

Devine Middle School

Student-Parent Handbook

2016-2017

This book belongs to: _____

*Devine Middle School
400 Cardinal
Devine, TX 78016
830-851-0695*

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DISD BOARD OF TRUSTEES

Mr. Wayde Anderson President
Mrs. Nancy Pepper Vice President
Mr. Henry Moreno, Jr. Secretary
Mr. Carl Brown Member
Mr. Wes Herring Member
Mr. Robert Morales Member
Mrs. Gina Champion Member

DISD ADMINISTRATIVE STAFF

Mr. Scott Sostarich. Superintendent
Mr. Daryl Wendel. Assistant Superintendent
Mrs. Glenda Allen. Interim Director of Federal Programs
Mrs. Dawn Schneider Director of Student Services
Mrs. Valerie Dykstra Director of Special Education and 504
Mrs. Shannon Ramirez Director of Finance

Mr. Derrick Byrd High School Principal
Mr. Steve Anderson High School Assistant Principal
Mrs. Jodi Ann Dzierzanowski High School Assistant Principal
Mr. Roland Cadena High School Counselor
Mrs. Gracie Lopez High School Counselor
Mr. Chad Quisenberry Boys' Athletic Director
Mrs. Terri Wells Girls' Athletic Director

Mrs. Kandi Darnell Interim Middle School Principal
Mrs. Christian Guerra Middle School Counselor

Mr. Blain Martin Intermediate School Principal
Ms. Lysandra Saldana Intermediate Assistant Principal
Mrs. Cassie Brown Intermediate School Counselor

Mrs. Brenda Gardner Elementary School Principal
Mrs. Karla Woerner Elementary Assistant Principal
Mrs. Stephanie Kohlleppel Elementary School Counselor

Mr. Daryl Wendel DAEP Principal

CAMPUS HOURS OF OPERATION

General Office Hours

Regular office hours are 7:30 a.m. until 4:00 p.m., Monday through Friday.

An appointment before or after regular office hours may be arranged by contacting the school office at 830-851-0695.

Bell Schedules

Daily Schedule	
1 st Period	7:55-8:44
2 nd Period	8:48-9:40
3 rd Period	9:44-10:33
4 th Period	10:37-11:26
Lunch	11:26-12:14
5 th Period	12:18-1:08
6 th Period	1:12-2:02
7 th Period (PRIDE)	2:06-2:38
8 th Period	2:42-3:32

Activity and Early Dismissal Schedule	
First Bell	7:50 a.m.
1 st Period	7:55-8:28
2 nd Period	8:32-9:05
3 rd Period	9:09-9:42
4 th Period	9:46-10:19
5 th Period	10:23-10:55
6 th Period	10:59-11:26
Lunch	11:26-12:14
8 th Period	12:18-1:00

Pep Rally Schedule	
First Bell	7:50
1 st Period	7:55-8:44
2 nd Period	8:48-9:40
3 rd Period	9:44-10:33
4 th Period	10:37-11:26
Lunch	11:26-12:14
5 th Period	12:18-1:08
6 th Period	1:12-2:02
8 th period	2:06-2:56
Pep Rally	3:00-3:32

PRIDE After Lunch Schedule	
First Bell	7:50
1 st Period	7:55-8:44
2 nd Period	8:48-9:40
3 rd Period	9:44-10:33
4 th Period	10:37-11:26
Lunch	11:26-12:14
7 th Period	12:18-12:50
5 th Period	12:54-1:44
6 th Period	1:48-2:38
8 th Period	2:42-3:32

CAMPUS TRADITIONS

Devine Middle School Mascots

Colts and Fillies

School Colors

Maroon and Gold

Alma Mater (School Song)

Devine Middle School

The Colts are marching onward
To another victory.
Nothing can stop them.
Watch our boys go
Round the end and back again.
The victory is ours.
We'll never fail.
Fight for Devine
For the game is ours!

PREFACE

Please note that references to policy codes are included so that parents can refer to current board policy. The district's official policy manual is available for review in the district administrative office, and an unofficial electronic copy is available at www.devineisd.org.

To Students and Parents:

Welcome to school year 2016–17! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Devine Middle School Student Handbook is designed to provide basic information that you and your child will need during the school year. The handbook is divided into three sections:

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

Section II—OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS—organized alphabetically by topic, and, where possible, further divided by applicability to ages and/or grade levels, for quick access when searching for information on a specific issue.

Section III – Glossary and Appendix

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

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

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

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

Also, please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year. The district encourages parents to stay informed of proposed

board policy changes by attending board meetings. Changes in policy or other rules that affect Student Handbook provisions will be made available to students and parents through newsletters or other communications. The district reserves the right to modify provisions of the Student Handbook at any time, whenever it is deemed necessary. Notice of any revision or modification will be given as is reasonably practical under the circumstances.

Although the Student Handbook may refer to rights established through law or district policy, the Student Handbook does not create any additional rights for students and parents. It does not, nor is it intended to, create contractual or legal rights between any student or parent and the district.

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

Your child's school will request that you provide contact information, such as your current phone number and e-mail address, in order for the school to communicate items specific to your child, your child's school, or the district. If you consent to receive such information through a landline or wireless phone, please ensure that you notify the school's administration office immediately upon a change in or disconnection of your phone number. The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or e-mail communication, so prompt notification of any change in contact information will be crucial to maintain timely communication with you. Standard messaging rates of your phone carrier may apply. If you have specific requests or needs related to how the district contacts you, please contact your child's principal. Please see **Safety** on page 71 for information regarding contact with parents during an emergency situation.

Also, please complete and return to the middle school all 16 (sixteen) of the forms provided in the forms packet distributed at the beginning of the year or upon the student's enrollment.

The following is four examples of the sixteen forms which must be signed and returned:

1. Acknowledgment of Electronic Distribution of Student Handbook;
2. Notice Regarding Directory Information Parent's Response Regarding Release of Student Information form;
3. Consent/Opt-Out Form
4. Student Residency Questionnaire

[See Objecting to the Release of **Directory Information** on page 4 and **Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation** on page 6 for more information.]

SECTION I: PARENTAL RIGHTS

This section of the Devine Middle School Student Handbook includes information related to certain rights of parents as specified in state or federal law.

CONSENT, OPT-OUT, AND REFUSAL RIGHTS

Consent to Conduct a Psychological Evaluation

A district employee will not conduct a psychological examination, test, or treatment without obtaining prior written parental consent unless the examination, test, or treatment is required under state and/or federal law regarding requirements for special education or by the Texas Education Agency (TEA) for child abuse investigations and reports.

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

Teachers may display students' work, which may include personally identifiable student information, in classrooms or elsewhere on campus as recognition of student achievement. However, the district will seek parental consent before displaying students' artwork, special projects, photographs taken by students, original videos or voice recordings, and other original works on the district's website, a website affiliated or sponsored by the district, such as a campus or classroom website, and in district publications, which may include printed materials, videos, or other methods of mass communication.

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

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

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

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

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

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

[See **Video Cameras** on page 84 for more information, including a parent's right to request video and audio equipment be placed in certain special education settings.]

Prohibiting the Use of Corporal Punishment

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

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

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

Please note that if the district is made aware that a student is in temporary or permanent conservatorship (custody) of the state, through foster care, kinship care, or other arrangements, corporal punishment shall not be administered, even when a signed statement prohibiting its use has not been submitted by the student’s caregiver or caseworker.

Limiting Electronic Communications with Students by District Employees

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

An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests.

However, instant or text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity.

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

Objecting to the Release of Directory Information

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated “directory information” from a child’s education records without written consent. “Directory information” is information that is generally not considered harmful or an invasion of privacy if released. Examples include a student’s photograph for publication

in the school yearbook; a student's name and grade level for purposes of communicating class and teacher assignment; the name, weight, and height of an athlete for publication in a school athletic program; a list of student birthdays for generating schoolwide or classroom recognition; a student's name and photograph posted on a district-approved and -managed social media platform; and the names and grade levels of students submitted by the district to a local newspaper or other community publication to recognize the A/B honor roll for a specific grading period. Directory information" will be released to anyone who follows procedures for requesting it.

However, a parent or eligible student may object to the release of a student's directory information. This objection must be made in writing to the principal within ten school days of your child's first day of instruction for this school year. [See the "Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information" included in the forms packet.]

As allowed by state law, the district has identified two directory information lists—one for school-sponsored purposes and the second for all other requests. For all district publications and announcements, the district has designated the following as directory information: student name, photograph, honors and awards received, grade level, participation in officially recognized activities and sports, and weight and height of members of athletic teams. If you do not object to the use of your child's information for these limited school-sponsored purposes, the school will not need to ask your permission each time the district wishes to use the information for the school-sponsored purposes listed above.

For all other purposes, the district has identified the following as directory information: student name, address, telephone listing, electronic email address, photograph, date and place of birth, major field of study, honors and awards received, enrollment status, dates of attendance, grade level, most recent institution attended, participation in officially recognized activities and sports, and weight and height of members on athletic teams. If you do not object to the use of your child's information for these purposes, the school must release this information when the school receives a request from an outside entity or individual.

Also review the information at **Right of Access to Student Records, Curriculum Materials, and District Records/Policies** on page 8.

Participation in Third-Party Surveys

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

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

- Political affiliations or beliefs of the student or the student's parent.

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

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

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

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

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

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

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

Human Sexuality Instruction

Not taught at Devine Middle School.

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

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

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

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 67 and policy EC(LEGAL).]

Religious or Moral Beliefs

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

Tutoring or Test Preparation

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

The school may also offer tutorial services, which students whose grades are below 70 will be required to attend.

[Also refer to policies EC and EHBC, and contact your student's teacher with questions about any tutoring programs provided by the school.]

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

Instructional Materials

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

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

Notices of Certain Student Misconduct to Noncustodial Parent

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

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

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

Student Records

Access Student Records

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

- Attendance records,
- Test scores
- Grades
- Disciplinary records
- Counseling records
- Psychological records
- Applications for admission
- Health and immunization information
- Other medical records
- Teacher and school counselor evaluations
- Reports of behavioral patterns
- State assessment instruments that have been administered to your child
- Teaching materials and tests used in your child's classroom

Authorized Inspection and Use of Student Records

A federal law, known as the Family Educational Rights and Privacy Act, or FERPA, affords parents and eligible students certain rights with respect to the student's education records. For purposes of student records, an "eligible" student is one who is 18 or older or who is attending an institution of postsecondary education. These rights, as discussed in this section as well as at **Objecting to the Release of Directory Information** on page 4, are:

- The right to inspect and review student records within 45 days after the day the school receives a request for access.
- The right to request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA.
- The right to provide written consent before the school discloses personally identifiable information from the student's records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements. The name and address of the office that administers FERPA are:

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

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

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

Inspection and release of student records is primarily restricted to an eligible student or a student's parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the right to access a student's education records. Federal law requires that, as soon as a student becomes 18, is emancipated by a court, or enrolls in a postsecondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax purposes and, under limited circumstances, when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student's education records, without written consent of the parent or eligible student, in the following circumstances:

- When district school officials have what federal law refers to as a “legitimate educational interest” in a student’s records. School officials would include board members and employees, such as the superintendent, administrators, and principals; teachers, school counselors, diagnosticians, and support staff (including district health or district medical staff); a person or company with whom the district has contracted or allowed to provide a particular institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer); a parent or student serving on a school committee; or a parent or student assisting a school official in the performance of his or her duties. “Legitimate educational interest” in a student’s records includes working with the student; considering disciplinary or academic actions, the student’s case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official’s professional responsibility to the school and the student; or investigating or evaluating programs.
- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, TEA, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, school district/system, or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.
- In connection with financial aid for which a student has applied or which the student has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses information it has designated as directory information [see **Objecting to the Release of Directory Information** on page 4 for opportunities to prohibit this disclosure].

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

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

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

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

The address of the superintendent's office is: 605 W. Hondo; Devine, TX 78016.

The address of the principal's offices is: 400 Cardinal Dr.; Devine, TX 78016.

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

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading policy.

[See FINALITY OF GRADES at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 70, and **Complaints and Concerns** on page 29 for an overview of the process.]

The district's policy regarding student records found at policy FL is available from the principal's or superintendent's office [or on the district's website at www.devineisd.org]. The parent's or eligible student's right of access to and copies of student records do not extend to all records. Materials that are not considered educational records—such as a teacher's

personal notes about a student that are shared only with a substitute teacher—do not have to be made available to the parents or student.

Teacher and Staff Professional Qualifications

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

STUDENTS WITH EXCEPTIONALITIES OR SPECIAL CIRCUMSTANCES

Children of Military Families

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

- Immunization requirements.
- Grade level, course, or educational program placement.
- Eligibility requirements for participation in extracurricular activities.
- Graduation requirements.

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

Additional information may be found at <http://tea.texas.gov/index2.aspx?id=7995>.

Parental Role in Certain Classroom and School Assignments

Multiple Birth Siblings

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

Safety Transfers/Assignments

As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying as the term is defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. See the principal for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the board decides to transfer your child to another classroom or campus. Transportation is not provided for a transfer to another campus. [See **Bullying** on page 25, policy FDB, and policy FFI.]
- Request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE.]

Request the transfer of your child to a neighboring district if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.

Service/Assistance Animal Use by Students

A parent of a student who uses a service/assistance animal because of the student's disability must submit a request in writing to the principal at least ten district business days before bringing the service/assistance animal on campus.

Students in Conservatorship

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

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

[See also **Credit by Examination For Advancement/Acceleration** on page 30, **Course Credit** on page 32, and **Students in Foster Care** on page 13 for more information.]

Students Who Are Homeless

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

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

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

Federal laws also allow a homeless student to remain enrolled in what is called the "school of origin" or to enroll in a new school in the attendance area where the student is currently residing.

[See also **Credit by Examination for Advancement/Acceleration** on page 32, **Course Credit** on page 32, and **Homeless Students** on page 14 for more information.]

Students Who Have Learning Difficulties or Who Need Special Education Services

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that

are available to all students including a process based on Response to Intervention (RTI). The implementation of RTI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If the evaluation is needed, the parent will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within the timeline prescribed by law once the district receives written consent. The district must give a copy of the evaluation report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights, if they disagree with the district. The district is required to give parents the Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities. Additional information regarding the Individuals with Disabilities Education Act (IDEA) is available from the school district in a companion document, A Guide to the Admission, Review, and Dismissal Process. Both documents may also be found at <http://framework.esc18.net/display/Webforms/LandingPage.aspx>.

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

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

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is Valerie Dykstra, Director of Special Education at 830-851-0727.

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

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

Students Who Speak a Primary Language Other than English

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will

determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

Students with Physical or Mental Impairments Protected under Section 504

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

The designated person to contact regarding a referral for evaluation applicable to Section 504 is Christian Guerra at 830.851.0605. [Also see policy FB.]

SECTION II: OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS

Topics in this section of the handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is conveniently organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. Where possible, the topics are also organized to alert you to the applicability of each topic based on a student's age or grade level. Should you be unable to find the information on a particular topic, please contact a campus administrator.

ABSENCES/ATTENDANCE

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

Compulsory Attendance

Age 19 and Older

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day until the end of the school year. If a student age 19 or older has more than five unexcused absences in a semester, the district may revoke the student's enrollment. The

student's presence on school property thereafter would be unauthorized and may be considered trespassing. [See policy FEA.]

Between Ages 6 and 19

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

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

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

Exemptions to Compulsory Attendance

All Grade Levels

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

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Documented health-care appointments, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student's return to campus.
- For students in the conservatorship (custody) of the state,
- Mental health or therapy appointments
- Court-ordered family visitation or any other court-ordered activity, provided it is not practical to schedule the student's participation in the activity outside of school hours.

As listed in Section I at **Children of Military Families**, absences of up to five days will be excused for a student to visit with a parent, step-parent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments. **Please see page 12 for that section.**

Secondary Grade Levels

Absences of up to two days in a school year will also be considered an exemption

- for a student serving as an early voting clerk, provided the district's board of trustees has authorized this policy in FEA (LOCAL), the student notifies his or her teachers, and the student receives approval from the principal prior to the absences.
- A student serving as an election clerk if the student makes up any work missed.

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

Failure to Comply with Compulsory Attendance

All Grade Levels

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

Age 19 and Older

After a student age 19 or older incurs a third unexcused absence, the district will send the student a letter as required by law explaining that the district may revoke the student's enrollment for the remainder of the school year if the student has more five unexcused absences in a semester. As an alternative to revoking a student's enrollment, the district may implement a behavior improvement plan.

Between Ages 6 and 19

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

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

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

If a student age 12 through age 18 violates the compulsory attendance law, both the parent and student could be charged with a criminal offense.

[See policy FEA(LEGAL).]

Attendance for Credit or Final Grade (Kindergarten-Grade 12)

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

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

In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences for the reasons listed above at **Exemptions to Compulsory Attendance** will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will review absences incurred based on the student's participation in board-approved extracurricular activities. These absences will be considered by the attendance committee as extenuating circumstances in accordance with the absences allowed under FM(LOCAL) if the student made up the work missed in each class.

- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit.

The student or parent may appeal the committee's decision by following policy FNG (LOCAL).

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

Official Attendance-Taking Time

The district must submit attendance of its students to Texas Education Agency (TEA) reflecting attendance at a specific time each day.

Official attendance is taken every day at 9:00 a.m., which is during the second instructional hour as required by state rule.

A student absent for any portion of the day, including at the official attendance-taking time, should follow the procedures below to provide documentation of the absence.

Documentation after an Absence (All Grade Levels)

When a student is absent from school, the student—upon returning to school—must bring a note, signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older or is an emancipated minor under state law. A phone call from the parent may be accepted, but the district reserves the right to require a written note.

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

Doctor's Note after an Absence for Illness (All Grade Levels)

Within 3 days of returning to school, a student absent for more than three consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. Otherwise, the student's absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

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

Policy FEC(LOCAL).

When a student has attended a doctor's appointment, written verification from the doctor's office will be needed in order for the absence to be excused. A parent's note stating that the child had a doctor's appointment will be considered "discretionary leave" and count towards the three-day limit.

Parents should attempt to schedule all appointments after school hours whenever possible. When it is not possible and in the case of routine check-ups, procedures, or illnesses which are not contagious to other students, it is recommended that students attend school prior to their doctor's appointment and/or return to school following the appointment.

The campus principal or his/her designee shall have the final word in determining whether or not an absence is excused or unexcused when there are extenuating or unusual circumstances surrounding the absence. The Campus Attendance Committee may grant excused absences in which extenuating or unusual circumstances extend beyond the three-day limit of discretionary leave in any semester, and for which proof of a doctor's office visit is not available.

Discretionary Leave, Excused and Unexcused Absences, Truancy

Discretionary leave promotes a "No Need to Lie" understanding between the parent and the school district. It allows the parent to decide when it is in the best interest of their child to be absent from school for illness without needing to go to the doctor. Likewise, it allows the parent to take their student out of school for personal/family business without feeling compelled to write a false excuse indicating illness or some other reason for the absence.

Discretionary leave requires that the parent send a written excuse for the child's absence, tardiness or early departure, but it does not place any limitations on the reason for the absence. Each student will be allowed a maximum of three discretionary leave days per semester. These three absences with parental acknowledgement will be excused regardless of the reason for the absence. (e.g. illness for which the parent chooses not to take their child to the doctor, taking an extended weekend to visit relatives out of town, taking a child to watch a sibling participate in an extracurricular event, prospective college visits, etc...).

Once a student exceeds the limit of three excused discretionary absences, tardies, or early departures in any semester, each absence, tardy or early departure thereafter will be considered unexcused unless proof of a doctor's* office visit or court appearance is established.
*(medical doctor, psychological doctor, professional counselor, dentist, orthodontist, optometrist or other licensed medical professional)

Beyond the three allowable excused discretionary absences, tardiness, and early departures, all other absences require proof of doctor's office visit, court appearance, or approval by the campus principal for extenuating circumstances in order to be excused. Without a written, signed note from a parent for discretionary leave or official documentation, all missed time is considered unexcused. **Students who do not return to school with a note will be issued an unexcused absence until the proper documentation is submitted. Failure to do so within three days of the absence will result in the absence being permanently recorded as unexcused.**

An unexcused absence will also be given to a student who leaves school without permission, or who is truant. A student is truant when he/she misses a class or part of a class without parents and/or school having been informed in advance. In cases of suspected truancy, the principal may refuse to accept a parent's note as allowable discretionary leave, and the student's absence may be recorded as unexcused. He/she may also face disciplinary sanctions for truancy according to local policy.

Admit Slips

Students are expected to obtain their admit slip before school or during lunch, and may be assigned campus detention for not getting their slip on time or not bringing an excuse. DMS - 7th grade athletes will come to the office to get their admit slips at the end of 1st period athletics.

Tardies and Late Arrival to School

A student who is tardy to first period by more than twenty minutes will be marked absent for that class period. When the student arrives at school, he/she must first come by the office, sign in, and be issued an admit slip before reporting to class. The student should make every effort to bring his/her parent-signed note with him/her on that same day.

If a student is tardy to classes subsequent to first period, he/she will go directly to class, and the teacher will record the tardy. Teachers will mark students tardy on the official attendance records. There is no differentiation for tardies as there are for absences. All tardies appearing on attendance records are considered unexcused. If a student has an acceptable excuse for being late, the tardy is not recorded.

A DMS student who is tardy will be disciplined.

After School Detention - Rules

After school detention will start promptly at 3:45 p.m. Students can only do one of two things during detention: work independently on classroom assignments or sit perfectly quiet with their heads off the table. If a student is told to leave because he or she is disrupting the detention, they will automatically be placed in ISS the following day.

Competition Days

Students must attend school at least four hours on game or competition days, unless the student's athletic director or UIL director, principal, or designee approves extenuating circumstances.

Driver License Attendance Verification

For a student between the ages of 16 and 18 to obtain a driver license, written parental permission must be provided for the Texas Department of Public Safety (DPS) to access the student's attendance records and, in certain circumstances, for a school administrator to provide the student's attendance information to DPS. A verification of enrollment (VOE) form may be obtained from the office, which the student will need to submit to DPS upon application for a driver license.

ACCOUNTABILITY UNDER STATE AND FEDERAL LAW

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

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;
- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA;
- The performance ratings of the district's evaluation of community and student engagement using the indicators required by law; and
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

Information about all of these can be found on the district's website at www.devineisd.org. Hard copies of any reports are available upon request to the district's administration office. TEA also maintains additional accountability and accreditation information at <http://www.texaschoolaccountabilitydashboard.org> and <http://www.tea.texas.gov>.

AWARDS AND HONORS

Honor Rolls

DMS students are rewarded at the end of the year by being named to the "All A's Honor Roll," for which students must have all A's (90 or above) on their report cards in all subjects all year.

Students may also be named to the “A-B Honor Roll,” for which students may have no more than two B’s (80 or above) and the rest A’s in all subjects all year.

Honor Rolls are also published in the local paper every six weeks.

National Junior Honor Society (NJHS)

Seventh and eighth graders in middle school (NJHS) are invited by a faculty committee to apply for membership based upon cumulative grade point average requirements and standards set by the national society. The applications are reviewed by the faculty committee and congratulatory invitations to join the society are issued to those selected. Selection criteria considered by the committee include:

- Scholarship
- Service
- Leadership
- Character
- Citizenship

An induction ceremony for family and friends is held to honor those selected for society membership. For more information, contact the campus sponsor: Sharie Miller at DMS.

Extracurricular, Organizational and Teachers’ Awards

At the end of each school year, each teacher is allowed to select two students to receive awards or special recognition in the course(s) or subject(s) they teach. At DMS, a Most Improved Student and a Most Outstanding Student are selected. In addition, teachers may choose to recognize each student earning all A’s in a subject area. An awards assembly is scheduled during the school day, usually within the last two weeks of school, to recognize these students.

BULLYING (ALL GRADE LEVELS)

Bullying occurs when, on multiple occasions, a student or group of students engages in written or verbal expression, expression through electronic methods, or physical conduct against another student on school property, at a school-sponsored or -related activity, or in a district operated vehicle, and the behavior:

- Results in harm to the student or the student's property,
- Places a student in reasonable fear of physical harm or of damage to the student's property, or
- Is so severe, persistent, and pervasive that it creates an intimidating, threatening, or abusive educational environment.

This conduct is considered bullying if it exploits an imbalance of power between the student perpetrator(s) and the student victim and if it interferes with a student's education or substantially disrupts the operation of the school.

Bullying is prohibited by the district and could include multiple incidents of hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor-spreading, or ostracism. In some cases, bullying can occur through electronic methods, called "cyberbullying."

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. The district will also contact the parents of the victim and of the student who was found to have engaged in the bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

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

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. The parent of a student who has been determined by the district to be a victim of bullying may request that his or her child be transferred to another classroom. [Also see **Safety Transfers/Assignments** on page 13.]

A copy of the district's policy is available in the principal's office, superintendent's office, and on the district's Web site, and is included at the end of this Handbook in the form of an

appendix. Procedures related to reporting allegations of bullying may also be found on the district's Web site.

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

[Also see **Safety Transfers/Assignments** on page 13, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 33, **Hazing** on page 51, policy FFI, and the district improvement plan, a copy of which can be viewed in the campus office.]

Career and Technical Education (CTE) Programs (*Secondary Grade Levels Only*)

The district offers career and technical education programs in the following areas: Career Investigations. The class is offered as an elective in 7th grade.

These programs will be offered without regard to race, color, national origin, sex, or disability. Devine ISD will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and CTE programs. [Also see **Nondiscrimination Statement** on page 64 for the name and contact information for the Title IX coordinator and Section 504 coordinator, who will address certain allegations of discrimination.]

CELEBRATIONS (All Grade Levels)

Although a parent or grandparent is not prohibited from providing food for a school-designated function or for children in the child's or grandchild's classroom for his or her birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child's teacher prior to bringing any food in this circumstance. Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers for bringing food products. [Also see **Food Allergies** on page 53.]

CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN

The district has established a plan for addressing child sexual abuse and other maltreatment of children, which may be accessed at Central Office in the District Improvement Plan. As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child. Anyone who suspects that a child has

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

Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior. Emotional warning signs to be aware of include withdrawal, depression, sleeping and eating disorders, and problems in school.

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

As a parent, if your child is a victim of sexual abuse or other maltreatment, the campus counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. To find out what services may be available in your county, see http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp.

The following Web sites might help you become more aware of child abuse and neglect:

- <https://www.childwelfare.gov/pubs/factsheets/whatiscan.pdf>
- http://kidshealth.org/parent/positive/talk/child_abuse.html
- <http://taasa.org/resources-2/>
- <https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-1>
- <https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-2>

Reports may be made to:

The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1 800-252-5400 or on the Web at <http://www.txabusehotline.org>).

CLASS SCHEDULES

All students are expected to attend school for the entire school day and maintain a class/course schedule to fulfill each period of the day.

Teachers, counselors, and administrators work closely with students each spring to select an appropriate schedule of courses for the following year. Students are required to have their parents review course selections and sign the course request sheet signifying their approval. When schedules are created, the school counselor and administration work hard to balance sections and student loads. **For these reasons, schedule changes are strictly limited during the school year.**

[See **Schedule Changes** on page 74 for information related to student requests to revise their course schedule.]

Explanation of the P.R.I.D.E. Course – DMS

The purpose of the Devine Middle School P.R.I.D.E. program (Purpose, Respect, Integrity, Discipline, and Excellence) is to provide students with the time and opportunity for basic skills mastery in their identified areas of academic weakness. Students' needs will be identified and they will then be placed in a P.R.I.D.E. class that is teaching those needed TEKS in one of the four core content areas (math, English/Reading, science, and history). Students will receive a numerical grade. If they are not passing their P.R.I.D.E. class they will not be eligible to play in athletic games or competition until the grades are brought up to passing.

At times P.R.I.D.E. will also be used to conduct campus business such as announcements, assemblies, fundraising, service projects, club meetings, and pep rallies without otherwise interrupting scheduled instruction.

COMPUTER RESOURCES

To prepare students for an increasingly technological society, the district has made an investment in computer technology for instructional purposes. Use of these computer resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these resources; violations of this agreement may result in withdrawal of privileges and other disciplinary action.

Students and their parents should be aware that e-mail and other electronic communications using district computers is not private and will be monitored by district staff. [For additional information, see policies at CQ.]

COMPLAINTS AND CONCERNS (All Grade Levels)

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

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

CONDUCT (All Grade Levels)

In order for students to take advantage of available learning opportunities and to be productive members of our campus community, 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 or campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of other students, teachers, and other District staff.
- Respect the property of others, including District property and facilities.
- Cooperate with or assist the school staff in maintaining safety, order, and discipline.
- Avoid violations of the Student Code of Conduct.

Applicability of School Rules

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

Assemblies

Students are required to conduct themselves in assemblies as they do in class. Students who are tardy or who do not abide by school conduct rules during an assembly will be subject to disciplinary action. The following general expectations apply to all school assemblies:

- No booing or catcalls.
- Give your best courtesy and attention to every speaker and performer.
- Enter and leave the assembly in an orderly and quiet manner.
- Do not leave your seat during performance unless absolutely necessary.

Campus Behavior Coordinator

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The campus behavior coordinator at Devine Middle School is Kandi Darnell 830.851.0602.

Cheating/Plagiarism/Academic Dishonesty

Plagiarism is the use of another person's original ideas or writing as one's own without giving credit to the true author. Plagiarism will be considered cheating, and the student will be subject to academic disciplinary action that may include loss of credit for the work in question.

Teachers who have reason to believe a student has engaged in cheating or other academic dishonesty will determine the academic penalty to be assessed, and will document the occurrence on a disciplinary referral to be acted upon by the assistant principal. The use of academic penalties is not governed by the policies pertaining to student discipline, but students and parents may appeal the teacher's decision, using the student complaint policy.

Disruptions of School Operations

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

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.

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

Fieldtrips

Field Trips are a privilege to be earned through good behavior and dependability by individuals and the class as a whole. Only those students who demonstrate responsible behavior during the year will be eligible to attend.

Social Events

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

A student attending a social event will be asked to sign out when leaving before the end of the event; anyone leaving before the official end of the event will not be readmitted.

Most events at DMS are privileges that are earned through good behavior, attendance and grades. At DMS, dances, parties, and/or socials are for DMS students only. Guests are not permitted. Parents are welcome to attend as chaperones, pending approval of a completed volunteer form. If a student needs to leave early before an event has ended, a parent must come into the school to pick up the student. If the student needs to leave early with anyone other than a parent, the student must have a signed note from the parent stating who it is who has permission to do so. This includes older siblings or family members other than the parents. After the event has ended, the student may leave with someone other than their parents, and a permission slip is not required (such as being picked up from an athletic event or practice, etc....).

Please contact the campus principal if you are interested in serving as a chaperone for any school social events.

COUNSELING

Academic Counseling

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

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

Personal Counseling

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. A student who wishes to meet with the counselor should obtain a pass to visit his/her office, or schedule an appointment with the counselor or office secretary. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

[Also see **Substance Abuse Prevention and Intervention** on page 80 and **Suicide Awareness** on page 80.]

COURSE CREDIT (Secondary Grades Only)

A student in grades 9–12, or in a lower grade when a student is enrolled in a high school credit-bearing course, will earn credit for a course only if the final grade is 70 or above. For a two-semester (1 credit) course, the student's grades from both semesters will be averaged and credit will be awarded if the combined average is 70 or above. Should the student's combined average be less than 70, the student will be required to retake the course in which he or she failed.

CREDIT BY EXAM—If a Student Has Taken the Course/Subject

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

The school counselor or principal would determine if the student could take an exam for this purpose. If approval is granted, the student must score at least 70 on the exam to receive credit for the course or subject.

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

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

CREDIT BY EXAM FOR ADVANCEMENT/ACCELERATION—

If a Student Has Not Taken the Course/Subject

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The exams offered by the district are approved by the district's board of trustees, and state law requires the use of certain exams, such as College Board Advanced Placement (AP) and College Level Examination Program (CLEP) tests, when applicable. The dates on which exams are scheduled during the 2016–17 school year will be published in appropriate district publications and on the district's website. The only exceptions to the published dates will be for any exams administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system. When another entity administers an exam, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific exam only once. If a student plans to take an exam, the student (or parent) must register with the school counselor no later than 30 days prior to the scheduled testing date. [For further information, see policy EHDC.]

Students in Grades 6–12

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 60 or higher on an exam administered through the CLEP, or a score of 3 or higher on an AP exam, as applicable. A student may take an exam to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION

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

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. A copy of the district's policy is available at www.devineisd.org . See policy FFH.

Dating Violence

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

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

Discrimination

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

Harassment

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

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

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

Sexual Harassment and Gender-Based Harassment

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

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

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature, such as comforting a child with a hug or taking the child's hand. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender.

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

Retaliation

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

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

Reporting Procedures

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

Upon receiving a report of prohibited conduct as defined by policy FFH, the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined

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

The district will promptly notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the district. In the event alleged prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy FFH.

Investigation of Report

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

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

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

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

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

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

DISCRIMINATION

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 33.]

DISTRIBUTION OF LITERATURE, PUBLISHED MATERIALS, OR OTHER DOCUMENTS (All Grade Levels)

School Materials

Publications prepared by and for the school may be posted or distributed, with the prior approval of the principal, sponsor, or teacher. Such items may include school posters, brochures, flyers, etc...

All school publications are under the supervision of a teacher, sponsor, and the principal.

Non-School Materials from Students

Students must obtain prior approval from the campus administration before selling, posting, circulating, or distributing more than ten copies of written materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any non-school material must include the name of the sponsoring person or organization. The decision regarding approval will be made within two school days.

The campus administration will designate the front office for approved non-school materials to be placed for voluntary viewing or collection by students. The middle school has designated the front office windows as the approved location. [See policy FNAA.]

A student may appeal a decision in accordance with policy FNG (LOCAL). Any student who sells, posts, circulates, or distributes posts non-school material without prior approval will be subject to disciplinary action in accordance with the **Student Code of Conduct**. Materials displayed without approval will be removed.

Non-School Materials...from Others

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA. To be considered for distribution, any non-school material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the campus administration for prior review. The campus administration will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at DGBA or GF.]

The campus administration will designate the front office windows for approved non-school materials to be placed for voluntary viewing or collection. The middle school has designated the front office windows as the approved location.

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy GKD (LOCAL) or a non-curriculum-related student group meeting held in accordance with FNAB (LOCAL).
- Distribution for electioneering purposes during the time a school facility is being used as a polling place, in accordance with state law.

All non-school materials distributed under these circumstances must be removed from district property immediately following the event at which the materials are distributed.

DRESS AND GROOMING

The district's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards. Devine ISD expects its students to maintain a high standard of dress and hygiene. Students should take pride in their appearance and be dressed in a manner that is clean and neat and that will not cause distraction or be a health or safety hazard to themselves or others. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with all the Devine ISD Standardized Dress Code. See Appendix II at the end of this handbook for more information on Devine's Dress Code.

The school recognizes that there will be instances in which students are in attendance at school functions, representing our school at off-campus activities, and special dress days on campus. For this reason, a general dress and grooming code remains in this handbook in addition to the standard code of dress. **The general code also addresses requirements for grooming hair, jewelry, and accessories, as well as footwear—all of which apply on a daily basis along with the Standardized Dress Code.**

If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school. If not corrected, the student will be assigned to in-school suspension (ISS) for the remainder of the day, until the problem is corrected, or until a parent or designee brings an acceptable change of clothing to the school. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

Enforcement of Standards for Dress and Grooming

Any style of dress or fad that draws undue attention to the students—boy or girl—or is considered in poor taste, are handled on an individual basis when possible. Students who persist in not following the rules and regulations pertaining to dress will subject themselves to disciplinary procedures and possible suspension.

DMS Shaving Policy: In the event a student is sent to the office to shave, the student will be charged \$0.50 (50 cents) to shave. On the 2nd and 3rd offenses, students will be allowed to

shave and will also be assigned to detention. Upon the 4th and subsequent offenses, the student will be placed in ISS.

Please note: The principal, in cooperation with the sponsor or coach in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate these standards may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action.

General Dress and Grooming Code [* Applies while in Standard Dress Code as well]	
Hair*	Must be kept clean, neat, and cut in a reasonable and non-distracting style; must be of ONE NATURAL COLOR ; no feathers will be allowed; no facial hair [see next section]. Sideburns must not extend below the ear or extend toward the mouth. Boy's hair length is not to extend past the bottom of the collar in the back, past the eyebrows in the front, nor past the earlobes on the side. Ponytails are not permitted for boys.
Facial Hair*	Boys are expected to be clean shaven at all times.
Jewelry/ Accessories*	No body piercing accessories. Piercing accessories include studs used in the place of nose or tongue rings, etc. No spiked jewelry or accessories nor any other jewelry or accessories with real or fake weapon-like features. No visible tattoos are allowed. Body piercing exception: female students may wear earrings.
Headgear*	No hats, caps, headbands, bandanas, other headgear or head coverings unless approved in advance by the principal. Hats and caps may not be worn in school buildings, including the gym and shop areas, during the school day, 7:30 a.m.-3:45 p.m. When hats and caps are allowed, including during after school/extracurricular activities, they must be worn facing forward at all times (no sideways slants or bills to the back). We encourage students to NOT bring hats to school.
Decoration/ Embellishment	No pictures, emblems, or writings that are lewd, offensive, vulgar, obscene, or that advertise or depict violence, tobacco products, alcoholic beverages, drugs, or any other substance prohibited under policy FNCF(L). No pictures or words that, while not actually using the prohibited word, allude to it.
Footwear*	Shoes must be worn at all times; socks or hosiery must be worn with all types of shoes except sandals; sandals may only be worn in appropriate weather and must substantially cover the top of the foot; "flip-flops"/shower shoes/athletic slides/thongs, house shoes, steel-toed boots, and shoes with metal taps or spikes are not acceptable; tennis shoes that leave black scuff marks on the floor should not be worn; backless shoes must securely hold the foot in the shoe and not "flop"—and for safety reasons, not have small straps but cover a substantial part of the top of the foot. Flip-flops are any shoe with a strap between the toes.
Shirts*	Must be buttoned with no more than the top two buttons open; no low necklines, bare backs, bare midriffs, braless blouses, halter tops, spaghetti straps, tank tops, sleeveless or see-through blouses.
Pants*	No excessively tight or baggy pants; no low-rise/"hip-huggers" or "low-riders;" must fit in the waist, seat, and legs; must be hemmed and should be an appropriate length and not drag the ground.
Shorts, Skirts, Skorts*	No excessively tight or baggy shorts, skirts, or skorts; must be "walking short"/knee-length that is not shorter than approximately three inches above the knee; must be hemmed or cuffed.
Dresses	No low necklines, bare backs, bare midriffs, braless tops, halter tops, spaghetti straps, tank tops, sleeveless or see-through tops; must be knee-length and not shorter than approximately three inches above the knee (including slits); may not be excessively tight.
Additional Standards	May be imposed by classroom teachers, with the principal's guidance, in classes where safety in the use of power machinery, lab equipment, or sanitary conditions in food preparation is mandatory. No trench coats or dusters.

Please note: If there is a question about the appropriateness of apparel or hair, the student is advised to check with a campus administrator **BEFORE** wearing garment in question or changing hair. The code, as stated above may not be all-inclusive; the school reserves the right to determine acceptable and unacceptable dress and grooming and amend the code as necessary.

ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES *(All Grade Levels)*

Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones

For safety purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes. A student must have approval to possess other telecommunications devices such as Apple watches that connect to the internet, any device that has the ability to connect to the internet, netbooks, laptops, tablets, or other portable computers.

The use of mobile telephones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated.

- First offense: Parent may pick up the device from the principal's office.
- Second offense and all subsequent offenses: Only a parent may pick up the confiscated telecommunications device from the principal's office for a fee of \$15.
- Third offense and each offense thereafter: Phones may be confiscated for 30 calendar days and fee of \$15. At the end of 30 calendar days, parent must pick up the phone.

Confiscated telecommunications devices that are not retrieved by the student or the student's parents will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 76 and policy FNF.]

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

Possession and Use of Other Personal Electronic Devices

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

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 76 and policy FNF.]

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

Instructional Use of Personal Telecommunications and Other Electronic Devices

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students must also sign a user agreement that contains applicable rules for use (separate from this handbook). When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Acceptable Use of District Technology Resources

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the district's network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Unacceptable and Inappropriate Use of Technology Resources

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

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

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

END-OF-COURSE (EOC) ASSESSMENTS

Standardized Testing on page 78.

ENGLISH LANGUAGE LEARNERS (All Grade Levels)

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

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR L, as mentioned at **Standardized Testing** on page 78, may be administered to an English language learner, or, for a student up to grade 5, a Spanish version of STAAR. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English language learners who qualify for services.

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

EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

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

Participation in some of these activities may result in events that occur off-campus. When the district arranges transportation for these events, students are required to use the transportation provided by the district to and from the events. Exceptions to this may only be made with the approval of the activity's coach or sponsor. [Also see **Transportation** on page 83.]

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

[See <http://www.uilTEXAS.org> for additional information on all UIL-governed activities.]

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

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an advanced placement or international baccalaureate course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or language other than English—may not participate in extracurricular activities for at least three school weeks.
- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse, but may not participate in any competitive activity.
- A student is allowed in a school year up to ten absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

Standards of Behavior

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the **Student Code of Conduct** or board policy will apply in addition to any consequences specified by the organization's standards of behavior.

[For student-organized, student-led groups, see **Meetings of Non-curriculum Related Groups** on page 76.]

Offices and Elections

Certain clubs, organizations, and performing groups will hold elections for student officers. These groups include: Devine Middle Student Council and the National Junior Honor Society.

In order to obtain the best possible student leadership and to prevent interference with scholastic achievement, all students must have the approval of the appropriate faculty member before consideration by the students for election or appointment to a student office or position of honor.

The areas suggested to the teachers for consideration and approvals are:

1. Scholarship
2. Citizenship
3. Dependability
4. Cooperation
5. Conduct

Students must confer with class/club sponsors for specific qualifications of candidates and election guidelines. These may include payment of dues, attendance, etc...

Causes for Disqualification

Students seeking or holding class, student council or club office, or honorary positions may be disqualified or removed from holding office or the position of honor for the following reasons:

- Suspension from school
- Failure to comply with rules and regulations of the school
- Lack of interest in fulfilling duties of the office
- Lack of cooperation with sponsor
- Failure to maintain the grade average required by the organization
- Conduct/discipline or attendance problems

Removal from office may be subject to administrative review.

FEES (All Grade Levels)

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. A student, however, is expected to provide his or her own pencils, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, including:

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.

- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards. Replacement of a lost or damaged student ID card will cost \$5.00.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that requires use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles** on page 83]
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

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

FUNDRAISING (All Grade Levels)

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes. An application for permission must be made to the campus principal at least fourteen days before the event. [For further information, see policies FJ and GE.]

GANG-FREE ZONES (All Grade Levels)

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a school bus and a

location in, on, or within 1000 feet of any district-owned or leased property or campus playground.

GENDER-BASED HARASSMENT

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 33.]

GRADE LEVEL CLASSIFICATION

Devine Middle School

DMS students are classified according to **Promotion and Retention Standards** found on page 66 of this handbook.

GRADING GUIDELINES

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

Also see **Report Cards/Progress Reports and Conferences** on page 69 for additional information on grading guidelines.

In grades 6–12, achievement is reported to parents numerically as:

- | | | |
|------------|--------------------------|----------|
| • 90-100 | Excellent, Above Average | A |
| • 80-89 | Mid-to-High Average | B |
| • 75-79 | Average | C |
| • 70-74 | Below Average | D |
| • Below 70 | Failure | F |
| • I* | Incomplete | |

Students and/or parents should confer with the teacher, counselor, assistant principal for curriculum and instruction, or principal for further information.

To arrive at a six weeks grade, teachers will take into consideration students' efforts on daily work, class participation, homework, major and minor tests and six weeks examinations. A

student should feel assured that he/she will have ample opportunities to demonstrate his/her knowledge of a subject.

The semester grade will be an average of the three six weeks' grades and the semester exam. Equally weighted long-term projects may also be included in determination of semester grades.

Teachers are not required to give a minimum grade on an assignment; additionally, grades below 50, including zeroes, are allowed for **six weeks tests and semester exams**.

*The "I" indicates work must be immediately turned in; the grade will change to a passing or failing grade one week after the grading period ends.

Any suspected abuse of the grading policy by students or teachers should be discussed with the principal. A grade lower than 50 may be recorded if policy abuse on the part of the student is determined.

Grades

- Every instructor shall have a minimum of twelve daily grades, including participation grades, each six weeks' grading period. The instructor shall also have a minimum of three major grades, of which one may be a six weeks cumulative test and/or project/demonstration of skills mastery. Every instructor (with the exception of athletics and limited other electives as approved by the principal) shall administer a six weeks' assessment. This assessment will include at least one test and/or project (can be a combination of the two).
- Averaging formulas will be determined by each content department with the approval of the principal. Generally, they will follow the guideline below:
 - If a cumulative test/project is given: 40% - 60% Daily; 20% - 40% Major; 20% Six Weeks Test/Project
 - If no cumulative test/project is given: 40% - 60% Daily; 40% - 60% Major
- Every instructor (with the exception of athletics and limited other electives as approved by the principal) will give a semester exam on the date and time designated on fall and spring semester test schedules. Semester exams will count as 25% of the student's cumulative semester average, with each six-week grading period being equally weighted at 25% as well.
- A student's semester average can be raised or lowered by the semester test grade earned. The student may fail for the semester and thus lose semester/course credit as a result of the exam grade.

Late Work

Late work will be addressed by each instructor according to campus policy. The expectation will be explained and made clear to the students and be posted in the classroom and/or included in the syllabus handed out at the beginning of the year and/or each semester.

Testing/Retests

Grading guidelines outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally made a failing grade.

Students in Extracurricular Activities

Students' grades will not be penalized because they are participating in an extracurricular activity. Work that will be missed while participating in an extracurricular activity should be obtained prior to leaving and should be completed either upon return to class or on the date issued by the instructor, which is not to exceed one extra day per day missed for the activity.

Exemptions from Semester Exams

Students may earn exemptions from semester exams depending upon attendance, grades and behavior. Sixth through eleventh grade students may not exempt a subject area exam more than once in a school year (for instance, if a student exempts English II the fall semester he/she may meet all the exemption criteria in the spring semester but will not be allowed exemption for that class). Seniors may take any exemption for which they qualify in both semesters. Students will be disqualified from exemptions if any of the following occur:

- Any unexcused absence in that class
- More than two excused absences in that class
- More than three tardies in that class
- Listed on a campus obligation list
- ISS for one or more class periods at any time during the semester
- Home suspension for one or more class periods at any time during the semester
- Assigned to DAEP at any time during the semester

In order to earn exemptions, students must meet certain criteria for attendance and grades. Exemptions will be earned on an individual class basis. Each class period stands alone, and the classroom teacher will be responsible for determining who is and is not qualified. If an attendance or grade discrepancy exists, then the official record in the school office will stand as the final determination. School administration will provide a master list for teachers of students who are disqualified due to the campus obligation and disciplinary criteria listed above.

Exemption(s) may be granted as follows*:

<u>Attendance</u>	<u>Minimum Avg. # Eligible Classes</u>	
Perfect attendance during semester	75 +	All Classes
One excused absence during semester	80 +	All Classes
Two excused absences during semester	85 +	All Classes

*** Please Note:** In upper level courses (such as Dual Credit, AP and Pre-AP, as well as high school credit classes taken by 8th graders), according to the course description, and at the teacher’s discretion, exemptions may or may not be offered.

STAAR Benchmarks

Each STAAR benchmark test given will be scored and may be counted as a major grade or portion of the six-week test grade for the grading period in which the test occurs.

The average of the two benchmarks may also be counted as a grade for the fifth six weeks grading period according to department standards. Students may be allowed to make corrections to the benchmark tests according to the same policy that is explained under testing.

STAAR Scores

The STAAR scores may be scaled and counted as a major grade in the last six week’s grading period or as a portion of the semester exam grade in the core areas which are tested at the sixth through eleventh grades. Each core area department (math, English language arts, science, and social studies) may develop a policy concerning how the scores will count and communicate that to students and their parents.

Citizenship Grades

Citizenship grades are recorded in each class every six weeks. This grade is not meant to reflect isolated incidents of misconduct; rather, it is intended as a report to both student and parent on the overall conduct during the past grading period.

Citizenship grades are determined according to the following scale:

- **E** Excellent citizenship displayed in class.
- **S** Satisfactory citizenship displayed in class.
- **N** Non-satisfactory—citizenship needs to be improved.
- **U** Unsatisfactory citizenship displayed in class.

[For further information, refer to **Report Cards, Progress Reports, and Conferences** on page 69.]

G/T (Gifted and Talented) Program

The term G/T is an abbreviation for Gifted and Talented and is a program to provide gifted students with differentiated and challenging curricula and experiences. Because G/T or gifted and talented students demonstrate excellence in achievement, DISD developed broad-based G/T identification procedures to reflect the District’s commitment to educate all students, recognizing that some students consistently excel in various ways. This program will offer our gifted and talented students an enriched curriculum with opportunities to explore areas of special interest.

The Devine ISD Gifted and Talented Program is designed to allow G/T children to excel on the four-core academic areas: math, language arts, science and social studies. Since G/T children possess abilities and interests that consistently surpass those of other students in the school, these G/T students need and will profit from specially planned educational services beyond those provided by the standard school program.

HARASSMENT

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 33.]

HAZING

Hazing is defined as any intentional, knowing, or reckless act occurring on or off campus directed against a student that endangers the mental or physical health or the safety of a student for the purpose of pledging, being initiated to, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students.

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

[Also see **Bullying** on page 25 and policies FFI and FNCC.]

HEALTH-RELATED MATTERS

Student Illness

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

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

The district is also required to report certain contagious (communicable) diseases or illnesses to the Texas Department of State Health Services (TDSHS) or our local/regional health authority.

The school nurse can provide information from TDSHS on these notifiable conditions. Contact the school nurse if you have questions or if you are concerned about whether or not your child should stay home.

Bacterial Meningitis (All Grade Levels)

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

- What is meningitis?

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

- What are the symptoms?

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

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

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

- How serious is bacterial meningitis?

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

- How is bacterial meningitis spread?

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

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

- How can bacterial meningitis be prevented?

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

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

- What should you do if you think you or a friend might have bacterial meningitis?

You should seek prompt medical attention.

- Where can you get more information?

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the Web sites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Department of State Health Services, <http://www.dshs.state.tx.us/>.

* Please note that the TDSHS requires at least one meningococcal vaccination for students ages 11 to 12 or for a student enrolling in grade 7 through 12, and state guidelines recommend this vaccination be administered between age 11 and 12, with a booster dose at 16 years of age. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

Also refer to **Immunizations** on page 57 for more information.

Food Allergies (All Grade Levels)

The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening reactions either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic, as well as the nature of the allergic reaction. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy.

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

[Also see policy FFAF and **Celebrations** on page 26.]

Head Lice (All Grade Levels)

Head lice, although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time and when children share things like brushes, combs, hats, and headphones. Because lice spread so easily, the district will need to exclude any student found to have live lice until after one treatment of an FDA-approved shampoo or cream rinse, which can be purchased from a drug store or grocery store. After the student has undergone one treatment, the parents should check in with the school nurse and show proof of the treatment used. The nurse can also offer additional recommendations including subsequent treatments and how best to get rid of lice and prevent their return.

More information on head lice can be obtained from the TDSHS Web site at <http://www.dshs.state.tx.us/schoolhealth/lice.shtm>.

Physical Activity Requirements

Middle School

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in middle or junior high school will engage at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters.

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

School Health Advisory Council (SHAC)

During the preceding school year, the district's School Health Advisory Council (SHAC,) held four meetings. Additional information regarding the district's SHAC is available from the School Nurse, Britny Stricker, 830.851.0806

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing school health services, counseling services, a safe and healthy school environment, recess recommendations, and employee wellness.

[See policies at BDF and EHAA. See **Human Sexuality Instruction** on page 6 for additional information.]

Student Wellness Policy/Wellness Plan

Devine Middle School is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement the policy. You are encouraged to contact Britny Stricker, 830.851.0806 with questions about the content or implementation of the district's wellness policy and plan.

Physical Fitness Assessment (Grades 3-12)

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

Vending Machines (All Grade Levels)

The district has adopted and implemented the state and federal policies guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines contact the Food Services Director, Maisie Goodwin, 830.851.0413. [See policies at CO and FFA.]

Foods of Minimal Nutritional Value (FMNV) Policy

Middle school campuses may not serve or provide access for students to FMNV and all other forms of candy at any time anywhere on school premises until after the end of the last scheduled class.

Such foods and beverages may not be sold or given away to students on school premises by school administrators or staff (principals, coaches, teachers, etc...), students or student groups, parents or parent groups, guest speakers or any other person, company or organization. For exemptions and listing of foods and beverages restricted by the FMNV, please contact the Food Services Director, Maisie Goodwin, 830.851.0413.

This policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide FMNV or candy items for their own child's consumption, but they **may not** provide restricted items to other children at school.

Middle schools may not serve competitive foods (or provide access to them through direct or indirect sales) to students anywhere on school premises from 30 minutes before to 30 minutes

after meal period. This does not pertain to food items made available by the school food service department.

Tobacco and E-Cigarettes Prohibited (All Grade Levels and All Others on School Property)

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off-campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies at FNCD and GKA.]

Asbestos Management Plan

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact Darren VanFossen, the district's designated asbestos coordinator, at 830.851.0750.

Pest Management Plan

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

All pesticides used are registered for their intended use by the United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact David Cardenas, the district's IPM coordinator, at 830.851.0750.

HOMELESS STUDENTS

You are encouraged to inform the district if you or your child are experiencing homelessness. District staff can share resources with you that may be able to assist you and your family. For more information on services for homeless students, contact the district's homeless education liaison, Dawn Schneider at 830.851.0709. [See also **Students Who Are Homeless** on page 14.]

HOMEWORK (All Grade Levels)

Homework may be given at the discretion of each teacher for either daily or major grades (such as projects). Due dates will be specified at the time the assignment is given. Grading policies regarding homework can be found in the section entitled, "Grading Guidelines" beginning on page 48. The section entitled, "Absences/Attendance" beginning on page 16 also gives information regarding campus policies for make-up work to be completed as homework.

At middle school, ALL students must complete their homework every day. If a student does not complete his/her homework, they will be assigned to HOMEWORK DETENTION after school or before school.

ILLNESS

[See **Student Illness** under **Health-Related Matters** on page 51.]

IMMUNIZATIONS (All Grade Levels)

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services, Immunization Branch, can be honored by the district. This form may be obtained by writing the DSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347; or online at <https://corequest.dshs.texas.gov/>. The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are: diphtheria, tetanus, and pertussis; measles, mumps, and rubella; polio; hepatitis A; hepatitis B; varicella (chicken pox); and meningococcal. The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by the TDSHS. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. registered and licensed physician stating that, in the doctor's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long condition.

As noted at **Bacterial Meningitis**, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

[For further information, see policy FFAB(LEGAL) and the TDSHS Web site:
<http://www.dshs.state.tx.us/immunize/school/default.shtm>.]

LAW ENFORCEMENT AGENCIES

Questioning of Students

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

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

Students Taken Into Custody

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

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services, Texas Department of Family and Protective Services, a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety.
- To comply with a properly issued directive to take a student into custody.

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

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

Notification of Law Violations

The district is required by state law to notify:

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

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

LEAVING CAMPUS

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

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent:

- For students in elementary and middle school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.
- If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school. Unless directed by the parent to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures as listed above. If a student is allowed to leave campus by himself or herself, as permitted by the student's parent, or if the student is age 18 or is an emancipated minor, the nurse will document the time

of day the student was released. Under no circumstances will a child in elementary or middle school be released unaccompanied by a parent or adult authorized by the parent.

Closed Campus

All 6th – 8th graders are to remain on the campus during the entire day, including the lunch period. Once on school grounds, a student may not leave during the school day under any circumstances without written permission from the campus administration. If a student knows in advance that he or she will need to leave the campus during school hours, the student shall present a written request from the parent to the principal that morning. If the request is for permission to be off campus for only part of the day, the time should be on the written request. The permit that the student is issued will serve as a pass to leave and to return to the campus. When the student returns to the campus, he or she shall first report to the office for a readmission slip to class.

During Lunch

Students at Devine Middle School may leave campus during lunch only if signed out by his/her parent.

At Any Other Time During the School Day

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

LOST AND FOUND

A “lost and found” collection box is located in the campus office or other designated spot. If your child has lost an item, please encourage him or her to check the lost and found box. The district discourages students from bringing to school personal items of high monetary value, as the district is not responsible for lost or stolen items. The campus may dispose of lost and found items at the end of each six weeks.

MAKEUP WORK

Makeup Work Because of Absence

For any class missed, the teacher may assign the student makeup work based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.

A student will be responsible for obtaining and completing the makeup work in a satisfactory manner and within the time specified by the teacher. A student who does not make up

assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

A student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time, including absences for extracurricular activities, so that the teacher and student may plan any work that can be completed before or shortly after the absence. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold in regards to the state laws surrounding “attendance for credit.” [See also **Attendance for Credit or Final Grade** on page 19.]

A student involved in an extracurricular activity must notify his or her teachers ahead of time about any absences.

A student will be permitted to make up tests and to turn in projects due in any class missed because of absence. Teachers may assign a late penalty to any long-term project in accordance with time lines approved by the principal and previously communicated to students.

Make-up tests will be taken as assigned by the teacher. Make-up time may be scheduled during morning tutorials/detention, lunch, after school tutorials/detention, or Saturday detention.

Extracurricular activities are school-sponsored, scheduled events, and students are not counted absent. Make-up work policy is the same as for an excused absence.

No grade penalty shall be assigned to a student who has been suspended home, but all make-up work policies apply.

[For further information, see policies at EHBC, EIA, FDC, and FDD.]

DAEP Makeup Work

A student removed to a disciplinary alternative education program (DAEP) during the school year will have an opportunity to complete, before the beginning of the next school year, a foundation curriculum course in which the student was enrolled at the time of removal. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FOCA(LEGAL).]

In-school Suspension (ISS) Makeup Work (All Grade Levels)

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will

not charge the student for any method of completion provided by the district. [See policy FO(LEGAL).]

Makeup Hours for Attendance and Course Credit

At the secondary level, grades 6-12, the Campus Attendance Committee may require the successful completion of summer school in order to receive course credit, or as appropriate, the committee may require attendance at Saturday School, special detentions, or tutorials. Participation may also be required in after-school, supervised school-service activities. All make-up hours necessary for attendance purposes must be completed under the direct supervision of Devine ISD personnel.

Students will lose credit in the courses in which they were absent over the allowed limit. Each semester stands on its own. The deadline for making up hours for the fall semester is determined by the principal. Eighth grade students will not be allowed to participate in promotion or graduation exercises if service hours are not completed prior to the date of the ceremony. For all other students, the deadline for completing service hours will be the final day of summer school for hours incurred during the spring semester. Students who do not complete their hours by the deadline will be denied academic credit in all applicable courses and risk retention.

MEDICINE AT SCHOOL

Medication that must be administered to a student during school hours must be provided by the student's parent. All medication, whether prescription or nonprescription, must be kept in the nurse's office and administered by the nurse or another authorized district employee, unless the student is authorized to possess his or her own medication because of asthma or a severe allergy as described below or as otherwise allowed by law.

The district will not purchase nonprescription medication to give to a student. District employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, with the following exceptions:

Only authorized employees, in accordance with policy FFAC, may administer:

- Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.
- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.
- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.

- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

Students whose schedules provide for regular time spent outdoors, including for recess and physical education classes, should apply sunscreen before coming to school.

Whether a student is at the elementary or secondary level, if sunscreen needs to be administered to treat any type of medical condition, this should be handled through communication with the school nurse so that the district is made aware of any safety and medical issues.

In certain emergency situations, the district will maintain and administer to a student nonprescription medication, but only:

- In accordance with the guidelines developed with the district's medical advisor; and
- When the parent has previously provided written consent to emergency treatment on the district's form.

A student with asthma or severe allergic reaction (anaphylaxis) may be permitted to possess and use prescribed asthma or anaphylaxis medication at school or school-related events only if he or she has written authorization from his or her parent and a physician or other licensed health-care provider. The student must also demonstrate to his or her physician or health-care provider and to the school nurse the ability to use the prescribed medication, including any device required to administer the medication.

If the student has been prescribed asthma or anaphylaxis medication for use during the school day, the student and parents should discuss this with the school nurse or principal.

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the school nurse or principal for information. [See policy FFAF (LEGAL).]

Psychotropic Drugs

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health

professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [For further information, see policy FFAC.]

NONDISCRIMINATION STATEMENT

In its efforts to promote nondiscrimination and as required by law, Devine Middle School, does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law, in providing education services, activities, and programs, including CTE programs, and provides equal access to the Boy Scouts and other designated youth groups.

The following district representatives have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender, sex, including sexual harassment or gender-based harassment: : Daryl Wendel, Assistant Superintendent of Curriculum and Human Resources, 605 W. Hondo, Devine TX 78016, 830-851-0795.
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Valarie Dykstra, Director of Special Education, 205 W. College, Devine TX 78016, 830-851-0725.
- All other concerns regarding discrimination: Scott Sostarich, 830-851-0795.

[See policies FB, FFH, and GKD.]

PARENT AND FAMILY ENGAGEMENT (All Grade Levels)

Working Together

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

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.

- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling** on page 31.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office at 830.851.0695 for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 69.]
- Becoming a school volunteer. [For further information, see policy GKG and **Volunteers** on page 86.]
- Participating in campus parent organizations. At DMS, please complete the form, “Opportunities for Parent Volunteers/Sponsorship.”
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. For further information, see policies at BQA and BQB, and contact the campus secretary, Betty Evans, at 830.851.0610.
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council** on page 54.]
- Serving on a committee to determine criteria to be used to evaluate the overall performance of the district and each campus in community and student engagement. For further information, please contact the campus principal.
- Being aware of the school’s ongoing bullying and harassment prevention efforts.
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

PHYSICAL EXAMINATIONS/HEALTH SCREENINGS

Athletics’ Participation (Secondary Grade Levels Only)

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

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

Students are required to undergo a risk assessment for type 2 diabetes at the same time the district screens students for hearing and vision issues, or for abnormal spinal curvatures. Also see policy FFAA.

PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags** on page 7.]

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

PRAYER

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

PROMOTION AND RETENTION

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

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

Middle School Grade Levels

In grades 6-7 promotion is based the 90% attendance requirement as well as the student passing three out of four core subjects (language arts, social studies, math, and science).

In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.

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

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

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

[See **Standardized Testing** on page 78.]

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

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

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

A Personal Graduation Plan (PGP) will be prepared for any student at the middle school or junior high level who did not perform satisfactorily on a state-mandated assessment or is

determined by the district as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. The PGP will be designed and implemented by a school counselor, teacher, or other staff member designated by the principal. The plan will, among other items, identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [For additional information, see the school counselor and policy EIF(LEGAL).] For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

Middle School Promotion Standards

Middle school students must meet the following promotion standards:

- The student must meet the 90% state attendance requirement.
- The student must pass three out of the four core subjects.
 - The student must pass three out of four core subjects and at least one elective for promotion. The core subjects are English Language Arts (writing and reading), math, science, and social studies.
 - Failing (overall average below 70) two or more core subjects will result in mandatory summer school for a chance to pass in up to two classes.
 - Failing all four core classes will result in automatic retention. Summer school will not be an option.
- The student must pass **all** STAAR tests given at the appropriate grade level; or summer school attendance will be mandatory. For all tests given in 6th and 7th grade, and for 8th grade social studies and science tests, **IF** the student passed the class but failed STAAR, it is possible to exempt summer school. Exemption information will be provided in hand-out form to students and parents during the school year. Class grades, attendance, and benchmark performance are the chief considerations.
 - 6th graders take STAAR tests in math and reading.
 - 7th graders take STAAR tests in math, reading, and writing.
 - 8th graders take STAAR tests in math, reading, science and social studies.

Please note: Failing one or more STAAR tests may result in the student losing one or more elective choices from his/her schedule during the following school year to make room in their schedule for additional remediation or core subject area related courses.

Middle School Promotion Ceremony

Eighth-grade students at Devine Middle School participate in a promotion ceremony to recognize students' achievements and formally promote them to senior high school. The same

manner of dress will be expected of middle school students at their ceremony as is expected of high school students for their graduation [see page 36 for dress code details].

In order to receive a certificate of promotion, 8th graders must meet academic requirements, compulsory attendance requirements, and state test passing standards set by the district.

Summer school students who are only attending due to STAAR scores may participate in the ceremony, but will not receive their actual certificate of promotion until completion of summer school.

Summer school students attending due to academic credit recovery (year-end grades less than 70 in core classes) may NOT participate in the ceremony or receive the certificate until all criteria have been fully met.

Promotion Speakers

Certain promoting students will be given an opportunity to have speaking roles at the promotion ceremony.

A student must meet local eligibility criteria, which may include requirements related to student conduct, to have a speaking role. Students eligible for speaking roles will be notified by the principal and given an opportunity to volunteer.

[See FNA (LOCAL) and the Student Code of Conduct.]

RELEASE OF STUDENTS FROM SCHOOL

[See **Leaving Campus** on page 59.]

REPORT CARDS/PROGRESS REPORTS AND CONFERENCES

Report cards with each student's grades or performance and absences in each class or subject are issued at least once every six weeks.

At the end of the first three weeks of each six-week grading period, parents will receive a written progress report of their child's performance in any course. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** on page 65 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the campus principal pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course

grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA (LOCAL).] [For a description of **Grading Guidelines**, see page 47.]

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

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

At DMS, all report cards and progress reports must be signed by the parent and returned to the school within five days.

RETALIATION

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on pages 33.]

SAFETY (All Grade Levels)

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow the behavioral standards in this handbook and the **Student Code of Conduct**, as well as any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- Remain alert to and promptly report to a teacher or the principal any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

Accident Insurance

Soon after the school year begins, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child.

Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies

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

Campus Crime Stoppers

Campus Crime Stoppers is a unique program to get students, staff, and community members involved in keeping their schools safe. If at any time you have information on a crime that has been or will be committed at a school or in the community, call the Campus Crime Stoppers number, **830-851-0TIP (0847)** or fill out the online tip form linked to the High School website. If your anonymous tip leads to solving the crime, you will receive a cash reward. For more information, go to <http://www.devineisd.org/highschool/crime>.

No Backpack Policy

Because of safety concerns, backpacks are not permitted on the middle school campus. Attempts to carry books in oversized purses, shoulder bags, satchels, or other sorts of book bags will not be allowed. P.E. students and student athletes may carry their equipment and/or clothes in a small gym bag but must leave the bag in the athletic facilities and not carry it with them throughout the school day. Locker rooms are open from 7:45 a.m. until the first bell to drop bags off for storage and again from 3:30 to 3:45 p.m. for pick-up.

Emergency Medical Treatment and Information

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

Emergency School-Closing Information

Each year, parents are asked to complete an emergency release form to provide contact information in the event that school is dismissed early or opening is delayed because of severe weather or another emergency, or if the campus must restrict access due to a security threat.

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will alert the community in the following ways: School Messenger, phone call or email, and/or district website.

If it becomes necessary for the Devine Independent School District to close or alter the schedule of its schools because of weather-related or other safety conditions, the information will be released by the superintendent's office to radio and television stations as soon as the decision is made. The primary factor to be considered in making a decision to close or alter the schedule of our schools will be the safety of our students. An existing or predicted hazardous road condition that is most likely to involve the safety of our students will normally be the cause for schools to be closed.

When weather conditions warrant, school personnel will use all the information resources available, including a personal inspection of roadways, to determine if it is advisable to close our schools.

Closing or altering the schedule of schools will normally take one of three forms:

- The school may be closed all day or until further notice;
- The school day may begin later; or
- While in session, school may be dismissed and closed earlier in the day than the normal dismissal time.

Parents are reminded that if road conditions in their area are unsafe, the school principal may excuse an absence although school has not been officially closed. In this event, the parent should call the school principal's office on the day of the absence and submit a written explanation of the reason for the absence on the next day the student attends school. Likewise, school personnel will be excused from duty if road conditions prohibit them from reporting to work, but they must call in to their principal or supervisor so that a substitute can be obtained.

All Texas schools have two days built into their school calendars, which are to be used as holidays or to make up days missed in the event of the emergency closing of their schools.

Listed below are several radio and television stations that will be contacted by school officials:

Radio Stations

- KTSA AM 550
- KONO FM 101.1
- KTFM FM 101.9

Television Stations

- KENS 5
- KSAT 12
- WOAI 4
- FOX 29

SAT, ACT, AND OTHER STANDARDIZED TESTS

[See **Standardized Testing** on page 78.]

SCHEDULE CHANGES

Students may only request changes during the first two weeks of the fall semester. After that, schedule changes will only be teacher-/administration-initiated. Students must request spring schedule changes **before** the Christmas break and must have permission from the parent and the assistant principal for curriculum and instruction or counselor. The administration reserves the right to change a student's schedule if deemed necessary. Unless a schedule is administratively initiated, a parent must request a schedule change for his/her child in writing.

Policy EEC provides additional information for the granting of schedule change requests.

SCHOOL FACILITIES

Use by Students Before and After School

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place.

Unless riding a bus or attending a scheduled practice or tutorial, middle school students should not be dropped off prior to 7:30 a.m. when all common areas are under staff supervision. The following areas are open to middle school students before school, beginning at 7:30 a.m.:

- Cafeteria,
- Playground, and
- Classrooms—for teacher-supervised tutorials only.

Unless the teacher or sponsor overseeing an activity gives permission, a student will not be permitted to go to another area of the building or campus.

After dismissal of school in the afternoon, and unless a student involved in an activity under the supervision of a teacher or other authorized employee or adult, or unless students are granted permission to remain on campus in accordance with policy FNAB, students must leave campus immediately.

Conduct Before and After School

Teachers and administrators have full authority over student conduct at before- or after-school activities on district premises and at school-sponsored events off district premises, such as play rehearsals, club meetings, athletic practices, and special study groups or tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject

to consequences established by the **Student Code of Conduct** or any stricter standards of behavior established by the sponsor for extracurricular participants.

Use of Hallways during Class Time

Loitering or standing in the halls during class is not permitted. During class time, a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the **Student Code of Conduct**.

Each six weeks students will receive a hall pass/tardy chart and must be in possession of the card when in the hallways. Administrators may, at times, issue a written pass when students have been in the office on official business.

Cafeteria Services

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily in accordance with standards set forth in state and federal law.

Free and reduced-price meals are available based on financial need or household situation. Information about a student's participation is confidential; however, disclosure of a student's eligibility may be made without prior notice or consent to programs, activities, and individuals that are specifically authorized access under the National School Lunch Act (NSLA), which is the law that sets forth the disclosure limits for the district's child nutrition programs. A student's name, eligibility status, and other information may be disclosed to certain agencies as authorized under the NSLA to facilitate the enrollment of eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent notifies the district that a student's information should not be disclosed. A parent's decision will not affect the child's eligibility for free and reduced price meals or free milk. See Food Services Director, Maisie Goodwin, 830.851.0413 to apply for free or reduced price meal services.

Parents are strongly encouraged to continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student will be allowed to continue purchasing meals for up to \$10.00, and the district will present the parent with a schedule of repayment for any outstanding account balance. If the district is unable to work out an agreement with the student's parent on replenishment of the student's meal account and payment of any outstanding balance, the student will receive an alternate meal.

Lunches from Home

Students wishing to bring a lunch from home may store that lunch in the cabinet provided in the old cafeteria. It is recommended that students bring their lunches in labeled, disposable bags instead of lunch boxes because the cabinet remains unlocked during the day. At the end

of the day students who brought their lunches are required to remove their lunch containers from the cabinet. Those items left will be disposed.

Meal Charge Policy

Students with a negative balance on their meal account, may be subject to receiving an alternative meal. The implemented monetary limits are as follows:

- Grades Kindergarten through 8th will be able to charge up to a balance of -\$10.00 on their account before receiving an alternate meal.
- Note: the negative balance limits are per cafeteria account, not per student. If you have multiple students on the same account, the account limits may not exceed the limits set above.
- The costs of the alternative meal will be charged to your students account.
- Charges are expected to be paid the next school day.

Library

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use with a teacher permit throughout the school day. Each campus library also maintains before- and after-school hours which may vary by day but are posted in each library.

Meetings of Non-Curriculum-Related Groups (Secondary Grade Levels Only)

Student-organized, student-led non-curriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB (LOCAL).

A list of these groups is available in the principal's office.

Parking

At DMS, only staff has parking privileges. Students are not allowed to drive on campus regardless of age.

Staff that drive motorcycles must see an administrator regarding parking locations and parking permits. No oversized vehicles are allowed on campus unless prior approval is arranged. This includes semi-trucks, tractors, trailers, and other vehicles so deemed by administration.

SEARCHES

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law. School officials may search the student, desk, locker, vehicle, or repository, such as any book bag, gym basket, vehicle, purse, supply

packets, telecommunication devices, or anything that contains the student's personal effects by establishing reasonable suspicion or securing the student's voluntary consent.

Students' Desks and Lockers

Students' desks and lockers are school property and remain under the control and jurisdiction of the school even when assigned to an individual student.

Students are fully responsible for the security and contents of their assigned desks and lockers. Students must be certain that their lockers are locked, and that the combinations are not available to others.

Searches of desks or lockers may be conducted at any time there is reasonable suspicion to believe that they contain articles or materials prohibited by policy, whether or not a student is present.

The parent will be notified if any prohibited items are found in the student's desk or locker.

Telecommunications and Electronic Devices

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

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

[See policy FNF(LEGAL) and **Electronic Devices and Technology** Resources on page 41 for more information.]

Trained Dogs

The district will use trained dogs to alert school officials to the presence of prohibited or illegal items, including drugs and alcohol. At any time, trained dogs may be used around lockers and the areas around vehicles parked on school property. Searches of classrooms, common areas, or student belongings may also be conducted by trained dogs when students are not present. An item in a classroom, a locker, or a vehicle to which a trained dog alerts may be searched by school officials.

Drug-Testing (Secondary Grade Levels Only)

With prior written parental consent, a student in grades 7 through 12 may participate in the random drug-testing program at any time with prior payment by the parent. Students participating voluntarily shall be included in the same pool for random testing under the same procedures as students participating in the mandatory program, but may withdraw from the voluntary drug-testing program at any time upon presentation of a completed written withdrawal form signed by the parent or legal guardian.

Test results for voluntary participants shall be provided directly to parents or guardians by the testing entity and the district shall not be informed of the test results for individual voluntary participants. (Note: If the student is already a part of the random student drug testing for participation in competitive extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus; sanctions for positive results will remain.)

Parents must complete the appropriate forms along with prepayment in order for their child to be placed in the voluntary pool. Contact the campus office for more details.

SEXUAL HARASSMENT

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 33.]

SPECIAL PROGRAMS

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, English language learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the campus counselor.

STANDARDIZED TESTING

Secondary Grade Levels

SAT/ACT (Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT and more information can be obtained on these assessments from the school counselor.

Note that participation in these assessments may qualify a student to receive a performance acknowledgment on his or her transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

TSI (Texas Success Initiative) Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The purpose of the TSI

assessment is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This assessment may be required before a student enrolls in a dual-credit course offered through the district as well. Achieving certain benchmark scores on this assessment for college readiness may also waive certain end-of-course assessment requirements in limited circumstances.

STAAR (State of Texas Assessments of Academic Readiness)

Grades 3–8

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

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

Successful performance on the reading and math assessments in grades 5 and 8 is required by law, unless the student is enrolled in a reading or math course intended for students above the student's current grade level, in order for the student to be promoted to the next grade level. See **Promotion and Retention** on page 67 for additional information.

STAAR-A will be available for an eligible student with a Section 504 accommodation plan who has been identified with dyslexia or a related disorder, as well as for a student receiving special education services, if the student meets state-established criteria and requires certain instructional and assessment accommodations on a routine basis.

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

STAAR-L is a linguistically accommodated assessment that is available for English Language Learners who require this type of accommodation.

STEROIDS (Secondary Grade Levels Only)

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for medical use only, and only a physician can prescribe use.

Body building, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

STUDENTS IN FOSTER CARE

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

Please contact Dawn Schneider, who has been designated as the district's foster care liaison, at 830.851.0709 with any questions.

[See also **Students in the Conservatorship** on page 13 for more information.]

STUDENT SPEAKERS

The district provides students the opportunity to introduce the following school events: varsity home football games. If a student meets the eligibility criteria and wishes to introduce one of the school events listed above, the student should submit his or her name in accordance with policy FNA(LOCAL).

[See policy FNA(LOCAL) regarding other speaking opportunities and Promotion on page 70 for information related to student speakers at promotion ceremonies.]

SUBSTANCE ABUSE PREVENTION AND INTERVENTION

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The TDSHS maintains information regarding children's mental health and substance abuse intervention services on its website: <http://www.dshs.state.tx.us/mhsa-child-adolescent-services/>.

SUICIDE AWARENESS

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

SUMMER SCHOOL

DISD Summer School will be determined based on standardized testing decisions made by TEA.

Students at all grade levels who have been identified as being at risk of dropping out of school, who are not performing at grade level, or who did not perform satisfactorily on a state-mandated assessment, shall be provided accelerated and/or compensatory educational services based on needs assessment. The principal shall ensure that each identified student is receiving services. The services provided each student shall be consistent with the goals and strategies established in the District and campus improvement plans and shall be reviewed for effectiveness at the close of each grading period. Parents shall be encouraged to participate in the planning of educational services for their child and shall be kept informed regarding the child's progress toward educational goals. Parents of students who are not successful in meeting requirements for promotion shall be informed of any available options, such as an extended year program or summer school.

TARDIES

A student who is tardy to class without acceptable excuse will be assigned to detention hall. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the **Student Code of Conduct**. [see page 16 of the **Absences/Attendance** section for more information regarding tardies.]

TEXTBOOKS, ELECTRONIC TEXTBOOKS, AND TECHNOLOGICAL EQUIPMENT

Textbooks and other district-approved instructional materials are provided to students free of charge for each subject or class. Any books must be covered by the student, as directed by the teacher, and treated with care. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives. A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage paid for by the parent; however, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

Additional Textbook Information – DMS

Each teacher has a classroom set of textbooks to use in his/her classes. Subject textbooks may be checked out from teachers overnight when a student has fallen behind in class or needs to complete work missed during an absence.

For students with special needs, textbooks may be checked out for extended periods of time. If a parent feels that his/her child has a special need for additional texts at home, he/she may contact the school office at 830.851.0695 to make their request. The request will be forwarded to the student's grade level academic team who will decide which, if any, additional books should be provided and then phone the parent to make arrangements for the books to be picked up. The books will be checked out in the student's name, and the parent must sign the issuance card upon receiving the books.

Teacher Detentions and Other Detentions

Teacher Detentions and Mandatory Tutorials

For minor infractions in the classroom or to catch up on missing or late work, teachers may detain students at lunch or after school. Before assigning the student to detention, the teacher will inform the student of the alleged misconduct, and the student shall be given an opportunity to explain his/her actions or version of the incident.

When a teacher intends to hold a student after school, one day's notice shall be given so that the student may arrange for transportation.

Failure to follow the rules or report to duty will result in assignment of extra day(s) duty, lunch detention, after school custodial duty, after school detention, or ISS. A copy of the rules is provided to each student upon duty assignment, and can be obtained from the assistant principal for parental review.

Lunch Detention

For repeated minor infractions or more serious infractions in the classroom, hallways, or elsewhere on campus, the assistant principal may assign lunch detention. Middle school students assigned to this detention spend their entire lunch period in an isolated detention where they are required to complete teacher assigned work. They are allowed to eat their lunch during the last 20 minutes of the lunch period, and eat in the detention room.

Failure to follow the rules or report to detention will result in assignment of extra day(s) detention, after school detention, or ISS. A copy of the rules is provided to each student upon detention assignment, and can be obtained from the assistant principal for parental review.

Morning/After School and Saturday Detention

Morning and after school detention may also be assigned at the discretion of campus administration. Morning detentions may begin as early as 6:30 a.m. and after school detentions may last as late as 5:30 p.m.

Failure to follow the rules or report to detention will result in assignment of extra day(s) detention, after school detention, ISS, or possible assignment to alternative school. A copy of the rules is provided to each student upon detention assignment, and can be obtained from the assistant principal for parental review.

TRANSFERS

The principal is authorized to transfer a student from one classroom to another.

[See **Safety Transfers/Assignments**, on page 13, **Bullying**, on page 25, and **Students Who Have Learning Difficulties or Who Need Special Education Services**, on page 14, for other transfer options.]

TRANSPORTATION

School-Sponsored Trips

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. As approved by the principal, a coach or sponsor of an extracurricular activity may establish procedures related to making an exception to this requirement when a parent requests that the student be released to the parent or to another adult designated by the parent.

Many trips are arranged for students during the school year, either curricular or extracurricular. Students making a school trip are expected to travel by bus or school transportation. Students should be aware that fieldtrips and extracurricular activities are school-sponsored and therefore are subject to the same rules as being on campus.

When fieldtrips are scheduled, students not wishing to participate will attend regular classes but not be excused from school attendance.

Buses and Other School Vehicles

The district makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students. Bus routes and any subsequent changes are posted at the school and on the district's Web site.

Bus routes and stops will be designated annually, and any subsequent changes will be posted at the school and on the district's website. For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops.

Because students in these areas might encounter hazardous conditions when traveling to and from school independently, the district will provide transportation to these students. Please contact Jon Eichman at 830-851-0750 for additional information.

A parent may also designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact the district transportation office at 830.851.0750 or 0754.

See the **Student Code of Conduct** for provisions regarding transportation to the disciplinary alternative education program (DAEP).

Students are expected to assist district staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in district vehicles, students are held to

behavioral standards established in this handbook and the **Student Code of Conduct**. Students must

- Follow the driver's directions at all times.
- Enter and leave the bus or van in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the bus, van, or its equipment.
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the bus or van.
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Fasten their seat belts, if available.
- Wait for the driver's signal upon leaving the bus or van and before crossing in front of the vehicle.

Misconduct as documented by the driver on the bus referral form will be punished in accordance with the **Student Code of Conduct**; bus-riding privileges may be suspended or revoked. Questions regarding issues of bus misconduct should be addressed to the transportation director, Mr. Jon Eichman, at 830.851.0750 or 0754.

TUTORIALS

Students with a grade less than 70 in any subject are encouraged to attend tutorials in that subject area. Students and/or their parents may make tutorial arrangements directly with the teacher. Call the school office to schedule a conference or request that the teacher call you back to make arrangements.

Students participating in extracurricular activities may be required to attend tutorial programs as necessary to better their chances of eligibility. The District does not provide transportation for students attending tutorials.

VANDALISM

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

VIDEO CAMERAS

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

The principal or his/her designee will review the video and audio recordings routinely and document student misconduct. Discipline will be in accordance with the **Student Code of Conduct**.

Upon request of a parent of a student who receives special education services, a staff member, or a board member, state law requires the district to place video and audio recording equipment in a classroom in which the student spends at least 50 percent of his or her instructional day, referred to in the law as a self-contained classroom. The majority of students in this type of classroom must also be students who receive special education services. Before the district places a video camera in a classroom or other setting in which your child receives special education services, the district will provide notice to you. Please speak directly with the principal for further information or to request the installation and operation of this equipment.

VISITORS TO THE SCHOOL

General Visitors

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and must comply with all district policies and procedures. When visitors, volunteers, or contractors check-in, or parents come to pick up students, they will be asked to present a valid state issued ID for entering into the Raptor System. This system has the ability to provide alerts on people who may jeopardize the safety of the campus. Approved visitors will be issued a visitor's pass that must be worn during the entirety of the visit, and returned to the office upon leaving.

Visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Twenty-four hour notice is required for anyone wishing to visit a school classroom. All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

Student Visitors

Student visitors from other schools are generally discouraged and not permitted on campus without prior principal or his/her designee approval. Students allowed to visit during lunchtime must remain in the cafeteria throughout the lunch period.

Visitors Participating in Special Programs for Students

During College-Go Get It Week, the district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

VOLUNTEERS

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact the appropriate campus office for more information and to complete an application.

VOTER REGISTRATION

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

WITHDRAWING FROM SCHOOL

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent at least three days in advance so that records and documents may be prepared. The parent may obtain a withdrawal form from the principal's office.

On the student's last day, the withdrawal form must be presented to each teacher for current grade averages and book and equipment clearance; to the librarian to ensure a clear library record; to the clinic for health records; to the counselor for the last report card and course clearance; and finally, to the principal. A copy of the withdrawal form will be given to the student, and a copy will be placed in the student's permanent record.

A student who is 18 or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

SECTION III

GLOSSARY

Accelerated instruction is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment.

ARD is the admission, review, and dismissal committee convened for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and his or her parents are members of the committee.

Attendance Review Committee is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit lost because of absences.

DAEP stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the **Student Code of Conduct**.

EOC assessments are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments are required for graduation. These exams will be given in English I, English II, Algebra I, Biology, and United States History.

ESSA is the Every Student Succeeds Act passed by the federal government in December 2015.

FERPA refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

IEP is the written record of the Individualized Education Program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed; accommodations for state or district-wide tests; whether successful completion of state-mandated assessments is required for graduation, etc.

ISS refers to in-school suspension, a disciplinary technique for misconduct found in the **Student Code of Conduct**. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

PGP stands for Personal Graduation Plan, which is required for high school students and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

PSAT is the preparatory and readiness assessment for the SAT.

SHAC stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to assist the district in ensuring that local community values and health issues are reflected in the district's health education instruction.

Section 504 is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

STAAR is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments, effective beginning with certain students for the 2011–2012 school year.

STAAR-A is an accommodated version of the STAAR that is available for certain students who receive special education services or students who have been identified as dyslexic.

STAAR Alternate 2 is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

STAAR Linguistically Accommodated (STAAR L) is an alternative state-mandated assessment with linguistic accommodations designed for certain recent immigrant English language learners.

State-mandated assessments are required of students at certain grade levels and in specified subjects. Successful performance sometimes is a condition of promotion, and passing the STAAR EOC assessments is a condition of graduation. Students have multiple opportunities to take the tests if necessary for promotion or graduation.

Student Code of Conduct is developed with the advice of the district-level committee and adopted by the board: it identifies the circumstances, consistent with law, when a student may be removed from the classroom or campus. It also sets out the conditions that authorize or

require the principal or another administrator to place the student in a DAEP. It outlines conditions for out-of-school suspension and for expulsion. The **Student Code of Conduct** also addresses notice to the parent regarding a student's violation of one of its provisions.

TELPAS stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English language learners make in learning the English language, and is administered for those who meet the participation requirements in kindergarten–grade 12.

UIL refers to the University Interscholastic League, the statewide voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

Appendix I – Freedom from Bullying Policy

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

BULLYING PROHIBITED

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DEFINITION

Bullying occurs when a student or group of students repeatedly engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and 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; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if a student or students repeatedly:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

EXAMPLES

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

RETALIATION

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

EXAMPLES

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

FALSE CLAIM

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

TIMELY REPORTING

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

REPORTING PROCEDURES – STUDENT REPORT

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

REPORTING PROCEDURES – EMPLOYEE REPORT

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

REPORT FORMAT

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

PROHIBITED CONDUCT

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

INVESTIGATION OF REPORT

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

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

NOTICES TO PARENTS

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

DISTRICT ACTION

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

DISCIPLINE

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

CORRECTIVE ACTION

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine 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 bullying has occurred, and reaffirming the District's policy against bullying.

TRANSFERS

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

COUNSELING

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

IMPROPER CONDUCT

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

CONFIDENTIALITY

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

APPEAL

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

RECORDS RETENTION

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

ACCESS TO POLICY AND PROCEDURES

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

Appendix II – Devine ISD Dress Code

Devine ISD Standard Code of Dress: Grades 3-12 (Intermediate, Middle & High Schools)

	STYLE	COLOR	LENGTH	FIT	COLD WEATHER ONLY Or OTHERWISE NOTED EXCEPTIONS	SOME EXAMPLES OF POPULAR FASHION <u>NOT</u> ACCEPTABLE (List is not all-inclusive)
SHIRTS	POLO STYLE ONLY; (NO BUTTON UP OR DRESS SHIRTS); must have collar and buttons	Solid maroon or solid white and without embellishments (ex: no oversized company trademarks or logos, no striped collars, and no embroidered designs, no sheer/see through, etc.); logos QUARTER-SIZED or smaller are acceptable	<u>Sleeve length:</u> short, 3/4, or full length (no sleeveless, strapless, or spaghetti straps of any kind); <u>Overall length:</u> long enough that the mid-drift is not exposed, even when stretching	Must be appropriately sized (in other words, no excessively tight, baggy, long, short, or otherwise improperly sized shirts); not more than top two buttons open	<u>Layering under shirt</u> UNDERSHIRTS must be SOLID beige/khaki, maroon, white or black <u>NO LAYERING OVER SHIRT.</u> See allowable jackets at bottom of this chart.	NONE— POLO SHIRTS ONLY
The tucking in of shirts is left up to the discretion of each campus.						
PANTS	NO EXCESSIVE FLARE; ONLY STANDARD, FLAT WAIST, HIP, AND LEG POCKETS ARE ACCEPTABLE ; NO EXPANDABLE POCKETS	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, no stripes no embroidered designs, no net pockets, no oversized zippers or pulls, etc...); logos WALLET-PHOTO SIZED (like a Wrangler or Levi’s tag) or smaller are acceptable; no open holes or excessive frays	Hemmed bottom edge (no ripped seams or frayed edges); may not touch ground; Capri length are acceptable as long as they conform to standards of fit.	Must fit at the waist; may not be excessively tight or baggy	None noted	Cargo WITH EXPANDABLE POCKETS, EXCESSIVE flared leg, drawstring, overalls, warm-up/parachute, stretch/spandex, peg-leg/roll-ups, etc....
SHORTS	NO EXCESSIVE FLARE; WAIST, HIP, AND LEG POCKETS ARE ACCEPTABLE ; NO EXPANDABLE POCKETS	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, no stripes, no embroidered designs, no net pockets, no oversized zippers or pulls, etc...); logos WALLET-PHOTO SIZED (like a Wrangler or Levi’s tag) or smaller are acceptable; no open holes or excessive frays	Not shorter than three inches (3”) above knee regardless of student height; hemmed bottom edge (no ripped seams or frayed edges)	Must fit at the waist; may not be excessively tight or baggy	Knee socks or tights must be solid beige/khaki, maroon, white or black	Cargo WITH EXPANDABLE POCKETS, drawstring, short alls, warm up/ parachute, stretch/spandex, peg-leg/roll-ups, etc....
SKIRTS, SKORTS AND JUMPERS	No particular style is standard; all must conform to color, length, and fit requirements as specified; only standard, flat pockets are acceptable	Solid, plain khaki or blue jean/ denim and without embellishments (ex: no oversized logos, stripes, embroidered designs, net pockets, oversized zippers or pulls, etc...)	Not shorter than three inches (3”) above knee, including slits in skirts; hemmed bottom edge (no ripped seams or frayed edges)	Shorts and skirts must fit at the waist; both jumper straps must remain hooked at all times	Knee socks or tights must be solid beige/khaki, maroon, white or black	Cargo WITH EXPANDABLE POCKETS, drawstring, warm-up/parachute, stretch/spandex, zip-off bottoms, etc....
JACKETS	<ul style="list-style-type: none"> Jackets and padded shirt jackets are acceptable, but if worn in the building must remain open with the uniform visible NO TRENCH COATS OR DUSTERS 					
SHOES	FOOTWEAR MUST BE APPROPRIATE FOR ALL CLASSROOM ENVIRONMENTS. NO FLIP-FLOPS (See Student-Parent Handbook- <i>General Dress and Grooming Code</i> on page 38)					Wearing of hooded sweatshirts (hoodies) is left up to the discretion of each campus.