad a las autoridades correspondientes. Al denunciar un delito a las autoridades, el distrito escolar debe asegurarse de que se transmitan copias de los expedientes de educación especial y de los registros disciplinarios del estudiante para que dichas autoridades los consideren.

No se puede aplicar una medida disciplinaria disciplinar a un niño con discapacidad por hostigamiento, acoso escolar o listas negras hasta que se haya llevado a cabo una reunión del Comité de ADR para analizar la conducta. Hasta que se realice una reunión de ARD, se llevará a cabo un plan de medida provisional para garantizar la seguridad de todos los estudiantes. También se requiere que la escuela investigue las denuncias de acoso escolar.

Los padres o el tutor legal de un estudiante con una discapacidad que no estén de acuerdo con una decisión relacionada con la medida disciplinaria o la determinación de manifestación pueden solicitar una audiencia. Durante la apelación, el niño permanecerá en el programa de educación alternativo provisional hasta que se tome una decisión o hasta que termine el plazo, lo que ocurra primero, a menos que los padres o el tutor legal y el distrito lleguen a otro acuerdo. El estado o el distrito organizarán una audiencia urgente, que tendrá lugar dentro de los 20 días escolares a partir de la fecha en que se solicita la audiencia. Se tomará una decisión en el plazo de los 10 días escolares.

## VII. Glosario

Por **abuso**, se entiende el uso indebido o excesivo.

Por **asalto agravado**, se entiende en parte por el Código Penal de Texas en la sección 29.03 (a) aquella situación en la que una persona comete un asalto y realiza lo siguiente:

1. Le causa una lesión corporal grave a otra persona.
2. Usa o exhibe un arma mortal.
3. Le causa una lesión corporal a otra persona o amenaza o pone a otra persona en riesgo de lesión corporal inminente o muerte si la otra persona tiene las siguientes características:
  - a. Tiene 65 años o más.
  - b. Es una persona con discapacidad.

Por **munición perforante de armadura**, se entiende una munición de pistola utilizada en pistolas y revólveres y diseñada principalmente con el propósito de penetrar metal o armadura corporal.

Por **incendio provocado**, se entiende un delito que implica lo siguiente:

1. Iniciar un incendio o causar una explosión con la intención de destruir o dañar lo siguiente:
  - a. la vegetación, los cercos o estructuras en terrenos en espacios abiertos;
  - b. cualquier edificio, vivienda o vehículo:
    - i. a sabiendas de que está dentro de los límites de una ciudad o pueblo constituido;
    - ii. a sabiendas de que está asegurado contra daños o destrucción;
    - iii. a sabiendas de que está sujeto a una hipoteca u otra garantía y ubicado en la propiedad de otra persona;
    - iv. a sabiendas de que está ubicado dentro de la propiedad de otra persona; o
    - v. cuando la persona que inicia el incendio es imprudente y desconoce si el incendio o la explosión pondrán en peligro la vida de algunas personas o la seguridad o la propiedad de otra persona.
2. Iniciar un incendio imprudentemente o causar una explosión al fabricar o intentar fabricar una sustancia controlada y el incendio o la explosión daña un edificio, una vivienda o un vehículo.
3. Iniciar un incendio intencionalmente o causar una explosión y como resultado:
  - a. dañar o destruir imprudentemente un edificio que pertenece a otra persona;
  - b. imprudentemente causar que otra persona sufra una lesión o la muerte.

Por **agresión**, se entiende en parte por el Código Penal de Texas §22.01 (a)(1) como intencionalmente, a sabiendas o imprudentemente causar lesiones corporales a otra persona; §22.01 (a)(2) como intencionalmente o a sabiendas amenazar a otra persona con lesiones corporales inminentes; y §22.01 (a)(3) como intencionalmente o a sabiendas causar contacto físico con otra persona que pueda razonablemente considerarse como ofensivo o provocativo.

Por **acoso escolar**, se entiende un solo acto significativo o un patrón de actos de uno o más estudiantes dirigidos a otro estudiante que hace uso de un desequilibrio de poder e implica la expresión escrita o verbal, la expresión a través de medios electrónicos o la conducta física que la mesa directiva del distrito escolar o la persona designada de la mesa directa, el director u otro administrador apropiado determina que tiene las siguientes características:

1. Tiene el efecto o tendrá el efecto de hacerle daño físico al estudiante, dañar los bienes del estudiante o infundir en el estudiante un temor razonable de daño a su persona o a sus bienes.
2. Es suficientemente grave, persistente o generalizado como para que la acción o amenaza cree un entorno educativo intimidante, amenazador o abusivo para un estudiante.
3. Infringe los derechos de la víctima en la escuela.
4. Incluye el ciberacoso.

Esta conducta se considera acoso escolar en los siguientes casos:

1. Interfiere en las oportunidades educativas del estudiante.
2. Altera considerablemente la dinámica de un salón de clases, la escuela o una actividad patrocinada o relacionada con la escuela.

La escuela tiene la autoridad disciplinaria sobre el acoso escolar que tiene las siguientes características:

1. Tiene lugar en la escuela o en el lugar de una actividad patrocinada o relacionada con la escuela en la escuela o fuera de esta.
2. Tiene lugar en un autobús escolar público o privado o en un vehículo usado para el transporte de estudiantes hacia la escuela y de regreso a casa o en una actividad patrocinada o relacionada con la escuela.
3. Toma la forma de ciberacoso que tiene lugar fuera de la escuela o fuera de una actividad patrocinada o relacionada con la escuela.

Por **surtidor de sustancia química**, se entiende un dispositivo diseñado, fabricado o adaptado con el propósito de causar un efecto psicológico o fisiológico adverso en un ser humano. Esta categoría no incluye un pequeño surtidor de sustancia química que se venda comercialmente para protección personal.

Por **garrote**, se entiende un instrumento especialmente diseñado, fabricado o adaptado con el propósito de causar una lesión corporal grave o la muerte. Las cachiporras, las mazas, los linchacos y las hachas de guerra están en la misma categoría.

Por **pandilla callejera delictiva**, se entiende tres o más personas que se identifican por una señal o símbolo en común o un liderazgo identificable que continua o regularmente se asocia con la perpetración de actividades delictivas.

Por **equipo de estudio del niño (Child Study Team, CST)**, se entienden todas las escuelas que tienen un CST liderado por un administrador o una persona designada. El propósito del CST será evaluar los problemas de desempeño estudiantil para brindar y supervisar intervenciones para los estudiantes que experimentan dificultades de asistencia, académicas o conductuales para las cuales no se brinde una solución eficaz con recursos de ayuda de nivel I y nivel II.

Por **ciberacoso**, se entiende el acoso que se comete a través del uso de un dispositivo de comunicación electrónico, lo que incluye mediante el uso de un teléfono celular u otro tipo de teléfono, una computadora, una cámara, correo electrónico, mensajes instantáneos, mensajes de texto, la aplicación de una red social, un sitio web de Internet o cualquier otra herramienta de comunicación en Internet.

Por **violencia de pareja**, se entiende aquella situación en la una persona en una relación de pareja actual o pasada abusa física, sexual, verbal o emocionalmente de otra persona para lastimarla, amenazarla, intimidarla o controlarla en la relación. La violencia de pareja también ocurre cuando una persona comete estos actos en contra de la persona que ahora está casada o en una relación de pareja con la persona con quien el agresor tiene o tenía antes una relación matrimonial o de pareja, según lo define la sección 71.0021 del Código Familiar.

Por **conducta mortal**, se entiende aquella situación en la que una persona imprudentemente manifiesta una conducta que pone a otra persona en peligro inminente de lesión corporal grave, tal como cuando a sabiendas se dispara un arma de fuego hacia una persona, una vivienda, un edificio o un vehículo.

Por **suspensión condicional del proceso**, se entiende una alternativa a buscar la condena en un tribunal que se le puede ofrecer a un menor por conducta delictiva o conducta que indique la necesidad de supervisión.

Se puede ofrecer un **proceso judicial diferido** a un menor como alternativa a buscar una condena en un tribunal por conducta delictiva o conducta que indique la necesidad de supervisión.

Por **conducta delictiva**, se entiende aquella conducta que infringe las leyes estatales o federales y se castiga con encarcelamiento o reclusión en una cárcel. Incluye conductas que infringen ciertas órdenes del Tribunal de Menores, incluidas las órdenes de libertad condicional, pero no incluye las infracciones de leyes de tránsito.

Por **Programa Disciplinario de Educación Alternativa (DAEP)**, se entiende un entorno disciplinario para estudiantes de escuela secundaria que han tenido una reunión o audiencia con el debido proceso y han sido expulsados del entorno escolar tradicional.

Por **discrecional**, se entiende la facultad de control de una autoridad local responsable de la toma de decisiones.

Por **cigarrillo electrónico**, se entiende un cigarrillo electrónico o cualquier otro dispositivo con el cual se simule fumar usando un elemento de calentamiento mecánico, una batería o un circuito electrónico para suministrar nicotina u otras sustancias a la persona que inhala desde el dispositivo. El término incluye cualquier dispositivo fabricado, distribuido o vendido como un cigarrillo, cigarro o pipa electrónicos o bajo otro nombre o descripción del producto y un componente, parte o accesorio para el dispositivo, independientemente de si el componente, la parte o el accesorio se vende por separado del dispositivo.

Por **arma explosiva**, se entiende cualquier bomba explosiva o incendiaria, granada, cohete o mina cuyo mecanismo de acción está diseñado, fabricado o adaptado con el propósito de infligir lesiones corporales graves, la muerte o daños materiales considerables, o con el propósito principal de causar un sonido tan fuerte que cause alarma o terror público.

Por **falsa alarma o denuncia**, se entiende aquella situación en la que una persona inicia, comunica o hace circular a sabiendas una denuncia de un bombardeo presente, pasado o futuro; un incendio; un delito; u otra emergencia que él o ella sepa que es falsa o infundada y que normalmente podría causar lo siguiente:

1. la respuesta por parte de un organismo oficial o voluntario organizado para manejar emergencias;
2. temor de lesión corporal grave inminente en una persona;
3. la cancelación o interrupción de la ocupación de un edificio, una sala o un lugar de reunión.

La ley federal define el término **arma de fuego** (18 U.S.C.§ 921 [a]) como lo siguiente:

1. cualquier arma (incluidas las pistolas de salva) que sirve, está diseñada o puede fácilmente transformarse para expulsar un proyectil por la acción de un explosivo;
2. el armazón o receptor de cualquiera de esas armas;
3. cualquier silenciador de arma de fuego o arma de fuego; o
4. cualquier dispositivo destructor, como cualquier bomba explosiva, incendiaria o de gas venenoso, o granada.

Este término no incluye las armas antiguas.

Por **silenciador de arma de fuego**, se entiende cualquier dispositivo diseñado, fabricado o adaptado para silenciar el sonido de un arma de fuego.

Por **grafiti**, se entienden las marcas con pintura, un bolígrafo o marcador indeleble o un dispositivo de grabado o estampado sobre bienes tangibles sin el consentimiento efectivo del propietario. Las marcas pueden incluir inscripciones, eslóganes, dibujos o pinturas.

La sección 46.01(5) del Código Penal de Texas define el término **pistola** como un arma de fuego que está diseñada, fabricada o adaptada para dispararse con una sola mano.

Por **hostigamiento**, se entiende una conducta con las siguientes características:

1. una conducta que cumple con la definición establecida en las políticas del distrito DIA (LOCAL) y FFH (LOCAL); o
2. una conducta que constituye una amenaza de daño o lesión corporal a otra persona, incluidos los estudiantes del distrito, los empleados, los miembros de la mesa directiva o los voluntarios; una conducta que es sexualmente intimidante; una conducta que causa daño físico a los bienes de otro estudiante; una conducta que somete a otro estudiante a encierro o restricción física; o una conducta maliciosa que provoca un daño considerable a la salud o seguridad física o emocional de otro estudiante.

Por **rito de iniciación**, se entienden los actos intencionales o imprudentes, dentro y fuera de la escuela, cometidos por una persona sola o en colaboración con otras personas, que pone en peligro la salud o seguridad mental o física de un estudiante con el propósito de comprometerlo, iniciarlo, afiliarlo u otorgarle un cargo directivo o membresía en una organización.

Por **lista negra**, se entiende una lista de personas blanco para hacerles daño a través del uso de un arma de fuego, una navaja o cualquier otro objeto usado con la intención de causar daño corporal.

Por **enfoque holístico a los conflictos**, se entiende una manera de ayudar a los estudiantes a entender la naturaleza del conflicto, qué mecanismos de defensa desencadena en ellos y cómo asumir la responsabilidad de esos sentimientos. Puede equipar a los estudiantes con las habilidades necesarias para abordar el conflicto de manera que todas las partes puedan seguir adelante de forma saludable.

Por **intervenciones graduales**, se entienden las intervenciones disciplinarias que usan una variedad de medidas y respuestas disciplinarias graduales para controlar y manejar problemas de comportamiento.

Por **material visual íntimo**, se entiende el material visual que muestra a una persona con sus partes íntimas expuestas o su participación en una conducta sexual (sección 98B.001[2] del Código de Práctica y Recursos Civiles).

La sección 46.01(6) del Código Penal de Texas define el término **navaja restringida en ciertos lugares** como un cuchillo con una hoja de más de 14 cm.

Por **puño americano**, se entiende cualquier instrumento que consiste en anillos o protección para los dedos hechos de una sustancia dura y diseñado o adaptado para infligir lesiones corporales graves o muerte al golpear a una persona con el puño encerrado en el instrumento.

Por **ametralladora**, se entiende cualquier arma de fuego capaz de disparar más de dos disparos automáticamente, sin recarga manual, a través de una función única del gatillo.

Por **suspensión fuera de la escuela**, se entiende la exclusión temporal de la escuela y las actividades escolares. La suspensión de la escuela puede usarse como medida única por la infracción de las normas de la escuela o del Código. Además, se pueden usar las suspensiones con los estudiantes que hayan cometido una infracción que justifique la expulsión y para los cuales deba llevarse a cabo una reunión o audiencia.

Por **parafernalia**, se entienden los dispositivos que pueden usarse para inhalar, ingerir, inyectar o introducir de alguna otra manera una sustancia controlada en el cuerpo humano.

Por **mediación entre compañeros**, se entiende la resolución de problemas entre los mismos jóvenes. En la mediación entre compañeros, dos o más estudiantes involucrados en una disputa se reúnen en un entorno privado, seguro y confidencial para solucionar problemas con la ayuda de un mediador de estudiantes capacitado.

Por **posesión**, se entiende el cuidado, la custodia, el control o la administración de un objeto o una sustancia. Se considerará que un estudiante tiene bajo su poder una sustancia o un objeto prohibido o regulado por este código si la sustancia o el objeto tiene las siguientes características:

1. Se encuentra en el cuerpo del estudiante o en sus bienes personales, lo cual incluye, entre otros elementos, su ropa, bolso de mano, dispositivos electrónicos o de telecomunicaciones, mochila o maletín.
2. Se encuentra en cualquier vehículo privado que use el estudiante para ir o venir de la escuela, o de actividades relacionadas con esta, lo que incluye, entre otros vehículos, un automóvil, una camioneta, una motocicleta o una bicicleta.
3. Se encuentra en cualquiera de los bienes escolares que utilice el estudiante, lo cual incluye, entre otros artículos, un casillero o un escritorio.

#### **Intervención proactiva:**

1. Ser proactivo se define como servir para preparar, intervenir o controlar un suceso o situación esperada, especialmente una negativa o difícil; previsor: medidas proactivas contra el delito.
2. Las intervenciones proactivas anticiparían un comportamiento conocido en lugar de intervenciones reactivas que solo se usan una vez que tiene lugar el comportamiento. Son consecuencias (o reacciones) al comportamiento. El objetivo es interrumpir el comportamiento para minimizar el daño.

Para la **disciplina progresiva**, se usan intervenciones graduales, cuando es posible, para abordar el comportamiento inapropiado con la objetivo final de enseñar comportamiento en favor de la sociedad.

La sección 46.05(a) del Código Penal de Texas define el término **arma prohibida** de la siguiente manera:

1. un arma explosiva (consulte el glosario);
2. una ametralladora;
3. un arma de fuego de cañón corto o silenciador de arma de fuego, a menos que esté registrada en la Agencia de Alcohol, Tabaco, Armas de Fuego y Explosivos de EE. UU. o clasificada como antigüedad o reliquia por el Departamento de Justicia de EE. UU.,
4. munición perforante de armadura;
5. un surtidor de sustancia química (consulte el glosario);
6. un arma de fuego improvisada; o
7. un aparato para desinflar neumáticos.

Por **comportamientos/actividades en favor de la sociedad**, se entienden las acciones destinadas a ayudar a otras personas. Una motivación para el comportamiento en favor de la sociedad es el altruismo o el deseo de ayudar a otras personas sin esperar recompensa.

Por **sociedad estudiantil, sociedad secreta o pandilla de una escuela pública**, se entiende una organización compuesta en su totalidad o parcialmente por estudiantes que buscan perpetuar la organización aceptando nuevos miembros de la población de estudiantes de una escuela con base en una decisión de membresía, en lugar de la elección libre de un estudiante cualificado. Las organizaciones educativas que se mencionan en la sección 37.121(d) del Código de Educación constituyen la excepción a esta definición.

Por **creencia razonable**, se entiende una determinación hecha por el superintendente o la persona designada usando toda la información disponible, incluida la información proporcionada en virtud del Artículo 15.27 del Código de Procedimientos Penales.

Por **proceso de círculo restaurativo**, se entiende un proceso comunitario para apoyar a quienes están en conflicto. Reúne a las tres partes de un conflicto, es decir, aquellos que actuaron, aquellos directamente afectados y la comunidad en general, en un contexto sistémico e intencional para dialogar como iguales.

Por **marco de varios niveles aplicado a toda la escuela**, se entienden las intervenciones y los apoyos conductuales positivos (*Positive Behavioral Interventions and Support*, PBIS) que conforman un marco de varios niveles que se utiliza para lograr cambios de comportamiento importantes. Requiere adoptar y organizar intervenciones de comportamiento basadas en evidencia en un flujo continuo que mejore los resultados del comportamiento académico y social para todos los estudiantes.

Por **defensa propia**, se entiende el uso de la fuerza en contra de otra persona en la medida en que una persona razonablemente crea que esa fuerza es necesaria para protegerse a sí misma.

Por **arma de fuego de cañón corto**, se entiende un rifle con una longitud de cañón de menos de 40 cm o una escopeta con un cañón de menos de 45 cm, o cualquier arma hecha de un rifle o escopeta que, al ser alterada, tiene una longitud general de menos de 66 cm.

Por **aprendizaje social y emocional (Social and Emotional Learning, SEL)**, se entiende el proceso por el cual los niños y adultos adquieren y eficazmente aplican el conocimiento, las actitudes y las habilidades necesarias para entender y manejar las emociones, fijar y lograr objetivos positivos, sentir y mostrar empatía por los demás, establecer y mantener relaciones positivas y tomar decisiones de una manera responsable.

Por **seguridad social y emocional**, se entiende una experiencia en la que uno se siente seguro al expresar emociones, siente seguridad y confianza al tomar riesgos y se siente estimulado y emocionado de intentar algo nuevo. Los ambientes de aprendizaje emocionalmente seguros pueden lograrse con el SEL como una parte esencial de la educación.

Por **Centros de Apoyo Estudiantil (suspensión en la escuela)**, se entiende la asignación de un estudiante en un lugar distinto del salón de clases bajo la supervisión de un maestro u otro miembro del personal, donde el estudiante sigue recibiendo instrucción en cada curso en la medida de lo posible. Esto no incluye los acuerdos entre maestros para tiempo fuera o los programas específicos de control de comportamiento operados por las escuelas.

Para la definición de **suspensión**, consulte las entradas “Centros de Apoyo Estudiantil (suspensión en la escuela)” y “suspensión fuera de la escuela”.

Por **amenaza terrorista**, se entiende la amenaza de violencia hacia cualquier persona o propiedad con las siguientes intenciones:

1. causar una reacción de cualquier tipo por parte de un organismo oficial o voluntario organizado para manejar emergencias;
2. causarle temor a cualquier persona de lesión corporal grave inminente;
3. prevenir o interrumpir la ocupación o el uso de un edificio, una sala, un lugar de reunión o un lugar de acceso público; un lugar de trabajo u ocupación; una aeronave, un automóvil u otro medio de transporte; u otro lugar público;
4. causar impedimento o interrupción de las comunicaciones públicas; el transporte público; el suministro de agua, gas o electricidad públicos; u otro servicio;
5. infundirle temor de lesión corporal grave al público o a un grupo considerable del público; o
6. influir en la conducta o las actividades de una sucursal u organismo del gobierno federal, el estado o una subdivisión política del estado (incluido el distrito).

Por **delitos graves** en virtud del **Título V**, se entienden los delitos detallados en el Título V del Código Penal de Texas que implican lesión a una persona y que pueden incluir lo siguiente:

- homicidio;
- secuestro;
- tráfico de personas;
- contrabando o contrabando continuo de personas;
- agresión (consulte el glosario);
- agresión agravada;
- agresión sexual;
- agresión sexual agravada;
- detención arbitraria;
- voyerismo;
- indecencia con un menor;
- grabación visual inapropiada;
- divulgación o promoción de material visual íntimo;
- lesión a un menor o a una persona mayor o discapacitada de cualquier edad;
- abandono o puesta en peligro de un menor;
- conducta mortal;

- amenaza terrorista;
- ayuda a una persona a suicidarse;
- manipulación indebida de un producto de consumo.  
(Consulte la política FOC)

Por **bajo la influencia**, se entiende que hay un impedimento notable en las facultades del estudiante debido a alcohol o drogas; sin embargo, el estudiante no tiene que estar legalmente intoxicado. El deterioro de las facultades físicas o mentales de una persona puede evidenciarse por un patrón de comportamiento anormal o errático, o la presencia de síntomas físicos de consumo de drogas o alcohol o por admisión.

Por **consumo**, se entiende que un estudiante ha fumado, ingerido, inyectado, bebido, inhalado, tomado o de otra manera introducido en su cuerpo, en la escuela o fuera de esta, una sustancia prohibida tan recientemente que se puede detectar por medio de lo siguiente, entre otros indicios: la apariencia, las acciones, el aliento o el habla del estudiante.

Por **arma de fuego improvisada**, se entiende un dispositivo o una combinación de dispositivos, que no eran originalmente armas de fuego, pero que han sido adaptados para expulsar un proyectil a través de un cañón de ánima lisa o rayada mediante el uso de energía generada por una explosión o sustancia incendiaria.



**Item**                      **SAO Internal Audit Contracting Authority**

In accordance with Texas Government Code, Section 321.020, state agencies are required to request delegation of authority each fiscal year from the State Auditor's office to procure internal audit services from private companies. A request for this delegation of authority was submitted on July 2, 2020, with an approval letter from the SAO received by the School on July 14, 2020. A copy of that approval letter is attached for your information.

The School's current contract for internal audit services will expire on November 30, 2019 and is eligible for further extension. The Governing Board will be required to review and approve the awarding of any such professional services contract (as defined by the State Legislature) at the forthcoming October 2020 Governing Board meeting prior to any official contract (or extension) being awarded.

**Information**                      Justin Wedel

**Contact  
Action**                              Information Only



Lisa R. Collier,  
CPA, CFE, CIDA,  
First Assistant State Auditor

July 14, 2020

Mr. Justin Wedel, MBA, ECFP, CTCM  
Chief Financial Officer  
School for the Deaf  
1102 S. Congress Avenue  
Austin, TX 78704

Re: Audit Delegation Request 772-2020-001

Dear Mr. Wedel:

In accordance with Texas Government Code, Section 321.020, the State Auditor's Office delegates to the School for the Deaf (School) the authority to employ a private auditor to provide internal audit services as described in your online request submitted July 02, 2020.

This delegation of authority is subject to the following:

1. The services provided should be performed in accordance with the Texas Internal Auditing Act (Texas Government Code, Chapter 2102).
2. This delegation of authority is effective from September 1, 2020 through November 30, 2021.
3. The School will notify the State Auditor's Office if an amendment to the contract significantly alters any contract terms, including, but not limited to, the scope of work to be performed and the term of the contract.
4. The School will comply with applicable law in the procurement of audit services, the expenditure of funds under the contract, and all other aspects of forming and administering the contract with the private auditor.
5. The School will ensure that the State Auditor's Office promptly receives a copy of any report resulting from a peer review of the private auditor that the private auditor receives after entering into the contract with the School.
6. Any contracts entered into under this delegation of authority should include the following language: The Contractor understands that acceptance of state funds under this contract acts as acceptance of the authority of the State Auditor's Office to conduct an audit or investigation in connection with those funds. The Contractor further agrees to cooperate fully with the State Auditor's Office in the conduct of the audit or investigation, including providing all records requested. The Contractor will ensure that this clause concerning the State Auditor's Office's authority to audit state funds and the requirement to cooperate fully with the State Auditor's Office is included in any subcontracts it awards. Additionally, the State Auditor's Office shall at any time have access to and the rights to examine, audit, excerpt, and transcribe any pertinent books, documents, audit documentation, and records of the Contractor relating to this contract.

Robert E. Johnson Building  
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Austin, Texas 78701

P.O. Box 12067  
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(512) 936-9400

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[www.sao.texas.gov](http://www.sao.texas.gov)

Mr. Justin Wedel, MBA, ECFP, CTCM  
Chief Financial Officer  
School for the Deaf  
July 14, 2020  
Page 2

7. If the terms of the agreement with the private auditor are set forth only in an engagement letter, the engagement letter will include the language quoted in #6 above.
8. A signed copy of the contract or contract amendment should be provided to the State Auditor's Office within two weeks of execution. You may send it electronically to [auditdelegation@sao.texas.gov](mailto:auditdelegation@sao.texas.gov) or send a hard copy to the attention of Audit Delegation. Additionally, a copy of final audit reports should be provided to the State Auditor's Office upon completion. Texas Government Code, Section 2102.0091, requires that internal audit reports be filed with the State Auditor's Office, the Sunset Advisory Commission, the budget division of the Governor's Office, and the Legislative Budget Board not later than the 30th day after the date the report is submitted to the state agency's governing board or the administrator of the state agency if the state agency does not have a governing board. Internal audit reports may be sent to the State Auditor's Office electronically to [iacoordinator@sao.texas.gov](mailto:iacoordinator@sao.texas.gov), or a hard copy may be sent to the attention of Internal Audit Coordinator. Please include the audit delegation request number 772-2020-001 with all submissions and related correspondence.

If you have any questions, please contact Hillary Eckford, Audit Manager, or me at (512) 936-9500.

Sincerely,

*Verma L. Elliott*

Verma L. Elliott, CPA, CIA, CGAP, MBA  
Assistant State Auditor

**Item** **DRAFT Board Meeting Calendar for 2020-2021**

**Information** In consideration of activities this school year, we are proposing the following draft schedule:

Board Meetings	Special Events/Activities
Thursday, October 8, 2020 Friday, October 9, 2020	<b>Agenda Items:</b> <ul style="list-style-type: none"> <li>■ Update on School Opening</li> <li>■ Board Training</li> <li>■ District Improvement Plan Approval</li> <li>■ Internal Audit Report</li> </ul>
Thursday, December 10, 2020 Friday, December 11, 2020	Board & Administration Holiday Dinner (12/10) <b>Agenda Items:</b> <ul style="list-style-type: none"> <li>■ Annual Report</li> <li>■ Certification of Board Training Hours</li> <li>■ Election of Officers</li> <li>■ Strategic Goal Team Final Reports</li> </ul>
Thursday, February 25, 2021 Friday, February 26, 2021	<b>Agenda Items:</b> <ul style="list-style-type: none"> <li>■ Report on Statewide Outreach</li> <li>■ Superintendent Formative Evaluation</li> <li>■ School Calendar 2021-2022</li> <li>■ Approval of New 5-Year Plan</li> <li>■ Legislative Session Update</li> </ul>
Friday, April 16, 2021  Or  April 30, 2021	<b>Agenda Items:</b> <ul style="list-style-type: none"> <li>■ Final Strategic Goal Team Updates</li> <li>■ Instructional Materials</li> <li>■ Professional Contracts</li> <li>■ Senior Video Goodbye Filming</li> <li>■ Update on Legislative Session</li> <li>■ Accreditation Update</li> </ul>
	<b>Graduation Events May 26-28, 2021</b> <ul style="list-style-type: none"> <li>■ Senior Lunch/Walk/Awards (5/26)</li> <li>■ Graduation (5/27)</li> <li>■ End of Year Staff Event (5/28)</li> </ul>
Thursday, August 26, 2021 Friday, August 27, 2021	<b>Agenda Items:</b> <ul style="list-style-type: none"> <li>■ Superintendent Summative Evaluation</li> <li>■ Contract Approval</li> <li>■ FY22 Operating Budget</li> <li>■ Student Code of Conduct</li> <li>■ District Improvement Plan</li> </ul>

**Contact** Eric Hogue

**Action** Approval

**Item**                      **Approval of Superintendent Performance Goals for 2020-2021****Information**

Performance goals for a Superintendent should ideally be related to and derived from the school's strategic goals—and those issues that the Board feels merit special time, effort, and resources from the school and the Superintendent.

The goals can be of two types: goals that address new initiatives in the district, which will require the Superintendent initiate and oversee certain tasks intended to help the district get started in reaching the goal; and goals that address the results expected from initiatives already taken. They may also reflect attention to major events such as Accreditation, Strategic Planning or the Legislative Session.

Typically, the Superintendent and the Board discuss these during the summative performance evaluation and the superintendent submits a draft of proposed performance goals for the upcoming school year and the Board approves them with or without modifications.

**Contact**

Eric Hogue

**Action**

Approval of Superintendent Performance Goals for 2020-2021