



Agenda of Regular Meeting August 17, 2020 5:30 PM Closed Session / 7:00 PM Open Session

A Regular Meeting of the Board of Trustees of Georgetown ISD will be held August 17, 2020, beginning at 5:30 PM. Immediately after opening, the Board of Trustees will convene in Closed Session and will return to Open Session following the completion of Closed Session. The Board will not reconvene in Open Session before 7:00 p.m.

On July 2, 2020, the Governor of Texas Greg Abbott issued Executive Order GA-29, which requires individuals to wear a face-covering over the nose and mouth when inside a building or space open to the public. As such, all in-person attendees must wear a face covering over the nose and mouth, unless the person meets one or more of the criteria listed in that order, or any subsequent order in effect at the time of the meeting, that exempts them from this requirement.

Further, on June 26, 2020, Governor Abbott issued Executive Order GA-28, which prohibits business establishments from operating at more than 50% of the total listed occupancy. While this order does not apply to local government operations, such as meetings of the Georgetown ISD Board of Trustees, Georgetown ISD recognizes the need to protect the community and desires to help limit the development, contraction, and spread of COVID-19. Further, the Texas Department of State Health Services minimum recommended health protocols recommend that when inside office facilities, people maintain at least 6 feet of space between other people. Therefore, the number of in-person attendees who may be in the meeting room and overflow room will be limited to 90 [50% capacity], and seating will be spaced out to ensure the recommended social distancing is maintained.

Any person wishing to address the Board in person at the meeting must register to speak by emailing Domelc@georgetownisd.org before 1:00 p.m. on the day of the meeting. If more people register to speak in person exceeds 50% of the Board room's capacity, District employees will stagger attendance such that each registrant is given an opportunity to speak without exceeding the 50% capacity limit. The meeting will also be live-streamed at http://sbmonitor.com/tx/georgetown/board_of_trustees. Members of the community may also email their comments to Domelc@georgetownisd.org and the comments will be provided to the Board members prior to the meeting. In light of the public health emergency posed by COVID-19, the Board encourages members of the community to participate remotely.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time. Prior to consideration of agenda subjects, the Board will hear public comments from any member of the public who has complied with District procedures for signing up to speak.

- I. Determination of Quorum, Call to Order, and Pledges of Allegiance
- II. Closed Session (authorized by TX Gov't Code Section 551.071, 551.074, 551.082, 551.0821)
 - A. Personnel: Consider Appointment, Employment, Evaluation, or Duties of Professional Employees
 - B. Discussion of the Purchase, Exchange, Lease, or Value of Real Property
- III. Recognitions
- IV. Presentations
 - A. Bond Project Update
- V. Information Items
- VI. Superintendent's Report
- VII. Hearing of Citizens Who Desire to Come Before the Board
- VIII. Consent Items
 - A. Financial Reports
 - B. Budget Amendment #1
 - C. Minutes of Previous Board Meetings
- IX. Action Items
 - A. Consideration and Possible Action on Appointment, Employment, Evaluation, or Duties of Professional Employees
 - B. Consideration and Possible Action on approval of 2020-2021 Student Code of Conduct
 - C. Consideration and Possible Action on FFH (Local) Policy Changes
 - D. Consideration and Possible Action to authorize the GISD Superintendent to close on the contract to purchase land for a future elementary school and approve a Certificate of Resolution to memorialize this action.
 - E. Consideration and Possible Action on Adoption of Agreement for the Purchase of Attendance Credits
 - F. Consideration and Possible Action on Adoption of 2020 Tax Roll Resolution
 - G. Consideration and Possible Action on Adoption of Resolution Setting Tax Rate
- X. Closed Session (authorized by TX Gov't Code Section 551.071, 551.129, 551.074)
 - A. Personnel: Consider Appointment, Employment, Evaluation, or Duties of Professional Employees
 - B. Discussion of the Purchase, Exchange, Lease, or Value of Real Property
- XI. Adjourn



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/13/2020 12:00:33

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Presentation

Name of Person Responsible:

David Biesheuvel

Department or Campus:

Construction & Development

Title of Agenda Item:

2018 Bond Projects Update

Background Information:

Update of active projects funded in the 2018 bond program

Attachments:

https://drive.google.com/open?id=1UYZA-Z_psSUayR5FIKg_hxuWh9BdHYvO

Superintendent's Recommendations:

For information only

PROGRESS UPDATE

2018 BOND PROJECTS

17 August 2020



COMPLETED PROJECTS

- Wolf Ranch Elementary School
- Everette L. Williams Elementary School



TIPPIT ATHLETIC WING RENOVATION/ADDITION

- Paint gyms - Complete
- Bleachers - ESD: 17 Aug
- Wall tile - Complete
- Floor tile - In progress
- Locker rooms - ECD: 28 Aug (except lockers - late Sep)
- Bldg Addition:
 - CMU walls - Complete
 - Steel (roof) - In progress
 - Substantial Compl: Late Oct



RENOVATE CLASSROOMS - EAST VIEW HS

- CMU walls - Complete
- Sections 1 & 2 - Complete (4 sections total)
- Interior finishes (sec 3-4) - In progress
- Student collaboration area - Complete
- Movable glass panels - EDD 15 Sep
 - Temp walls in two sections



GEORGETOWN HS SECURE WALKWAY

- New drives - Complete
- Walkway slab - Complete
- Walkway wall - In progress
- Canopy - In progress
- Project completion - Late Sep



OTHER PROJECTS IN PROGRESS

- Upgrade Technical Systems - Performing Arts Center; ECD: Oct 2020
 - New A/V systems: Installed projection screens and speakers
 - New lighting and controls: In progress
 - Stage rigging: ESD 24 Aug
- Install Security Upgrades - District-wide; ECD: Apr 2021
 - EVHS: 99% complete
 - Wagner MS: 85% complete (installing cameras, control panels)
 - Georgetown HS: 70% complete (installing cameras, control panels)
 - GHS Annex/RHS: 40% complete
 - Cooper, Forbes, Tippit, Benold: Start work 17 Aug - 21 Sep



SUPERINTENDENT REPORT



Vision: Home of the most inspired students, served by the most empowered leaders.

Mission: Inspiring and empowering every learner to lead, grow, and serve.

WE BELIEVE PUBLIC EDUCATION IS THE FOUNDATION OF OUR COMMUNITY.

OUR ACTIONS SHOULD BE STUDENT-CENTERED. [relationships]

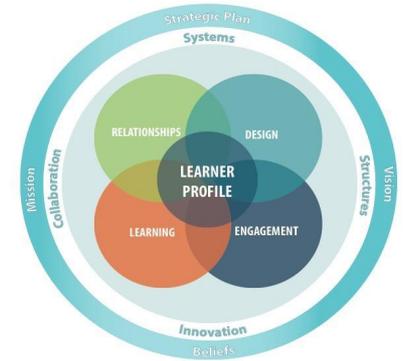
IT IS OUR RESPONSIBILITY TO PREPARE STUDENTS FOR THEIR FUTURE. [innovation]

DEVELOPING LEADERS IS VITAL TO OUR SUCCESS. [system + structure]

INSTRUCTION SHOULD BE DESIGNED BASED ON THE NEEDS OF THE LEARNERS. [learning]

COMMUNITY ENGAGEMENT ENHANCES EDUCATIONAL EXPERIENCES. [collaboration + engagement]

STRATEGIC FRAMEWORK



Ready for 2020-21 Tech Distribution



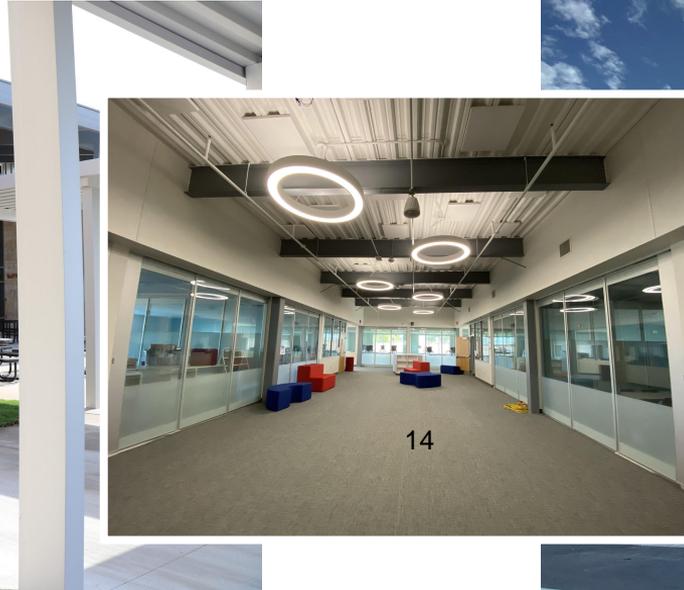
Ready for 2020-21 Safety



Ready for 2020-21 Professional Learning



Williams and Wolf Ranch Elementary Schools are open



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IMPORTANT DATES

www.georgetownisd.org/calendar

August
17

Student
schedules
available in
Skyward

August
20

First Day of
Instruction for
Students

September
7

Labor Day
Holiday

September
10

First Day of
On-Campus
Instruction



Accessing ClassLink on an iPad (Grades: K-2)

Accessing Student Login Info (Grades: All)

How to Balance Screen Time (Grades: All)

Logging into GISD Chromebooks and Classlink (Grades: 3-12)

On Demand Learning Now Available at

www.georgetownisd.org/ParentU

BE INFORMED

www.georgetownisd.org

District News

www.georgetownisd.org/newsletter

Subscribe for District updates by selecting “GISD Communications”



@GeorgetownISD

Questions?

We can help. Send us your inquiries.

[Submit a Let's Talk Dialogue](#)

THANK YOU



A word cloud of gratitude-related terms. The words are arranged in a roughly rectangular shape, with some words being significantly larger than others. The colors of the words range from light blue to dark red. The most prominent words are 'that', 'community', 'thankful', 'gratitude', 'remote', and 'asked'. Other words include 'families', 'serve.', 'cares', 'than', 'staff', 'opening', 'learning', 'more', 'proud', 'maintenance', 'sites', 'first', 'department', 'creative.', 'protective', 'campuses', 'like', 'help', 'Innovation', 'efforts', 'partners', 'supported', and 'project...'. A small number '18' is visible near the bottom center of the word cloud.

families serve. cares
than staff opening learning
more proud maintenance
sites first that department
create creative.
protective community
campuses thankful like help
gratitude Innovation efforts
remote asked during
partners supported project...

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BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/12/2020 12:51:38

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Consent Agenda

Name of Person Responsible:

Pam Sanchez, CFO

Department or Campus:

Business Services

Title of Agenda Item:

Financial Reports

Background Information:

Reports showing activity and balances through July 31, 2020 for tax collections and General Fund, Food Service Fund and Debt Service Fund budgets.

Attachments:

https://drive.google.com/open?id=1eok5cRh1O8AJ_rxlutdCrEBpWJwpJwk

Superintendent's Recommendations:

Approval of the Financial Reports



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/12/2020 12:50:32

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Consent Agenda

Name of Person Responsible:

Pam Sanchez, CFO

Department or Campus:

Business Services

Title of Agenda Item:

Budget Amendment No. 1

Background Information:

The budget amendment for the General Fund is shown by functional category and detailed on the attached summary page. The detailed transfers were requested by District staff to account for increases or decreases to expenditure categories as indicated.

The current budget column reflects the adopted budget; the increase/(decrease) column total reflects all of the increases or decreases to revenue/expenditure categories; and the amended budget column reflects no change to year end unaudited fund balance. Thus, ending unaudited fund balance is expected to be \$27.97 million by June 30, 2021.



BOARD AGENDA ITEM

Attachments:

<https://drive.google.com/open?id=1g2OlnwYgSYeaDIApiOg4PWVdFAVIHNRs>

Superintendent's Recommendations:

Approval of budget amendment No. 1 for 2020-21.

GENERAL FUND
BUDGET AMENDMENT
August 17, 2020

CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	AMENDED BUDGET
<u>REVENUES</u>				
5700	Local Revenues	113,095,095		113,095,095
5800	State Revenues	15,547,614		15,547,614
5900	Federal Revenues / Other	1,435,000		1,435,000
	TOTAL	130,077,709	-	130,077,709
<u>EXPENDITURES</u>				
11	Instructional	71,866,776	(22,800)	71,843,976
12	Instructional Resources & Media	1,126,061	3,800	1,129,861
13	Curriculum & Instructional Development	2,052,773	29,000	2,081,773
21	Instructional Administration	3,145,094	1,500	3,146,594
23	School Leadership	7,659,147	(13,560)	7,645,587
31	Guidance & Counseling	4,868,411	19,500	4,887,911
32	Social Work Services	212,891		212,891
33	Health Services	1,302,158	16,360	1,318,518
34	Student Transportation	4,700,824	(45,000)	4,655,824
35	Child Nutrition	-		-
36	Co-Curricular Activities	3,570,148		3,570,148
41	General Administration	3,990,209		3,990,209
51	Plant Maintenance & Operations	13,012,476		13,012,476
52	Security & Monitoring	397,750		397,750
53	Data Processing Services	3,358,982	11,200	3,370,182
61	Community Services	498,589		498,589
71	Debt Administration	-		-
81	Facilities Acquisition & Construction	-		-
91	Contr. Instr. Svcs. Between Public Schools	7,057,420		7,057,420
95	Payments to JJAEP	433,000		433,000
99	Appraisal Services	885,000		885,000
	TOTAL	130,137,709	-	130,137,709
	NET REVENUES OVER/ (UNDER) EXPENDITURES	(60,000)	-	(60,000)
7900	Other resources	60,000		60,000
8900	Other uses	-		-
	NET	60,000	-	60,000
	NET INCREASE/(DECREASE) IN FUND BALANCE		0	
	BEGINNING FUND BALANCE (unaudited)	27,978,256		27,978,256
	ENDING FUND BALANCE	27,978,256	0	27,978,256

Georgetown Independent School District
2020-2021 General Fund Budget Amendment (1)
August 17, 2020

Account Code	Description	Current Budget	Increase to Budget	Decrease to Budget	Revised Budget
Expenditures					
1. 199 E 11 6249 00 041 0 11 962	CONT. MAINTENANCE & REPAIR	\$ 10,000	-	1,500	\$ 8,500
199 E 12 6669 00 041 0 99 962	LIBRARY BOOKS & MEDIA	\$ 2,000	1,500	-	\$ 3,500
To reclass 20/21 budget to library resources at Tippit MS					
2. 199 E 21 6499 00 903 0 99 910	MISC. OPERATING COSTS	\$ 7,500	-	7,500	\$ -
199 E 31 6499 00 902 0 99 903	MISC. OPERATING COSTS	\$ 220	7,500	-	\$ 7,720
199 E 13 6299 00 903 0 99 910	MISC. CONTRACTED SERVICES	\$ 10,000	-	10,000	\$ -
199 E 31 6299 00 902 0 99 903	MISC. CONTRACTED SERVICES	\$ 53,060	10,000	-	\$ 63,060
To reclass 20/21 Teaching & Learning budget to Chief Strategist for Plan4Learning					
3. 199 E 31 6339 00 902 0 99 903	TESTING MATERIALS	\$ 120,000	-	8,000	\$ 112,000
199 E 11 6339 00 999 0 25 914	TESTING MATERIALS	\$ -	8,000	-	\$ 8,000
To reclass 20/21 budget to Bilingual Dept. for Las Links Program					
4. 199 E 11 6399 02 041 0 11 962	GENERAL SUPPLIES	\$ 3,250	-	2,000	\$ 1,250
199 E 23 6499 00 041 0 99 962	MISC. OPERATING COSTS	\$ -	2,000	-	\$ 2,000
To reclass 20/21 budget to miscellaneous operating expenses at Tippit MS					
5. 199 E 53 6411 00 999 0 99 913	TRAVEL - EMPLOYEE ONLY	\$ -	4,000	-	\$ 4,000
199 E 53 6411 06 999 0 99 913	TRAVEL - EMPLOYEE ONLY	\$ -	4,200	-	\$ 4,200
199 E 53 6411 05 999 0 99 913	TRAVEL - EMPLOYEE ONLY	\$ -	3,000	-	\$ 3,000
199 E 34 6494 00 699 0 24 915	RECLASSIFIED TRANSPORTATION	\$ 45,000	-	11,200	\$ 33,800
To reclass 20/21 budget to employee travel for Mgr. of Information Systems staff					
6. 199 E 13 6411 36 903 0 36 911	TRAVEL - EMPLOYEE ONLY	\$ -	24,000	-	\$ 24,000
199 E 34 6494 00 699 0 24 915	RECLASSIFIED TRANSPORTATION	\$ 33,800	-	24,000	\$ 9,800
To reclass 20/21 budget to employee travel for Reading Academies for Early Ed					
7. 199 E 33 6399 00 999 0 99 942	GENERAL SUPPLIES	\$ 4,000	17,810	-	\$ 21,810
199 E 33 6112 00 999 0 99 942	SUBSTITUTE	\$ -	1,050	-	\$ 1,050
199 E 33 6117 00 699 0 23 915	PROFESSIONAL EXTRA DUTY	\$ 2,500	-	2,500	\$ -
199 E 34 6494 00 699 0 24 915	RECLASSIFIED TRANSPORTATION	\$ 9,800	-	9,800	\$ -
199 E 23 6117 00 699 0 24 915	PROFESSIONAL EXTRA DUTY	\$ 15,000	-	6,560	\$ 8,440
To reclass 20/21 budget for nursing supplies and substitutes					
8. 199 E 21 6399 00 999 0 25 914	GENERAL SUPPLIES	\$ (9,000)	9,000	-	\$ -
199 E 23 6125 00 699 0 99 915	SUPPORT PERSONNEL EXTRA DUTY	\$ 15,000	-	9,000	\$ 6,000
To reclass 20/21 budget for Edugence					
9. 199 E 11 6117 00 699 0 23 915	PROFESSIONAL EXTRA DUTY	\$ 11,980	-	2,300	\$ 9,680
199 E 12 6399 00 903 0 99 912	GENERAL SUPPLIES	\$ -	2,300	-	\$ 2,300
To reclass 20/21 budget for COVID-19 library bins					
10. 199 E 11 6219 00 999 0 23 914	PROFESSIONAL SERVICES	\$ 75,000	-	10,000	\$ 65,000
199 E 31 6339 00 999 0 23 914	TESTING MATERIALS	\$ 42,000	10,000	-	\$ 52,000
To reclass 20/21 budget for SpEd testing materials					
11. 199 E 11 6299 00 999 0 23 914	MISC. CONTRACTED SERVICES	\$ 60,000	-	15,000	\$ 45,000
199 E 13 6411 00 999 0 23 914	TRAVEL - EMPLOYEE ONLY	\$ 500	15,000	-	\$ 15,500
To reclass 20/21 budget for SpEd employee travel					

July 13, 2020
Georgetown, TX

Andy Webb called a Board workshop held by videoconference to order at 4:30 p.m., with Superintendent Dr. Fred Brent present at the Hammerlun Center. Board members present by videoconference were Ben Stewart, Elizabeth McFarland, Melanie Dunham, Marcos Gonzalez, and David Phillips. Scott Stribling was not present.

Staff attendees: Lisa Napper, Wes Vanicek, Melinda Brasher, Matt Golla, Lannon Heflin, Terri Conrad, Lindsay Harris, Courtney Acosta, Michelle Paige, Pam Sanchez.

Two public comments received and shared with Board members.

The GISD Administration team presented several slides covering information on opening of the 2020-2021 school year. A question and answer discussion followed.

The Board workshop adjourned at 7:17 p.m.

Melanie Dunham

July 20, 2020
Georgetown, TX

Scott Stribling called a **board workshop** to order at 3:36 p.m. with Elizabeth McFarland, Ben Stewart, Melanie Dunham, David Phillips, Andy Webb, Marcos Gonzalez, and Superintendent Dr. Fred Brent present.

Staff attendees: Terri Conrad, Michelle Paige, Wes Vanicek, David Biesheuvel, Kirby Campbell, Melinda Brasher, Lisa Napper, Lindsay Harris, Pam Sanchez, Jason Dean, Courtney Acosta.

Visitors: Kathrine Anthony

Two public comments received and shared with Board members.

Superintendent Dr. Fred Brent and the GISD Administration team shared a slide presentation covering the 2020-2021 start of school plan, to include Fine Arts and Athletics.

The Board workshop adjourned at 6:06 p.m.

Melanie Dunham

The regular July meeting of the GISD Board of Trustees called to order at 5:30 p.m. by Scott Stribling, presiding with Melanie Dunham, Elizabeth McFarland, Ben Stewart, David Phillips, Andy Webb, Marcos Gonzalez, and Superintendent Dr. Fred Brent.

Under the authority of the Texas Government Code Chapters 551.071, 551.072, 551.074, 551.129, 551.082, and 551.0821, the Board went into closed session at 6:10 p.m. to discuss personnel, Superintendent Employment contract, real property, and legal. The Board came into open session at 7:15 p.m.

Visitors present: Lisa Napper, Melinda Brasher, Malinda Golden, Bryan Hallmark, Lannon Heflin, Matt Golla, David Biesheuvél, Pam Sanchez, David Rainey, Paige Hoellen, Heather Stone, Michelle Janowski, Yvonne Coon, Janie Wiley, Kathrine Anthony, Jenny Boyd, Ian Boyd, and Tracy Cooper.

Superintendent's report: presented 2020-2021 school year planning update that included timeline so far, GISD survey #1 and #2 results, recommendation for the start of school, decisions that have been made, what's being worked on, and important upcoming dates.

David Biesheuvél, Executive Director of Construction & Development presented a bond projects update.

Two public comments received and shared with Board members.

Cynthia Pike, Director of College, Career, & Military Readiness presented a CCMR plan update with focus on Cultural Awareness and Equity planning.

Andy Webb made the motion, seconded by Melanie Dunham, to approve all Consent Items as presented. Unanimously approved.

David Phillips made the motion, seconded by Marcos Gonzalez, to approve recommendations from Assistant Superintendent of Human Resources Lisa Napper regarding the selection of district administrators/teachers. Unanimously approved.

CAMPUS SUPPORT STAFF

POSITION: East View High School – Assistant Principal
APPLICANT: Marisa Ramos
ADDRESS: Austin, Texas
EDUCATION: Master's degree – Arkansas State University
EXPERIENCE: 11 years – Pflugerville ISD

POSITION: East View High School – Assistant Principal
APPLICANT: Ruishi Wang
ADDRESS: Austin, Texas
EDUCATION: Master's degree – Texas State University
EXPERIENCE: 6 years – Round Rock ISD

POSITION: McCoy Elementary School – Assistant Principal
APPLICANT: Melissa Rogers
ADDRESS: Georgetown, Texas
EDUCATION: Master's degree – Lamar University
EXPERIENCE: 15 years – Round Rock ISD

DISTRICT SUPPORT STAFF

POSITION: Federal Programs – Early Childhood Specialist – Title I
APPLICANT: Senovia Cones
ADDRESS: Harker Heights, Texas
EDUCATION: Master’s degree National University
EXPERIENCE: 12 years – Arlington ISD

POSITION: Georgetown High School – Social Studies Teacher
APPLICANT: Joshua Gleich
ADDRESS: Austin, Texas
EDUCATION: Doctorate’s degree – University of Texas at Austin
EXPERIENCE: 0 years – University of Arizona

POSITION: Special Education Department - Diagnostician
APPLICANT: Kimberly Gillman
ADDRESS: Wink, Texas
EDUCATION: Master’s degree – Sul Ross State University
EXPERIENCE: 28 years – Monahans-Wickett-Pyote ISD

DISTRICT SUPPORT STAFF

POSITION: Special Education Department – Diagnostician
APPLICANT: Darlene Lester
ADDRESS: Burnett, Texas
EDUCATION: Master’s degree – Texas Tech University
EXPERIENCE: 19 years – Burnet CISD

POSITION: Special Education Department – Behavior Specialist
APPLICANT: Victoria Linenmeyer
ADDRESS: Granger, Texas
EDUCATION: Master’s degree – Texas State University
EXPERIENCE: 6 years – Manor ISD

POSITION: Technology – Digital Learning Coach
APPLICANT: Jennifer King
ADDRESS: Liberty Hill, Texas
EDUCATION: Master’s degree – Texas State University
EXPERIENCE: 22 years – Liberty Hill ISD

POSITION: Technology – Digital Learning Coach
APPLICANT: Jacob Schwab
ADDRESS: Georgetown, Texas
EDUCATION: Master’s degree – Capella University
EXPERIENCE: 9 years – Temple ISD

POSITION: Technology – Digital Learning Coach
APPLICANT: Heather Solis
ADDRESS: Round Rock, Texas
EDUCATION: Master’s degree – Texas State University
EXPERIENCE: 5 years – Round Rock ISD

TEACHERS

POSITION: Annie Purl Elementary School – Art Teacher
APPLICANT: Alexa Briones
ADDRESS: Killeen, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 0 years – Georgetown ISD – Student Teacher

POSITION: Annie Purl Elementary School – 3rd Grade Dual Language Teacher
APPLICANT: Vanessa Pipkin
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – Texas A&M University
EXPERIENCE: 5 years – Austin ISD

POSITION: Annie Purl Elementary School – 5th Grade Bilingual Teacher
APPLICANT: Luis Rosas-Aigster
ADDRESS: Centreville, Virginia
EDUCATION: Master’s degree – Drew University
EXPERIENCE: 6 years - Fairfax County Public Schools

POSITION: Benold Middle School – Math/Intervention Teacher
APPLICANT: Daniel Adams
ADDRESS: Round Rock, Texas
EDUCATION: Master’s degree – Tarlton State University
EXPERIENCE: 1 year – Manor ISD

POSITION: Benold Middle School – 8th Grade Social Studies Teacher
APPLICANT: Gabriela Townsend
ADDRESS: Killeen, Texas
EDUCATION: Master’s degree – Wayne State University
EXPERIENCE: 12 years – Meridian World School

POSITION: Benold Middle School – Media Publications Teacher
APPLICANT: Alyssa Walker
ADDRESS: Bastrop, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 0 years – Comal ISD – Student Teacher

POSITION: Carver Elementary School – Sp Ed PPCD Teacher
APPLICANT: April Miles
ADDRESS: Leander, Texas
EDUCATION: Bachelor’s degree – San Diego State University
EXPERIENCE: 0 years – Alternative Program

POSITION: Carver Elementary School – 4th Grade Teacher
APPLICANT: Amy Schwertner
ADDRESS: Jarrell, Texas
EDUCATION: Bachelor’s degree – University of Mary Hardin Baylor
EXPERIENCE: 5 years – Jarrell ISD

POSITION: Cooper Elementary School – 4th Grade Teacher
APPLICANT: Nicole Fisher
ADDRESS: Round Rock, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 11 years – Round Rock ISD

POSITION: Cooper Elementary School – 1st Grade Teacher
APPLICANT: Brittany Henderson
ADDRESS: Gulfport, Mississippi
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 8 years – Cross Roads ISD

POSITION: Cooper Elementary School – 3rd Grade Teacher
APPLICANT: Denise Johnson
ADDRESS: Roseville, California
EDUCATION: Master’s degree – National University
EXPERIENCE: 16 years – Center Joint Unified School District

POSITION: Cooper Elementary School – Kindergarten Teacher
APPLICANT: Cheryl Zalk
ADDRESS: Georgetown, Texas
EDUCATION: Master’s degree – University of Phoenix
EXPERIENCE: 3 years – Killeen ISD

POSITION: East View High School - Assistant Band Director
APPLICANT: Andrew Blezinger
ADDRESS: Keller, Texas
EDUCATION: Bachelor’s degree – Texas A&M University
EXPERIENCE: 8 years – Arlington ISD

POSITION: East View High School – Science Teacher
APPLICANT: Sarah Burton
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – University of Texas at Austin
EXPERIENCE: 6 years – Georgetown ISD - Rehire

POSITION: East View High School – Social Studies Teacher
APPLICANT: Chris Corley
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – Southwest Texas State
EXPERIENCE: 26 years – Georgetown ISD - Rehire

POSITION: East View High School – Social Studies Teacher
APPLICANT: Ashton Fuller
ADDRESS: Denton, Texas
EDUCATION: Bachelor’s degree – Texas Women’s University
EXPERIENCE: 0 years – Denton ISD – Student Teacher

POSITION: East View High School – Agriculture Science Teacher
APPLICANT: Mackenzie Keefer
ADDRESS: College Station, Texas
EDUCATION: Bachelor’s degree – Texas A&M College Station
EXPERIENCE: 0 years – Caldwell ISD – Student Teacher

POSITION: East View High School – Social Studies Teacher
APPLICANT: Walter Leberski II
ADDRESS: Las Vegas, Nevada
EDUCATION: Master’s degree – University Of Nevada
EXPERIENCE: 22 years – Clark County School District

POSITION: East View High School – Lead Counselor
APPLICANT: Julie Presley
ADDRESS: Austin, Texas
EDUCATION: Master’s degree – Texas Women’s University
EXPERIENCE: 16 years – Round Rock ISD

POSITION: East View High School – Science Teacher
APPLICANT: Nicholas Reynolds
ADDRESS: Lometa, Texas
EDUCATION: Master’s degree – University of Texas at Dallas
EXPERIENCE: 0 years – Alternative Program

POSITION: East View High School – Science Teacher
APPLICANT: Morgan Ryan
ADDRESS: Austin, Texas
EDUCATION: Bachelor’s degree – Texas Tech University
EXPERIENCE: 0 years – Round Rock ISD - Aide

POSITION: East View High School – Science Teacher
APPLICANT: Jacob Slaughter
ADDRESS: Austin, Texas
EDUCATION: Bachelor’s degree – Texas A&M University College Station
EXPERIENCE: 0 years – College Station ISD Student Teacher

POSITION: East View High School – Spanish Teacher
APPLICANT: Jonathan Wood
ADDRESS: Waco, Texas
EDUCATION: Bachelor’s degree – Baylor University
EXPERIENCE: 16 years – Robinson ISD

POSITION: East View High School – Sp Ed Inclusion Teacher/Head Softball Coach
APPLICANT: Kari Wright
ADDRESS: Buda, Texas
EDUCATION: Bachelor’s degree – St Edwards University
EXPERIENCE: 11 years – Northside ISD

POSITION: East View High School – Computer Science Teacher/Asst. Football Coach
APPLICANT: Lawrence Wesley II
ADDRESS: Round Rock, Texas
EDUCATION: Bachelor’s degree – University of North Texas
EXPERIENCE: 6 years – Copperas Cove ISD

POSITION: Forbes Middle School – Theater Director
APPLICANT: Haley Brower
ADDRESS: Marble Falls, Texas
EDUCATION: Bachelor’s degree – University of Texas
EXPERIENCE: 0 years – Austin ISD – Student Teacher

POSITION: Forbes Middle School – Language Arts Teacher/Girls Athletics
APPLICANT: Bailey Pereira
ADDRESS: Willis, Texas
EDUCATION: Bachelor’s degree – University of Alabama
EXPERIENCE: 2 years – Willis ISD

POSITION: Forbes Middle School – Sp Ed Behavior Teacher
APPLICANT: Sabrina Smith
ADDRESS: Kingsland, Texas
EDUCATION: Bachelor’s degree – University of North Texas
EXPERIENCE: 3 years – Marble Falls ISD

POSITION: Ford Elementary School – 3rd Grade Math/Science Teacher
APPLICANT: Brittany Hoermann
ADDRESS: Jarrell, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 6 years – Georgetown ISD

POSITION: Frost Elementary School – Sp Ed Resource Inclusion Teacher
APPLICANT: Marci Brentham
ADDRESS: Salado, Texas
EDUCATION: Bachelor’s degree – Mary Hardin Baylor
EXPERIENCE: 4 years – Temple ISD

POSITION: Frost Elementary School – Sp Ed Resource Teacher
APPLICANT: Krystal Dominguez
ADDRESS: Lyford, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 0 years – Pharr-San Juan-Alamo ISD - Aide

POSITION: Frost Elementary School – Kindergarten Teacher
APPLICANT: Hannah Hendry
ADDRESS: Round Rock, Texas
EDUCATION: Bachelor’s degree –Art Institute of Austin
EXPERIENCE: 0 years – Round Rock ISD – Substitute Teacher

POSITION: Frost Elementary School – 4th Grade Teacher
APPLICANT: August Laird
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – Southwestern University
EXPERIENCE: 0 years – Lake Travis ISD - Aide

POSITION: Frost Elementary School – PreK Teacher
APPLICANT: Meredith Massey
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – Texas A&M University
EXPERIENCE: 2 years – Jarrell ISD

POSITION: Frost Elementary School – 3rd Grade Teacher
APPLICANT: Leslie Walker
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – New Mexico State University
EXPERIENCE: 6 years – Georgetown ISD

POSITION: Georgetown High School – Resource/Inclusion Language Arts Teacher
APPLICANT: Kong Linda Buck
ADDRESS: Georgetown, Texas
EDUCATION: Bachelor’s degree – California State University
EXPERIENCE: 4 years – Brownwood ISD

POSITION: Georgetown High School – Language Arts Teacher
APPLICANT: Jonathan Colburn
ADDRESS: Georgetown, Texas
EDUCATION: Doctorate’s degree – George Fox University
EXPERIENCE: 2 years – Jarrell ISD

POSITION: Georgetown High School – Sp Ed Content Mastery/Asst Football Coach
APPLICANT: Preston Taylor
ADDRESS: Leander, Texas
EDUCATION: Master’s degree – University of Texas at Taylor
EXPERIENCE: 14 years – Leander ISD

POSITION: McCoy Elementary School – 5th Grade Teacher
APPLICANT: Elizabeth McFarland
ADDRESS: Austin, Texas
EDUCATION: Bachelor’s degree – Ion University
EXPERIENCE: 0 years – Alamance Burlington School District (North Carolina) – Student Teacher

POSITION: McCoy Elementary School – 2nd Grade Teacher
APPLICANT: Alexandra Van Ness
ADDRESS: Georgetown, Texas
EDUCATION: Master’s degree – George Mason University
EXPERIENCE: 1 year- Jarrell ISD

POSITION: Tippit Middle School – 6th Grade Science Teacher
APPLICANT: Ashley Brown
ADDRESS: Round Rock, Texas
EDUCATION: Bachelor’s degree – Texas A&M University Corpus Christi
EXPERIENCE: 6 years – Gregory Portland ISD

POSITION: Tippit Middle School – Choir Director
 APPLICANT: Daniel Perez
 ADDRESS: Round Rock, Texas
 EDUCATION: Bachelor’s degree – Texas State University
 EXPERIENCE: 4 years – Harlandale ISD

POSITION: Village Elementary School – SP Ed Behavior Teacher
 APPLICANT: Valerie Esquivel
 ADDRESS: Leander, Texas
 EDUCATION: Bachelor’s degree – Texas State University
 EXPERIENCE: 5 years – Leander ISD

POSITION: Village Elementary School – 2nd Grade Teacher
 APPLICANT: Delis Torres Figueroa
 ADDRESS: Austin, Texas
 EDUCATION: Bachelor’s degree – University of Texas at Austin
 EXPERIENCE: 0 years – University of Texas at Austin – Teaching Assistant

POSITION: Wagner Middle School – Art Teacher
 APPLICANT: Clay Kogut
 ADDRESS: Austin, Texas
 EDUCATION: Bachelor’s degree – University of Texas at Austin
 EXPERIENCE: 0 years – Goose Creek CISD - Aide

POSITION: Wagner Middle School – 6th Grade Language Arts Teacher
 APPLICANT: Catherine McCarrey
 ADDRESS: Round Rock, Texas
 EDUCATION: Master’s degree – Boston University
 EXPERIENCE: 10 years – Issaquah ISD

POSITION: Wagner Middle School – 6th Grade Math Teacher
 APPLICANT: Kaila Payne
 ADDRESS: Round Rock, Texas
 EDUCATION: Bachelor’s degree – Vanguard University of Southern California
 EXPERIENCE: 1 year- Hutto ISD

POSITION: Wagner Middle School – 8th Grade Science Teacher
 APPLICANT: Magen Smith
 ADDRESS: Georgetown, Texas
 EDUCATION: Bachelor’s degree – Southwestern University
 EXPERIENCE: 0 years – Georgetown ISD – Substitute Teacher

POSITION: Wagner Middle School – Intervention/Dyslexia Teacher
 APPLICANT: Natalie Wheeler
 ADDRESS: Austin, Texas
 EDUCATION: Master’s degree – University of Cumberland
 EXPERIENCE: 7 years – Paintsville ISD

POSITION: Wolf Ranch Elementary School – Learning Design Coach Teacher
 APPLICANT: Amber Cervantes
 ADDRESS: Georgetown, Texas
 EDUCATION: Master’s degree – University of Texas at El Paso
 EXPERIENCE: 12 years – Georgetown ISD - Rehire

POSITION: Wolf Ranch Elementary School – 1st Grade Teacher
 APPLICANT: Emelie Junhav
 ADDRESS: Boerne, Texas
 EDUCATION: Bachelor’s degree – Texas State University
 EXPERIENCE: 0 years – Wimberley ISD – Student Teacher

POSITION: Wolf Ranch Elementary School – 2nd Grade Teacher
APPLICANT: Kaylea Kohlhoff
ADDRESS: Round Rock, Texas
EDUCATION: Bachelor’s degree – Texas State University
EXPERIENCE: 0 years – Hays CISD – Student Teacher

Ben Stewart made the motion, seconded by Andy Webb, to approve an extension of Superintendent Dr. Fred Brent’s employment contract to June 30, 2025. Unanimously approved.

Andy Webb made the motion, seconded by Marcos Gonzalez, on approval authorizing the GISD Superintendent to close on the contract and purchase the tract of land in the Northwest quadrant of GISD as presented in executive session with the Board President and Secretary memorializing this action by executing a Certificate of Resolutions. Unanimously approved.

Melanie Dunham made the motion, seconded by Elizabeth McFarland, to approve the proposed Human Sexuality Curriculum as presented in May and as selected by the School Health Advisory Council (SHAC). Unanimously approved.

Andy Webb made the motion, seconded by Elizabeth McFarland, to adjourn at 8:19 p.m. Unanimously approved.

Melanie Dunham

July 27, 2020
Georgetown, TX

Scott Stribling called a **board workshop** to order at 3:00 p.m. with Elizabeth McFarland, Ben Stewart, Melanie Dunham, David Phillips, Andy Webb, Marcos Gonzalez, and Superintendent Dr. Fred Brent present.

Staff attendees: Terri Conrad, Michelle Paige, Wes Vanicek, Kirby Campbell, Melinda Brasher, Lisa Napper, Lindsay Harris, Pam Sanchez, Courtney Acosta, Lannon Heflin, and Matt Golla.

There were no public comments.

Superintendent Dr. Fred Brent and the GISD Administration team presented an update on the 2020-2021 start of school plan.

The Board workshop adjourned at 4:35 p.m.

Melanie Dunham

August 3, 2020
Georgetown, TX

Scott Stribling called a Board Workshop to order at 3:00 p.m. with Marcos Gonzalez, David Phillips, Melanie Dunham, Elizabeth McFarland, Ben Stewart, David Phillips, and Superintendent Dr. Fred Brent present.

Staff attendees: Lindsay Harris, Michelle Paige, Melinda Brasher, Courtney Acosta, Lisa Napper, Pam Sanchez, Dana Johnson, Tiffany Walker, Lannon Heflin, Matt Golla, Terri Conrad, Kirby Campbell, David Rainey, Janna Jackson.

There were no public comments.

The GISD Administration team and Superintendent Dr. Brent presented a 2020-2021 school opening update with special focus on special education, bilingual/ESL programs, counseling services, and assessment.

The Board workshop adjourned at 5:23 p.m.

Melanie Dunham

August 10, 2020
Georgetown, TX

Scott Stribling called a Board Workshop to order at 3:00 p.m. with Marcos Gonzalez, David Phillips, Melanie Dunham, Elizabeth McFarland, David Phillips, and Superintendent Dr. Fred Brent present. Ben Stewart was not present.

Staff attendees: Terri Conrad, Michelle Paige, Melinda Brasher, Lannon Heflin, Matt Golla, Lisa Napper, Courtney Acosta, Lindsay Harris, Pam Sanchez, Kirby Campbell.

There were no public comments.

The GISD Administration team and Superintendent Dr. Brent presented a 2020-2021 school opening update.

The Board workshop adjourned at 4:28 p.m.

Melanie Dunham



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/11/2020 11:27:20

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Consent Agenda

Name of Person Responsible:

Carmen Domel

Department or Campus:

Superintendent's Office

Title of Agenda Item:

Board Meeting Minutes

Background Information:

Board meeting minutes are attached.

Attachments:

https://drive.google.com/open?id=1ufbsj1GqCKNE9iE6qXPTVjUV_ez5ZDK

Superintendent's Recommendations:

Approval of board meeting minutes as presented.



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/13/2020 17:29:51

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Lisa Napper

Department or Campus:

Human Resources

Title of Agenda Item:

Professional Hires

Background Information:

This recommendation includes professional hires since the July 20, 2020 board meeting. Professional hires will be presented in executive session.

Attachments:

Superintendent's Recommendations:

Approve the recommendations for professional hires as presented.



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/13/2020 11:33:47

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Courtney Acosta

Department or Campus:

Operations

Title of Agenda Item:

2020 - 2021 Student Code of Conduct

Background Information:

Each year, due to changes in policies or legislative updates, the Student Code of Conduct is updated and must be approved by the Board. The majority of this year's changes are updates to comply with new legislation related to Title IX, harassment, discrimination, and retaliation.

Attachments:

<https://drive.google.com/open?id=1nka7j3l3EMTcSUWkI54wzwLGV8lxHLXB588nbxeDKRQ>,

<https://drive.google.com/open?id=1nqKXbVdaYpIT2Guamzv6hkliVm14g0qzokqG7PYSIV4>, <https://drive.google.com/open?id=1ZO3QIMRCBsy1Kp5zQ-dMmp5EuEnE30bV>



BOARD AGENDA ITEM

Superintendent's Recommendations:

We recommend that you approve the 2020 - 2021 Student Code of Conduct as presented.



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2020-2021
STUDENT CODE OF CONDUCT
SUMMARY OF CHANGES

Page Number(s)	Change	Explanation
20-53	Change of page numbers on Table of Contents and throughout document.	Updated page numbers on pages to accommodate additions and changes.
9	Moved the statement - “See DAEP—Restrictions During Placement on page 39, for information regarding a student assigned to DAEP at the time of graduation.”	No change to content...moved this sentence from <i>after</i> “Unauthorized Persons” to right <i>before</i> it.
17 - 24	Changed “Removal from the School Bus” to “Drug Testing Procedures”	Header changed to reflect change in page content.
25-28	Title IX Requirements: Sex Discrimination and Sexual Harassment Non-Discrimination Statement Sex Discrimination and Sexual Harassment Prohibition Statement Identification of and contact information for district Title IX Coordinator Retaliation False Claims Sexual Harassment Response and Prevention Definition of Sexual Harassment, sexual assault, dating violence, domestic violence and stalking Examples of sexual harassment Gender-based harassment examples and qualifications for Title IX violation Reporting Procedures for sexual discrimination District’s Response to Sex-Based Harassment Emergency Removal Complaints alleging Title IX retaliation Confidentiality	All new - updated to reflect changes to Title IX requirements and rules.
34	Emergency Removal based on Allegations of Sexual Harassment	Title IX changes.
36	Appeals process change for DAEP appeals (changes in red): <i>Appeals shall begin at Level 1 with the Campus Principal or his/her designee. Disciplinary consequences shall not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.</i>	Changes the Level 3 appeal for a DAEP placement from the school board to a school board’s designee.

	<i>The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond a Level Three appeal to the board's designee.</i>	
Glossary, page 51	Defines Domestic Violence	Definition added to adhere to Title IX requirements.
Glossary, page 52	Defines Gender-based harassment	Definition added to adhere to Title IX requirements.
Glossary, page 52	Conduct that meets the definitions established in district policies DIA(LOCAL), FFH(LEGAL) , and FFH(LOCAL);	Identifies board policy - FFH (LEGAL) regarding Title IX.
Glossary, page 55	Defines sexual assault	Definition added to adhere to Title IX requirements.
Glossary, page 55	Defines sexual harassment for purposes of Title IX	Definition added to adhere to Title IX requirements.
Glossary, page 55	Defines stalking.	Definition added to adhere to Title IX requirements.



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2020-2021 STUDENT CODE OF CONDUCT CHANGES

Page Number(s)	Change	Explanation
20-53	Change of page numbers on Table of Contents and throughout document.	Updated page numbers on pages to accommodate additions and changes.
9	Moved the statement - <i>“See DAEP—Restrictions During Placement on page 39, for information regarding a student assigned to DAEP at the time of graduation.”</i>	No change to content...moved this sentence from <i>after</i> “Unauthorized Persons” to right <i>before</i> it.
17 - 24	Changed <i>“Removal from the School Bus”</i> to <i>“Drug Testing Procedures”</i>	Header changed to reflect change in page content.
25-28	<p>Added: <i>“Sex Discrimination and Sexual Harassment - ALL NEW</i></p> <p><i>Non-Discrimination Statement</i> <i>Georgetown ISD does not discriminate on the basis of race, religion, color, ethnicity, religion, national origin, gender, sex, disability, age, sexual orientation, genetic information, gender identity, or gender expression, or any other basis prohibited by law or District policy in providing education services, activities, and programs.</i></p> <p><i>Sex Discrimination and Sexual Harassment Prohibited</i> <i>In accordance with Title IX, Georgetown ISD does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate on the basis of sex extends to admission of students in the District’s educational programs or activities and employment. Inquiries about the application of Title IX may be referred to the District’s Title IX Coordinator, the Assistant Secretary for Civil Rights of the Department of Education, or Both.</i></p> <p><i>Title IX Coordinator</i> <i>Georgetown ISD has designated and authorized the following employee to serve as its</i></p>	<p>All new - updated to reflect changes to Title IX requirements and rules.</p>

Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment:

Heather Stoner, Director of Operations and School Safety

507 E. University Ave.

Georgetown, Texas 78626

stonerh@georgetownisd.org

titleix@georgetownisd.org

512-943-5000, extension 6036

Retaliation

Retaliation against a person because the person has made a report or complaint of sexual harassment, sexual assault, dating violence, domestic violence, or stalking or because the person has testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding reported sexual harassment, sexual assault, dating violence, domestic violence, or stalking is prohibited. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitute retaliation.

An individual's exercise of rights protected by the First Amendment of the United States Constitution does not constitute prohibited retaliation.

False Claim

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX investigation or grievance proceeding also does not constitute retaliation.

Sexual Harassment Response and Prevention

Prohibited Conduct

Georgetown ISD prohibits discrimination, harassment, dating violence, domestic violence, stalking, and retaliation as defined below, even if the behavior does not rise to the level of unlawful conduct. Prohibited conduct also includes sex-based discrimination and harassment as defined by Title IX and District Board policy. [See FFH(LEGAL) and FFH(LOCAL)] Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following: An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or, "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Examples of sexual harassment of a student may include sexual advances; touching private body parts, or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact that a reasonable person would not construe as sexual in nature.

However, romantic, sexual, and other inappropriate social relationships between students and District employees are prohibited, even if consensual.

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of

masculinity or femininity. Gender-based harassment can occur regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity.

Under Georgetown ISD Board policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples of gender-based harassment may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Sexual assault as defined in 20 U.S.C. § 1092(f)(6)(A)(v) means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Dating violence is defined in 34 U.S.C. § 12291(a)(10) as violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship or any of the person's past or subsequent partners.

Domestic violence as defined in 34 U.S.C. § 12291(a)(8) includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against

an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking is defined in 34 U.S.C. § 12291(a)(30) as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Reporting Procedures

Any person may report sex discrimination including sexual harassment, sexual assault, dating violence, domestic violence, and/or stalking, regardless of whether the person is the alleged victim of the conduct. Reports of sex discrimination, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment can be made at any time, including during non-business hours, by mail, phone, or email by contacting the Title IX Coordinator using the contact information provided above. Reports can also be made in person. Upon the District receiving notice or an allegation of sex-based discrimination or harassment, the Title IX Coordinator will promptly respond in accordance with the process described in FFH (LOCAL)

District's Response to Sex-Based Harassment

Upon the District's receipt of notice or an allegation of sex-based discrimination, harassment, or retaliation—regardless of whether a formal complaint is filed—the Title IX Coordinator will contact the individual who was the alleged victim of sex-based discrimination or harassment to discuss the availability of supportive measures and inform them of the process for filing a formal complaint. If a formal complaint is filed, the matter will proceed through the District's Title IX grievance process, including an investigation and decision process, as described in policy FFH(LEGAL).

If a student is the alleged perpetrator of sex-based discrimination, sexual harassment, or retaliation, the respondent student may be subject to immediate emergency removal from his or her campus after the District conducts an individualized analysis and if the District finds it necessary to protect a student or other individual from immediate threat to their physical health or safety. If the District decides to remove the respondent student from campus, it will notify the respondent student and provide the respondent student

	<p><i>an immediate opportunity to challenge the removal decision.</i></p> <p><i>Complaints alleging Title IX retaliation may be addressed using the District’s Title IX grievance process as outlined in policy FFH(LEGAL).</i></p> <p><i>Confidentiality</i> <i>To the greatest extent possible, the District respects the privacy of the complainant, persons against whom a report is filed, and witnesses. The District keeps the identity of complainants, respondents, and witnesses confidential, unless disclosure is required by law or necessary to carry out a Title IX proceeding. Limited disclosures may be necessary for the District to conduct a thorough investigation and to preserve the rights of complainants, respondents, and witnesses.”</i></p>	
34	<p><i>Added: “Emergency Removal based on Allegations of Sexual Harassment</i> <i>If a student is the alleged perpetrator of sex-based discrimination, sexual harassment, or retaliation, the respondent student may be subject to immediate emergency removal from his or her campus after the District conducts an individualized analysis and if the District finds it necessary to protect a student or other individual from immediate threat to their physical health or safety.</i></p> <p><i>If the District decides to remove the respondent student from campus, it will notify the respondent student and provide the respondent student an immediate opportunity to challenge the removal decision.”</i></p>	Title IX changes.
36	<p><i>Changes in RED.</i></p> <p><i>“Questions from parents regarding disciplinary measures should be addressed to the campus Administration.</i></p> <p><i>Student or parent appeals regarding a student’s placement in a DAEP should be addressed in accordance with policy FOC(LOCAL). A copy of this policy may be obtained from the principal’s office, the campus behavior coordinator’s office, the central administration office, or through Policy On Line at the following address: Georgetown ISD Policy On-Line</i></p>	

	<p><i>Appeals shall begin at Level 1 with the Campus Principal or his/her designee.</i></p> <p><i>Disciplinary consequences shall not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.</i></p> <p><i>The district shall not delay disciplinary consequences pending the outcome of an appeal.</i></p> <p><i>The decision to place a student in a DAEP cannot be appealed beyond a Level Three appeal to the board's designee."</i></p>	<p>Changes the Level 3 appeal for a DAEP placement from the school board to a school board's designee.</p>
Glossary, page 51	<p>Added: <i>"Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction."</i></p>	<p>Definition added to adhere to Title IX requirements.</p>
Glossary, page 52	<p>Added: <i>"Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. Gender-based harassment can occur regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity."</i></p>	<p>Definition added to adhere to Title IX requirements.</p>
Glossary, page 52	<p>Added: <i>"Conduct that meets the definitions established in district policies DIA(LOCAL), FFH(LEGAL), and FFH(LOCAL);"</i></p>	<p>Identifies board policy - FFH (LEGAL) regarding Title IX.</p>
Glossary, page 55	<p>Added: <i>"Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation."</i></p>	<p>Definition added to adhere to Title IX requirements.</p>
Glossary, page 55	<p>Added: <i>"Sexual harassment for purposes of Title IX and this Student Code of Conduct is conduct on the basis of sex that includes one or more of the following: (1) an employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;(2) unwelcome conducted determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or, (3) "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating</i></p>	<p>Definition added to adhere to Title IX requirements.</p>

	<i>violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).”</i>	
Glossary, page 55	<i>Added “Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.”</i>	Definition added to adhere to Title IX requirements.

Georgetown ISD Student Code of Conduct

2020-2021 School Year

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



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Student Code of Conduct

Accessibility

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

Purpose

The Student Code of Conduct ("Code") is the district's response to the requirements of Chapter 37 of the Texas Education Code.

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

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

This Student Code of Conduct has been adopted by the Georgetown ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective for the next school year.

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

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

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

School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

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

Campus Behavior Coordinator

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

Threat Assessment and Safe and Supportive School Team

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

Searches

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

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

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

Reporting Crimes

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

Security Personnel

To ensure sufficient security and protection of students, staff, and property, the board employs school resource officers (SROs). In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL). The following shall be in addition to, and not in lieu of, and will in no way relieve the City of its obligation to provide, routine patrol services on the same basis as are provided to other School campuses or other properties within the City.

Duties and responsibilities of the SRO:

- a. Protection of the lives and property of the students, teachers, staff members and visitors of the GISD school campuses as directed.
- b. Enforcement of Federal, State and Local criminal laws and ordinances.
- c. Investigations of criminal activity and accidents occurring at assigned campuses.
- d. Provide traffic control during the arrival and departure of students on an as needed basis, based upon a law enforcement determination of need.
- e. Provide assistance to other law enforcement officers with outside investigations concerning GISD students or in matters regarding their school assignment.
- f. The SRO shall not act as a school disciplinarian. However, if the principal believes an incident is a violation of the law, the principal may contact the SRO and the SRO shall then determine whether law enforcement action is appropriate.
- g. Make the principal of the school aware of any law enforcement action taken, as soon as practicable.
- h. At the principal's request, take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SRO may do so under the authority of law.
- i. Advise the principal before requesting additional police assistance on campus, when practicable.
- j. Coordinate their activities with the principal and staff members concerned.
- k. Seek permission, advice, and guidance prior to enacting any program within the school.
- l. Encourage individual and small group discussions with students, to further establish rapport with the students

- m. Make themselves available for conference with students, parents and faculty members in order to assist them with problems of law enforcement or crime prevention nature.
- n. Become familiar with all community agencies offering assistance to youths and their families, such as mental health clinics, drug treatment centers, etc. The SRO shall make referrals to such agencies when necessary thereby acting as a resource person to the students, faculty, and staff of the school.
- o. Coordinate all security efforts at their assigned campuses including the coordination of a safety audit of the campus and develop a long-range plan for campus safety. The plan will incorporate input from school staff, students and parents.
- p. Assist the principal in identifying situations or school protocol, on campus or during school sponsored events, which have a potential for becoming dangerous situations and develop action plans, through long term problem solving, in an attempt to prevent or minimize their impact.
- q. Maintain detailed and accurate records of the operation of the School Resource Officer Program.
- r. School Resource Officers are not to be used for routine administrative duties such as lunchroom duty, hall monitor, bus duty, or other monitoring duties. If there is a problem in one of these areas, the SRO may assist the school until the problem is solved.

Instructional responsibility of the SRO at the secondary schools:

- a. All instruction by the SRO shall be as a guest speaker. The principal or a member of the faculty may request the SRO to provide instruction. The SRO shall not be asked to teach on a full-time basis.
- b. Make a variety of specialized, short-term law related presentations available to the high school faculty and students.
- c. Develop an expertise in various subjects that can be presented to the students. Such subjects should include a basic understanding of the laws, the role of the police officer and the police mission, and other topics that relate to student or school safety.

Duties and Responsibilities of Supervisor

- a. Program development and administration.
- b. Approving reports, overseeing problem solving efforts, providing leadership, training, direction, evaluations,
- c. Establishing rapport with the school Principals and GISD staff.
- d. Performing scheduled and non-scheduled visits to the school campuses.
- e. Liaison with School Principals.

“Parent” Defined

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

Participating in Graduation Activities

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

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

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

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

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

Unauthorized Persons

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

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

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

Standards for Student Conduct

Each student is expected to:

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

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page , **DAEP Placement** on page , **Placement and/or Expulsion for Certain Offenses** on page , and **Expulsion** on page , certain offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed in that section on page 25.

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 35.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.

- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 35.)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 35.)

Possession of Prohibited Items

Students shall not possess or use:

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

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 35. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page and **Expulsion** on page 37 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

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

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

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

Discipline Management Techniques

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

Students with Disabilities

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

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

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

Techniques

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

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

- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page .
- Placement in a DAEP, as specified in **DAEP** on page 28.
- Placement and/or expulsion in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 35.
- Expulsion, as specified in **Expulsion** on page 37.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

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

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

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

Notification

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

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office through the [Georgetown Policy Manual Online](#).

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

Drug Testing Procedures

The District has a vital interest in maintaining a positive learning environment that is safe and healthy for all students. To fulfill that purpose, the District designed this random drug-testing program as a positive, proactive approach to promote a drug- and alcohol-free student body. The program is academically nonpunitive. However, it is designed to teach self-responsibility and that there are consequences for misbehavior. This program shall be in effect for a student's entire District extracurricular participation in grades 9–12.

By adopting this program, the District desires to:

1. Provide for the health and safety of all students;
2. Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs;
3. Deter students from using drugs;
4. Prevent injury or harm to students that may arise as a result of drug use; and
5. Encourage students who use drugs to participate in a drug-treatment program.

Applicability:

Since drug use can increase the risk of injury to students participating in school-sponsored competitive extracurricular activities, and since these students are often role models to other students, the District shall require all students in grades 9–12 who participate in designated school-sponsored competitive extracurricular activities to undergo random drug testing.

Participation includes competition and involvement in events of the extracurricular activities. Participation does not include attendance at school events such as athletic contests, drama productions, or social functions.

Prior Written Permission:

Written parental consent to random drug testing must be completed before a student is allowed to participate in a practice or competition of a school-sponsored competitive extracurricular activity. No student may participate in a practice or competition until the consent form is executed and on file with the designated school official. If the student is of legal age (age 18 or older), he or she must sign the permission form. Consent forms shall be valid for the current school year only.

Because participation in extracurricular activities is a privilege and not a right, refusal to consent to random drug testing will result in the denial of participation in the identified extracurricular activities.

Orientation:

The students shall be informed of the sample collection process, privacy arrangements, drug-testing procedures, and other areas that may help to reassure the student participants and help avoid embarrassment or uncomfortable feelings about the drug-testing process.

This random drug-testing policy shall be distributed to all student participants in grades 9–12 at the beginning of each school year. Newly enrolled students shall receive a copy of the policy as they register at their campus.

Notification of Test Results

Confidentiality:

Student privacy shall be protected in accordance with all applicable laws. Records of test results shall be kept confidential and provided only to parents, administrators, personnel responsible for administering the extracurricular activity, other school officials with a legitimate interest in the information, or as otherwise required by law or overriding health and safety concerns. Test results shall be kept separate from other school records, and school personnel shall only be allowed to view the information if they have a legitimate interest in the results. Results shall not be shared with law enforcement except as required by law. Upon written request of parents/guardians or a student of legal age, test results may be released to treatment facilities.

All test results shall be destroyed when the student graduates or when the student's eligibility to participate in competitive extracurricular activities expires. The test results shall not be transferred to another district.

Notification:

If a student tests positive for a prohibited substance identified in this policy, the designated administrator shall notify the parent/guardian or student of legal age within five school days of receiving a confirmed positive test result.

In those cases where the test result indicates the presence of the prohibited substance that could have a medical explanation, the parent/guardian or student of legal age will be asked to contact a medical review officer (MRO) employed by the testing entity within one school day of receiving a confirmed positive test result. The MRO will confer with a parent and determine if there is a medical explanation for the positive test result. If the parent provides a medical excuse with documentation, the MRO shall report the test result as negative. However, without medical documentation, the MRO shall report a confirmed positive test result to the designated school administrator within one school day of conferring with the student's parent.

Consequences for First Positive Test Result

The District has established the following consequences for the first positive test result.

Conference:

Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.

Counseling:

With a medical release from a physician, a student may continue to participate and must successfully complete six counseling sessions (one per week) within a six-week period.

Additional Testing:

The student must submit to a new drug test and have a negative (clean) test result.

Maintenance Program:

A positive test shall result in mandatory testing for the next three consecutive testing dates. Three consecutive negative tests shall allow the student to return to random selection. A positive result during the maintenance program shall result in the next level of consequences.

Failure to Comply:

Failure to meet these requirements will result in the student being disciplined under the second positive test result protocol.

Consequences for Second Positive Test Result

The District has established the following consequences for the second positive test result.

Conference:

Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.

Suspension:

The student shall be suspended from all competitive extracurricular activities, including travel and competitions, for six calendar weeks from the parent meeting (the student will be allowed to continue to practice, pending a medical release from a doctor, for the duration of the suspension).

Counseling:

As a prerequisite for returning to full participation, the student must successfully complete another six counseling sessions (one per week) within a six-week period.

Additional Testing:

As a prerequisite for returning to full participation, the student must submit to a new drug test and have a negative (clean) test result.

Maintenance Program:

A positive test shall result in mandatory testing for the next three consecutive testing dates. Three consecutive negative tests shall allow the student to return to random selection. A positive result during the maintenance program shall result in the next level of consequences.

Failure to Comply:

Failure to meet these requirements will result in the student being disciplined under the third positive protocol.

Consequences for Third Positive Test Result

The District has established the following consequences for the third positive test result.

Conference:

Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.

Loss of All Extracurricular Privileges

The student shall lose extracurricular participation privileges and shall be removed from the program for one calendar year.

Counseling:

As a prerequisite for returning to full participation, the student must successfully complete another 18 counseling sessions.

Failure to comply:

Failure to meet these requirements will result in the student being disciplined under the fourth positive test result protocol.

Consequences for Fourth Positive Test Result

The District has established the following consequences for the fourth positive test result.

Conference:

Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.

Loss of All Extracurricular Activities

The student shall lose all extracurricular participation privileges and shall be removed from the program for the remainder of the student's District education.

Counseling:

Counseling may be set up at the parent's request.

Refusal to submit to testing

Refusal to submit to a drug test or noncompliance with the testing after signing the consent form shall result in the same consequences as if the student had received a positive test.

Adulterated Specimen

If the testing entity determines that a student adulterated or tampered with a specimen, the student shall receive the same consequence as if the student had received a positive test/

Substance Abuse Counseling

The District shall provide substance abuse counseling or shall accept substance abuse counseling provided by a certified chemical dependency counselor or at any agency certified by the Texas Department of Health or the Texas Department of Alcohol and Drug Addiction Services.

Academically Nonpunitive

A positive drug test shall not affect the student's grade in any curricular class associated with the extracurricular activity. However, if participation in the extracurricular activity is required for the class, the student may be required to satisfy participation requirements in alternative ways. Drug test results shall not be documented in the student's academic records.

Positive Test Results

All positive test results shall be confirmed by a second, more definitive test before being reported as positive. The student or the parent or person otherwise in lawful control of the student may also request a retest of the original specimen, but the retest, if requested, shall be at the expense of the student or the parent or person otherwise in lawful control of the student. A request to retest shall be made in writing to the Superintendent within 48 hours of the meeting with the designated administrator, and payment for the retest shall be included with the request.

Appeal Process

A parent or student may appeal a positive result in accordance with District policy FNG(LOCAL) governing student and parent complaints. Consequences established in this drug-testing policy shall not be deferred pending the completion of the appeal process. If the conclusion of the appeal is not in the student's favor, the number of days the student was prohibited from participation during the appeal process will be deducted from the total days of suspension the student must serve as a consequence for the positive drug test. If the conclusion of the appeal is in the student's favor, the student shall be allowed to return to normal participation in all activities.

Relationship to Other Violations of the Student Code of Conduct

This drug-testing policy does not in any way modify the disciplinary provisions of the Student Code of Conduct or Chapter 37 of the Texas Education Code. If a student sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, the student shall be subject to the disciplinary provisions of the Student Code of Conduct. A positive drug test is not in and of itself proof that a student has violated the Student Code of Conduct. For more information on the District's disciplinary rules regarding drugs and alcohol, please refer to the Student Code of Conduct.

Testing Procedures

Random Selection:

The District shall provide the testing entity with a list of all identified competitive extracurricular activity participants. Students shall be chosen for the testing by computer-generated random selection conducted by the testing entity. The random selection process is intended to eliminate subjective factors from playing a role in the selection of the students to be tested.

Frequency:

A percentage of students in grades 9–12 participating in school-sponsored competitive extracurricular activities shall be randomly tested. Each school year, the administration shall determine the percentage of students to be tested based on the number of extracurricular activity participants.

Testing Standards:

Testing shall be conducted through accepted scientific means using approved practices and procedures established by the testing entity selected by the District. The testing parameters shall be set at industry standards as defined by the National Institute for Drug Abuse. The testing entity will be certified by the Substance Abuse and Mental Health Services Administration

(SAMHSA) and have greater than five years of experience in toxicology testing and chain-of-custody procedures.

The drug test shall be performed by urinalysis. All presumptive positive results shall be confirmed by a second test of the same specimen.

The testing entity may use quantitative results to determine if positive results on repeat testing indicate recent use of illegal drugs or the natural decline of levels of the illegal drug from the body. If the testing entity feels the quantitative levels do not reflect current use, then a negative result may be reported.

Collection of Sample:

Upon arrival at the District, the testing entity will provide the names of the selected students to the supervising school official who will arrange for these students to report to the collection area. Students will be tested in an isolated facility under the supervision of a school official of the same gender. Students will provide a urine sample in a restroom or other private facility behind a closed stall. The supervising school official will assist the testing entity representative in testing the warmth of the specimen and ensuring an accurate chain of custody. Neither the supervising school official nor the testing entity representative will directly observe the students providing their urine samples. Facilities shall be secure with only one student testing at a time to ensure security and confidentiality for each individual.

The urine sample will be collected in a sealed split specimen (parts A and B) collection container provided by the testing entity. The student will provide the collected sample to the testing entity representative, and the school official will confirm that the student's identification information on the sample is correct. The split specimen bottle will be sealed and witnessed by the student. The testing entity representative will take all specimens to the laboratory for analysis.

A copy of the specimen collection and chain-of-custody procedures used by the District and the testing entity shall be made available to any parent or student upon request.

Substances Eligible for Testing

The District reserves the right to test for:

- Amphetamines
- Steroids
- Cocaine
- Propoxyphene
- Barbiturates
- Phencyclidine
- Methaqualone
- Alcohol
- Benzodiazepines
- Marijuana/cannabinoids
- Opiates
- Inhalants/abusable volatile chemicals

Statistical Reporting

The District will receive a report showing the number of tests performed, the rate of positive and negative test results, and the substances found in the positive urine specimens. The report will

not include the individual results of an identifiable student. The testing entity may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without express written consent of the Board.

Removal from the School Bus

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

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

Sex Discrimination and Sexual Harassment

Non-Discrimination Statement

Georgetown ISD does not discriminate on the basis of race, religion, color, ethnicity, religion, national origin, gender, sex, disability, age, sexual orientation, genetic information, gender identity, or gender expression, or any other basis prohibited by law or District policy in providing education services, activities, and programs.

Sex Discrimination and Sexual Harassment Prohibited

In accordance with Title IX, Georgetown ISD does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate on the basis of sex extends to admission of students in the District's educational programs or activities and employment. Inquiries about the application of Title IX may be referred to the District's Title IX Coordinator, the Assistant Secretary for Civil Rights of the Department of Education, or both.

Title IX Coordinator

Georgetown ISD has designated and authorized the following employee to serve as its Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment:

Heather Stoner, Director of Operations and Title IX

507 E. University Ave.

Georgetown, Texas 78626

stonerh@georgetownisd.org

titleix@georgetownisd.org

512-943-5000 extension 5036

Retaliation

Retaliation against a person because the person has made a report or complaint of sexual harassment, sexual assault, dating violence, domestic violence, or stalking or because the person has testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding reported sexual harassment, sexual assault, dating violence, domestic violence, or stalking is prohibited. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitute retaliation.

An individual's exercise of rights protected by the First Amendment of the United States Constitution does not constitute prohibited retaliation.

False Claim

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX investigation or grievance proceeding also does not constitute retaliation.

Sexual Harassment Response and Prevention

Prohibited Conduct

Georgetown ISD prohibits discrimination, harassment, dating violence, domestic violence, stalking, and retaliation as defined below, even if the behavior does not rise to the level of unlawful conduct. Prohibited conduct also includes sex-based discrimination and harassment as defined by Title IX and District Board policy. [See FFH(LEGAL) and FFH(LOCAL)] Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or,
- "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Examples of sexual harassment of a student may include sexual advances; touching private body parts, or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact that a reasonable person would not construe as sexual in nature. However, romantic, sexual, and other inappropriate social relationships between students and District employees are prohibited, even if consensual.

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. Gender-based harassment can occur regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity.

Under Georgetown ISD Board policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples of gender-based harassment may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Sexual assault as defined in 20 U.S.C. § 1092(f)(6)(A)(v) means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Dating violence is defined in 34 U.S.C. § 12291(a)(10) as violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship or any of the person's past or subsequent partners.

Domestic violence as defined in 34 U.S.C. § 12291(a)(8) includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking is defined in 34 U.S.C. § 12291(a)(30) as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Reporting Procedures

Any person may report sex discrimination including sexual harassment, sexual assault, dating violence, domestic violence, and/or stalking, regardless of whether the person is the alleged victim of the conduct. Reports of sex discrimination, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment can be made at any time, including during non-business hours, by mail, phone, or email by contacting the Title IX Coordinator using the contact information provided above. Reports can also be made in person.

Upon the District receiving notice or an allegation of sex-based discrimination or harassment, the Title IX Coordinator will promptly respond in accordance with the process described in FFH (LOCAL).

District’s Response to Sex-Based Harassment

Upon the District’s receipt of notice or an allegation of sex-based discrimination, harassment, or retaliation—regardless of whether a formal complaint is filed—the Title IX Coordinator will contact the individual who was the alleged victim of sex-based discrimination or harassment to discuss the availability of supportive measures and inform them of the process for filing a formal complaint. If a formal complaint is filed, the matter will proceed through the District’s Title IX grievance process, including an investigation and decision process, as described in policy FFH(LEGAL).

If a student is the alleged perpetrator of sex-based discrimination, sexual harassment, or retaliation, the respondent student may be subject to immediate emergency removal from his or her campus after the District conducts an individualized analysis and if the District finds it necessary to protect a student or other individual from immediate threat to their physical health or safety. If the District decides to remove the respondent student from campus, it will notify the respondent student and provide the respondent student an immediate opportunity to challenge the removal decision.

Complaints alleging Title IX retaliation may be addressed using the District’s Title IX grievance process as outlined in policy FFH(LEGAL).

Confidentiality

To the greatest extent possible, the District respects the privacy of the complainant, persons against whom a report is filed, and witnesses. The District keeps the identity of complainants, respondents, and witnesses confidential, unless disclosure is required by law or necessary to carry out a Title IX proceeding. Limited disclosures may be necessary for the District to conduct a thorough investigation and to preserve the rights of complainants, respondents, and witnesses.

Removal from the Regular Educational Setting

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

Routine Referral

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

Formal Removal

A teacher may also initiate a formal removal from class if:

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

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

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

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

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

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

Returning a Student to the Classroom

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

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

Out-of-School Suspension

Misconduct

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

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

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

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

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

Process

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

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

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

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

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

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

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

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

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

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

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

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

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

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title

5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

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

- A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
- The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

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

Emergency Removal based on Allegations of Sexual Harassment

If a student is the alleged perpetrator of sex-based discrimination, sexual harassment, or retaliation, the respondent student may be subject to immediate emergency removal from his or her campus after the District conducts an individualized analysis and if the District finds it necessary to protect a student or other individual from immediate threat to their physical health or safety.

If the District decides to remove the respondent student from campus, it will notify the respondent student and provide the respondent student an immediate opportunity to challenge the removal decision.

Process

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

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

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

Consideration of Mitigating Factors

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

7. Self-defense (see **glossary**),
8. Intent or lack of intent at the time the student engaged in the conduct,
9. The student's disciplinary history,

10. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, or
11. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
12. A student's status as homeless.

Placement Order

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

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

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

Coursework Notice

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

Length of Placement

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

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

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

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

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

Exceeds One Year

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

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

Exceeds School Year

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

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

13. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
14. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

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

Appeals

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

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FOC(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through *Policy On Line* at the following address: [Georgetown ISD Policy On-Line](#)

Appeals shall begin at Level 1 with the Campus Principal or his/her designee.

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

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

Restrictions During Placement

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

The district shall provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

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

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

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

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

Withdrawal During Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is

completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

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

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

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

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

Transition Services

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

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

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

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to

aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

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

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

20. The date on which the student's conduct occurred,
21. The location at which the conduct occurred,
22. Whether the conduct occurred while the student was enrolled in the district, or
23. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

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

Newly Enrolled Students

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

Expulsion

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

30. Self-defense (see **glossary**),
31. Intent or lack of intent at the time the student engaged in the conduct,
32. The student's disciplinary history,
33. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
34. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
35. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

Any Location

A student **may** be expelled for:

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

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

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

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

Within 300 Feet of School

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

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

Property of Another District

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

While in DAEP

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

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

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

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

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

Under the Penal Code

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

- Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

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

Process

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

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

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

Hearing

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

40. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
41. An opportunity to testify and to present evidence and witnesses in the student's defense, and
42. An opportunity to question the witnesses called by the district at the hearing.

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

The hearing shall be conducted by the board of trustees and the decision to expel shall be made by the board.

Board Review of Expulsion

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

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

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation.

Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

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

44. Self-defense (see **glossary**),
45. Intent or lack of intent at the time the student engaged in the conduct,
46. The student's disciplinary history,
47. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
48. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
49. A student's status as homeless.

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

Not later than the second business day after the hearing, the Campus Principal or his/her designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

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

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

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

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

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

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

Withdrawal During Process

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

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

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

Additional Misconduct

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

Restrictions During Expulsion

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

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

Newly Enrolled Students

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

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the

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

54. The student is a threat to the safety of other students or district employees, or

55. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

Abuse is improper or excessive use.

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

- 56. Causes serious bodily injury to another;
- 57. Uses or exhibits a deadly weapon; or
- 58. 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:
 - f) 65 years of age or older, or
 - g) A disabled person.

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

Arson is defined in part by Penal Code 28.02 as:

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

Assault is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

Bullying is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

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

5. 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;
6. 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
7. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

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

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

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

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

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

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

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

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

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

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

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

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

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

8. Cause action by an official or volunteer agency organized to deal with emergencies;
9. Place a person in fear of imminent serious bodily injury; or
10. 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:

11. 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;
 12. The frame or receiver of any such weapon;
 13. Any firearm muffler or firearm weapon; or
 14. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.
- Such term does not include an antique firearm.

Firearm silencer is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. Gender-based harassment can occur regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity.

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

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

Harassment includes:

15. Conduct that meets the definitions established in district policies DIA(LOCAL), FFH(LEGAL), and FFH(LOCAL);
16. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b)(2) of the Education Code; or
17. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - l) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - m) Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - n) Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; and

- o) Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

Hazing is defined by Section 37.151 of the Education Code as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

- 18. Any type of physical brutality;
- 19. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- 20. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- 21. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit list is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

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

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

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

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

Prohibited weapon under Penal Code 46.05(a) means:

22. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
 - p) An explosive weapon;
 - q) A machine gun;
 - r) A short-barrel firearm;
23. Armor-piercing ammunition;
24. A chemical dispensing device;
25. A zip gun;
26. A tire deflation device;
27. An improvised explosive device; or
28. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

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

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

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

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

Serious misbehavior means:

29. Deliberate violent behavior that poses a direct threat to the health or safety of others;
30. Extortion, meaning the gaining of money or other property by force or threat;

31. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or

32. Conduct that constitutes the offense of:

- s) Public lewdness under Penal Code 21.07;
- t) Indecent exposure under Penal Code 21.08;
- u) Criminal mischief under Penal Code 28.03;
- v) Hazing under Education Code 37.152; or
- w) Harassment under Penal Code 42.07(a)(1) of a student or district employee.

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

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

Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Sexual harassment for purposes of Title IX and this Student Code of Conduct is conduct on the basis of sex that includes one or more of the following: (1) an employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;(2) unwelcome conducted determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or, (3) "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

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

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

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

33. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;

34. Place any person in fear of imminent serious bodily injury;
35. 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;
36. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
37. Place the public or a substantial group of the public in fear of serious bodily injury; or
38. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

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

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

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

[See FOC(EXHIBIT).]

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

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

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

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BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/13/2020 11:45:27

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Courtney Acosta

Department or Campus:

Operations

Title of Agenda Item:

FFH(LOCAL) Policy Changes

Background Information:

Recent legislative updates require that we revise our FFH(LOCAL) policy which addresses discrimination, harassment, and retaliation against District students. The changes made would update definitions and protocols pertaining to Title IX complaints.

Attachments:

<https://drive.google.com/open?id=1mMVepZZIMyrhYOFpMln6tYRMhTPR4VEh>,
https://drive.google.com/open?id=1uK2MtRx-ZkdS4Yq2RyUdhKcH3_e1GzfS

Superintendent's Recommendations:

We request that the changes to policy FFH(LOCAL) be approved by the board.

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

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

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

Prohibited Conduct

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

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

Prohibited Harassment

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

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

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

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or

practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Sex-Based
Harassment**

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

**Sexual Harassment
By an Employee**

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

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

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

By Others

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

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

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

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

Gender-Based Harassment

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

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

Examples

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

Dating Violence

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

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

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

Examples

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

**Reporting
Procedures**

Student Report

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

Employee Report

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

*Definition of
District Officials*

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

*Title IX
Coordinator*

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

*ADA /
Section 504
Coordinator*

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

Superintendent

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

Alternative Reporting Procedures

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

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

Timely Reporting

To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice to Parents

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

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

Investigation of Reports Other Than Title IX

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

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

Initial Assessment

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

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

Interim Action

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action Prohibited Conduct	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of</p>

areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.

Bullying

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

Improper Conduct

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

Confidentiality

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

Appeal

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

Response to Sexual Harassment–Title IX

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

General Response

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

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

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

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

Title IX Formal
Complaint Process

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

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

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

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

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.

Examples

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

False Claim

A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

Records Retention

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

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

Access to Policy and Procedures

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

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

Statement of Nondiscrimination

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

Discrimination

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

Prohibited Conduct

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

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

Prohibited Harassment

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

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

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

Examples

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

Sex-Based Harassment

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

Sexual Harassment
By an Employee

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

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

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

By Others

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

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

Examples

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

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

Gender-Based Harassment

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

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

Examples

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

Dating Violence

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

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

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

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

Examples

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

~~Retaliation~~

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

~~Examples~~

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

~~False Claim~~

~~A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.~~

~~Prohibited Conduct~~

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

**Reporting
Procedures**

Student Report

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

Employee Report

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

*Definition of
District Officials*

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

*Title IX
Coordinator*

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

*ADA /
Section 504
Coordinator*

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

Superintendent

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

**Alternative
Reporting
Procedures**

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

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

Timely Reporting

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

Notice to Parents

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

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

Investigation of Reports Other Than Title IXthe Report

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

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

Initial Assessment

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

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

Interim Action

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

District Investigation

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

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

Criminal Investigation

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

Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action Prohibited Conduct	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for those involved in the report/complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.</p>
Bullying	<p>If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.</p>
Improper Conduct	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
Appeal	<p>A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the</p>

appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

Response to Sexual Harassment–Title IX

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

General Response

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

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

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

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

Title IX Formal Complaint Process

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

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

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;

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

Standard of Evidence

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

Retaliation

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

	<p><u>participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.</u></p>
<p><u>Examples</u></p>	<p><u>Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</u></p>
<p><u>False Claim</u></p>	<p><u>A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.</u></p>
<p>Records Retention</p>	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records controlretention schedules, but for no less than the minimum amount of time required by law. [See CPC]</p>
	<p><u>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</u></p>
<p>Access to Policy and Procedures</p>	<p>Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.</p>



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/10/2020 16:58:12

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

David Biesheuvel

Department or Campus:

Construction & Development

Title of Agenda Item:

Consideration and possible action to authorize the GISD Superintendent to close on the contract to purchase land for a future elementary school and approve a Certificate of Resolutions to memorialize this action.

Background Information:

A contract to purchase a tract of land (about 18.28 acres) in the Southwest quadrant of GISD was signed and effective on 21 May 2020. The feasibility study has been completed and presented to the Trustees in executive session. This land is needed as a future elementary school site.

The title company requires a signed resolution authorizing the GISD Superintendent to sign all documents needed to close on the purchase of this land in lieu of waiting until the Board meeting minutes are officially approved at the September 2020 meeting.



BOARD AGENDA ITEM

Attachments:

https://drive.google.com/open?id=1__wkzte1LR-pn2v9NPfYaegop5cMhUWi

Superintendent's Recommendations:

Authorize the GISD Superintendent to close on the contract and purchase the tract of land in the Southwest quadrant of GISD as presented in executive session with the Board President and Secretary memorializing this action by executing a Certificate of Resolutions.



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/12/2020 12:48:40

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Pam Sanchez, CFO

Department or Campus:

Business Services

Title of Agenda Item:

Adoption of Agreement for the Purchase of Attendance Credits

Background Information:

The purpose of this agreement is to enable the District to reduce its wealth per student to a level that is not greater than the equalized wealth level as determined by the Commissioner of Education in accordance with the TEC, §48.257. Renewal of the Option 3 Agreement is required by TEA annually. TEA has been informed through online certification of the District's intent to exercise Option 3 in order to equalize its wealth for the 2020-21 school year.

For the 2020-2021 school year, the Board delegates contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.009. This includes approval of the Agreement



BOARD AGENDA ITEM

for the Purchase of Attendance Credit.

Attachments:

<https://drive.google.com/open?id=1ysd9UfTt8cRhGPap5qpYU4dIJ7xKJLgD>

Superintendent's Recommendations:

Adoption of Agreement for the Purchase of Attendance Credits for the 2020-2021 school year.

Agreement for the Purchase of Attendance Credit

This agreement is entered into pursuant to the Texas Education Code (TEC), Chapter 49, Subchapters A and D, and rules adopted by the commissioner of education as authorized by the TEC, §49.006. The purpose of this agreement is to enable the district to reduce its local revenue level to a level not to exceed the level established under TEC, §48.257 for the school year.

The school year to which this agreement applies is 2020-21 (the "school year").

The agreement is for Georgetown Independent School District ("the district"), with a county-district number of 246-904, to purchase attendance credit from the state for the school year.

This agreement is subject to the approval of the voters of the district as provided by the TEC, §49.156. The board of trustees of the district agrees to submit to the commissioner of education, on request, a certified copy of the board minutes showing the canvass of the election.

Initial payments will be based on the commissioner's estimate of the total cost of credit as determined under TEC, §49.153, using the district's projected maintenance and operations tax revenue that exceeds the level established under TEC, §48.257 for the school year. The district agrees to make the payments in accordance with the schedule specified in the TEC, §49.154.

The total cost of credit will be determined by the commissioner in accordance with the TEC, §49.153, when final data on the district's maintenance and operations tax revenue that exceeds the level established under TEC, §48.257 for the school year is available. If that amount is less than the amount paid by the district through August 15 of the school year, the difference will be refunded. If that amount is greater than the amount paid, the district shall remit an amount equal to the difference for deposit in the state treasury to be used for the Foundation School Program.

The cost of purchased attendance credit will be reduced for county appraisal district costs. The reduction will be computed in accordance with the TEC, §49.157. If the reduction exceeds the cost for the school year, the difference will be carried forward and applied to each subsequent year's cost until the total amount of the reduction has been exhausted.

Signature of President, Board of Trustees

Date: _____

Signature of Secretary, Board of Trustees

Date: _____

Signature of Superintendent

Date: _____

Typed Name of Superintendent

Date: _____

Signature of Commissioner of Education or Designee



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/12/2020 12:47:11

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Pam Sanchez, CFO

Department or Campus:

Business Services

Title of Agenda Item:

Adoption of 2020 Tax Roll Resolution

Background Information:

Section 26.09 of the Property Tax Code requires approval by the governing body of the appraisal roll each year. The attached resolution provides information on the amount of taxes due based on the 2020 certified appraisal roll.

Attachments:

<https://drive.google.com/open?id=1kuKDH7um9vBaFG4kPA5uYaJC-Ur6zvvL>

Superintendent's Recommendations:

Board adoption of the 2020 tax roll resolution as presented.

GEORGETOWN INDEPENDENT SCHOOL DISTRICT

TAX ROLL RESOLUTION

WHEREAS, Section 26.09 of the Property Tax Code requires adoption by the governing body of the Georgetown Independent School District of the appraisal roll with tax amounts entered by the assessor, for the year 2020-21, and

WHEREAS, such roll was presented to the Georgetown Independent School District's Trustees on August 17, 2020, and appears in all things correct as under the applicable laws of Texas, and

WHEREAS, said Trustees voted in open session to adopt said roll,

IT IS HEREBY RESOLVED by the Trustees that the appraisal roll with amounts due totaling \$147,401,506 for the year 2020 is adopted and is the tax roll for the Georgetown Independent School District for the year 2020-21.

RESOLVED this 17th day of August, 2020.

President
Board of Trustees

Secretary
Board of Trustees



BOARD AGENDA ITEM

Board Meeting Date:8/17/2020

Submitted Date: 8/12/2020 12:45:56

- Consent Agenda
- Action Needed
- Information Only
- Recognition
- Presentation

Action Needed

Name of Person Responsible:

Pam Sanchez, CFO

Department or Campus:

Business Services

Title of Agenda Item:

Adoption of Resolution Setting Tax Rate

Background Information:

Before setting a tax rate, school districts are required to take action on several items. These items include publishing notice of public hearing on the budget and proposed tax rate, conducting the public hearing, adopting a budget and receiving approval from TEA to proceed with the tax rate adoption process after the district has submitted its intent to exercise Option 3 Purchase of Attendance Credit in order to equalize its wealth.

The budget for the 2020-21 fiscal year was adopted on June 15, 2020. The Notice of Public Meeting to Discuss Budget and Proposed Tax Rate was published in the Williamson County Sun on June 3, 2020. The district received approval from TEA on July 30, 2020 to proceed with the tax rate adoption.

After receiving the maximum compressed tax rate from TEA, the proposed tax rate for 2020-21 for the Georgetown Independent School District is \$1.3071. This is comprised



BOARD AGENDA ITEM

of \$0.9781 for general operating and \$0.329 for debt service.

The Maintenance & Operations tax rate has been lowered from \$1.01 to \$0.9781 and the Debt Service rate remains the same as last year.

Attachments:

https://drive.google.com/open?id=14I5rnDMF9_uVD6KZW669067kJZ_bZQnM

Superintendent's Recommendations:

Adoption of the attached resolution setting a tax rate of \$1.3071 per \$100 of taxable value for the 2020 tax year.

GEORGETOWN INDEPENDENT SCHOOL DISTRICT

A RESOLUTION

A RESOLUTION FIXING AND LEVYING SCHOOL DISTRICT AD VALOREM TAXES FOR THE GEORGETOWN INDEPENDENT SCHOOL DISTRICT FOR THE YEAR OF 2020-21, DIRECTING THE ASSESSMENT AND COLLECTION THEREOF:

Whereas, the Board of Trustees of said Independent School District finds that the tax for the year 2020, hereinafter levied for all lawful expenses of the school district and the carrying out of the duties and responsibilities placed upon said school district by law must be levied to provide the revenue requirements of the budget for the ensuing year; and

Whereas, the Board of Trustees of said district further finds that all things prerequisite to the passing of this resolution, including all notices of hearings, consideration of budget and all other things have been done and performed; and

Whereas, the Board of Trustees of said school district further finds that the taxes for the year 2020, hereinafter levied therefore are necessary to pay all lawful expenses of the district and to carry out the duties and obligations placed upon said school district by law (and to provide the required sinking fund on outstanding bonds of the school district and on bonds proposed to be issued for such purposes during the ensuing year);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GEORGETOWN INDEPENDENT SCHOOL DISTRICT THAT;

For the further maintenance of public free schools in this school district (and to pay the principal of and interest on outstanding bonds of the district falling due) during the ensuing year, and for all other lawful purposes, there is hereby levied and ordered to be assessed and collected for the year 2020, and for each year thereafter until it be otherwise provided and resolved, on all property situated within the limits of the boundaries of this school district, and not exempt from taxation by valid laws, an ad valorem tax at the rate of \$1.3071 (\$0.9781 to be used for maintenance and operations and \$0.329 to be used for payment of bonds and interest) on the One Hundred (\$100) Dollars valuation of such property.

This resolution shall become effective upon its passage.

Passed, adopted and resolved by the Board of Trustees, at a meeting at which a quorum was present and a majority of the trustees voting for and at which meeting this resolution, in written form, was before the Board at the time of its adoption on the 17th day of August, 2020.

APPROVED:

ATTEST:

President, Board of Trustees

Secretary, Board of Trustees