

Whitney ISD
2022-2023
Elementary & Intermediate
Student Handbook



Reviewed by the Whitney ISD Board of Trustees
August 8, 2022

TABLE OF CONTENTS

Purpose and Organization	4
Acknowledgement.....	5
Required Legal Notices	6
Directory Information	9
General Information.....	16
2022-2023 School Calendar.....	16
Student’s Legal Name	16
Admission, Release, Withdrawal.....	16
Certain Transfers—Victims of Bullying and Sexual Assault or Students Who Have Engaged in Bullying	18
Release During the School Day	18
Withdrawing from School	19
Attendance Requirements.....	19
Attendance and Credit.....	22
Conduct and Discipline	23
Dress and Grooming Code.....	23
Harassment or Bullying of Students	25
Searches of Students, Lockers, and Vehicles on School Property.....	26
Questioning Students at School	26
Pledges, Minute of Silence, Prayer, and Meditation	27
Curriculum and Programs.....	27
General Curriculum Information	27
Structured Physical Activity.....	28
Special Programs	28
Counseling Programs and Services.....	30
Testing and Assessment Programs	31
Grading and Report Cards.....	31
Promotion, Retention, Award of Credit.....	32
Library Facilities, Hours, and Access	32
Educational Technology and Acceptable Use	33
Virtual Instruction	35
Of Special Interest to Students.....	35
Extracurricular Activities	35
Student Publications/Distribution of Materials	36

Of Special Interest to Parents.....	36
Parent Rights.....	36
Visiting School.....	38
Complaint Process.....	40
Student Health Concerns.....	40
Physical and Mental Health Resources.....	41
Student Illness or Injury at School.....	42
Administering Medicine at School.....	42
Lost, Damaged, or Stolen Personal Items.....	44
Telephone Use.....	44
Parent Organizations/Volunteer Opportunities.....	45
Transportation Program.....	45
Authorized Fees.....	45
Food Service/Free and Reduced-Price Food Program.....	46

PURPOSE AND ORGANIZATION

The purpose of this Student Handbook is to give WISD students and their parents an understanding of the general rules and guidelines for attending and receiving an education in our schools.

The Handbook is organized into the following sections:

- Required Legal Notices and Information
- General Information about Admission, Attendance, and Conduct
- Curriculum and Program Information
- Of Special Interest to Students
- Of Special Interest to Parents

When the Handbook uses “we” or “our,” it means the school district and/or school administrators. When the Handbook uses “you” or “your,” it means the parent, legal guardian, or person who has accepted responsibility for a student, at least in regard to school matters. From time to time, the Handbook will use more general terms, such as “parents” and “school officials.” Regardless of the particular terminology, our intention is to speak directly to you as the adults who are responsible for working with us, the school officials, to make your children’s experience with the WISD a positive educational experience.

The Student Handbook has been developed by school district administrators with the assistance of teachers, students, and parents. The content is reviewed by the Board of Trustees and is intended to be consistent with formally adopted school board policies. If there is an apparent contradiction between information in the Handbook and a formally adopted board policy, the school administration will interpret the Handbook in a way that is consistent with policy and may request guidance from the Board of Trustees.

The Student Handbook is not a contract between the school and parents or students. It can be amended at any time at the discretion of the school district. If the district makes changes to the Handbook during a school year, the administration of the district and the campus will communicate those changes in ways that are designed to inform parents and students of the new or revised information.

ACKNOWLEDGEMENT

Dear Student and Parent:

The Whitney Independent School District provides this Student Handbook to parents and students to provide you with information about the general rules and guidelines for attending and receiving an education in our schools. You are required under Texas law to provide the District with the contact information requested below within the first two weeks of the start of each school year. If this information changes at any time during the school year, you must update the information no later than two weeks after the date of the change.

We urge you to read this publication thoroughly and to discuss it among your family. If you have any questions about the information here, we encourage you to ask for an explanation from the student's teacher, the school counselor, or campus administrator.

The student and parent should each sign this page on the space provided below, then return the page to the student's school. Thank you.



We acknowledge that we have received the WISD Student Handbook for the 2022-2023 school year, and that we are responsible for reading and understanding the information contained here.

Student's Name: _____
(Please print)

Student's Signature: _____ Date: _____

Parent's Name: _____
(Please print)

Parent's Signature: _____ Date: _____

Parent's Address: _____

Parent's Email: _____ Phone #: _____

School: _____ Grade Level: _____

REQUIRED LEGAL NOTICES

Nondiscrimination: Whitney ISD does not discriminate in its educational programs and services, including its career and technology education programs, on the basis of sex or gender (including pregnancy), race, religion, color, national origin, or disability. The district complies with Title IX of the Education Amendments of 1972 and with Section 504 of the Rehabilitation Act of 1973, as amended. Any questions or concerns about the district’s compliance with these federal programs should be brought to the attention of the person shown below as Title IX or Section 504 Coordinator.

The Title IX Coordinator for the school district Sarah Massey, whose office is located at Whitney High School and who can be reached by telephone at 254-694-3457.

The Section 504 Coordinator for the school district is Laura Hunt, whose office is located at 305 S. San Jacinto and who can be reached by telephone at 254-694-2536.

Homeless Liaison and Title I Participants

Jeanne Thompson is our liaison for services to students who are determined to be homeless, as defined by federal law. If you believe your child may be eligible for services or assistance, contact Jeanne Thompson at 254-694-7303.

Melody Haley is our Parent Involvement Coordinator who works with families and children participating in Title I programs. If you have questions about the program or need assistance related to the program, contact Melody Haley at 254-694-2536.

Family Educational Rights and Privacy Act: The school district creates and keeps education records for all students enrolled in district schools. Those records are confidential and generally are accessible only to parents and school personnel or other people who are acting on behalf of the school district. When we say “parents” have a right of access to all education records pertaining to their children, we mean all biological or legal parents—whether married, divorced, or separated—and any other person with whom the child resides and who is acting as a parent in the absence of the child’s parent or legal guardian.

Parents control the access to their children’s education records until the child becomes an adult at age 18. When the child reaches age 18, he or she controls the access to his or her records and is the one who can consent to the release of the records to other persons. However, parents continue to have a right to see their children’s education records so long as the child is a dependent for federal income tax purposes, even if the child does not want them to.

If a parent wants to inspect and review his or her child’s education records, he or she should contact the principal of the child’s school if the child is currently enrolled. The

district may request that such a request be reduced to writing. If the child has withdrawn or graduated, parents should contact the Whitney ISD Superintendent's office for access to records. Records can be inspected and reviewed within 45 days following the district's receipt of a request in the administrative offices during regular office hours, from 8:00 a.m. to 4:00 p.m., and someone will be available to answer questions about the records.

Originals cannot be removed from an administrator's office. Copies may be provided to parents if required by law after parents have made a written request for copies. In such cases, parents will be provided the requested copies within 45 days following the district's receipt of a request. If copies are provided, parents will be charged the district's usual copying fees for copies; however, if the student is eligible for free or reduced-price lunches and the parents cannot come to school to review the records, the school will provide one set of the requested records at no charge.

If you believe some information in your child's records is inaccurate, misleading, or violates your child's rights, you can ask for a correction. If the principal does not make the correction, you can ask for a hearing with the superintendent to explain why you believe the record should be corrected. If the superintendent does not direct an amendment to be made, you have 30 days to place a comment in the student's record commenting on your disagreement. **Under no circumstances can students or parents use this process to challenge a grade recorded for a student.**

Because parents generally control access to their children's education records, the district ordinarily will not permit access to or copies of education records without at least one parent's written authorization to release the records. **However, under some circumstances, the district can and will provide access to or copies of education records without parent authorization. The most common circumstances are these:**

- The district will forward education records on request to a public or private school or institution of higher education in which the student seeks or intends to enroll.
- The district may disclose education records to a contractor, consultant, volunteer, or other person who is performing services for the district, who is under the district's control related to the use of the records, and who has complied with district limitations on the re-disclosure of personally identifiable information from education records.
- The district will comply with a lawful subpoena for student education records but will make reasonable efforts to notify the parents before complying, unless the subpoena indicates that parents should not be notified.

- The district will release directory information about students to any person who submits a written request for the information, as provided in the DIRECTORY INFORMATION notice included in this Student Handbook.
- The district will release educational records to a juvenile justice agency in accordance with an agreement between the district and the agency. The information will be released before the student is adjudicated and will be provided so that the juvenile agency can appropriately serve the student.
- The district will release educational records to “school officials,” meaning any employees, trustees, or agents of the district, including persons employed in shared services arrangements or cooperatives of which the district is a member, school volunteers, parents or students serving on official committees, and the district’s legal counsel, who have a “legitimate educational interest” in the records, meaning they are persons who work directly with your child at school or any school activity, including officials involved in disciplinary or academic decisions affecting your child directly, persons who are compiling statistical data for the district, who are reviewing such records to fulfill their employment responsibilities, or who are investigating or evaluating district programs.

If you want to review the school’s entire policy regarding student records, please contact the campus principal, who will be glad to provide a copy for you and to answer any questions you may have about the policy or this notice. You may also view or download the policy (coded FL (LEGAL) and (LOCAL)) from the district’s online policy manual. If you believe the district is not following the law regarding student records, you have the right to file a complaint with the United States Department of Education, Family Policy Compliance Office.

DIRECTORY INFORMATION

Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting information unless the parent or guardian objects to the release of the directory information about the student.

If you do not want Whitney ISD to disclose directory information from your child’s education records without your prior written consent, you must notify the district in writing by September 1, 2022.

WISD has designated the following information about your child as directory information: Whitney ISD has designated the following information about your child as directory information: For the following school-sponsored purposes—all District publications and announcements—directory information shall include student name, photograph, date of birth, major field of study, degrees, honors, awards, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, and student identification numbers and identifiers that cannot be used alone to gain access to electronic education records.

For all other purposes, directory information shall include student name, major field of study, degrees, honors, awards, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, and weight and height of members of athletic teams.

If you DO NOT want us to release ANY information about your child without your written consent, check this box and return the form by September 1, 2022.

We have designated the following categories of information as pertinent to limited school-sponsored purposes. “School-sponsored purposes” means for publication in a student directory, a school yearbook, or official school publications including the school’s website and programs for school-sponsored events.

<input type="checkbox"/> Name	<input type="checkbox"/> Address
<input type="checkbox"/> Telephone listing	<input type="checkbox"/> School electronic mail address
<input type="checkbox"/> Photographs or videos open to the public	<input type="checkbox"/> Degrees, honors, awards received
<input type="checkbox"/> Grade level	<input type="checkbox"/> Most recent school attended

<input type="checkbox"/> Participation in officially recognized activities and sports or those events open to the public	<input type="checkbox"/> Height & weight of members of athletic teams
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- If you CONSENT to the use of all of the above-listed items for limited school-sponsored purposes ONLY, check this box and return this form to us by September 1, 2022.
- If you CONSENT to the use of some but not all of the above listed items for limited school-sponsored purposes ONLY, check this box AND the categories for which you are providing consent and return this form to us by September 1, 2022.

Protection of Pupil Rights Amendment: We do not require students to participate in any surveys that are funded with any U.S. Department of Education funds that concern the following topics unless you (or your child if he or she is an adult) give us your prior consent. You will also have the opportunity to inspect the survey in advance. If we administer surveys that concern any of these topics that are funded from other sources, we will give you advance notice of the survey, allow you an opportunity to inspect the survey, and give you an opportunity to opt-out of the survey. The topics that are covered by this notice are:

1. political affiliations or beliefs of the student or his or her parent;
2. mental or psychological problems of the student or his or her family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of others with whom the responding students have close family relationships;
6. legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. religious practices, affiliations, or beliefs of the student or his or her parent; or
8. income, other than as required by law, to determine program eligibility.

Invasive Examinations or Screenings: We do not perform any invasive physical examinations or screenings as a condition of attendance. We do perform vision, hearing, and scoliosis screenings, as required by state law. Please contact the principal if you have questions regarding those screenings.

Teacher Qualifications: You may request the following information, which we will provide to you in a timely manner:

1. Whether your child's teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas.
2. Whether your child's teacher(s) are serving under emergency or other provisional status that is less than full state certification.
3. The bachelor's degree major of your child's teacher(s) and any graduate degrees held, and the field of certification or degree.
4. Whether your child receives services from paraprofessionals and, if so, their qualifications.

Providing Assistance to 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. The district must respond within 15 school days by either (a) providing the parent an opportunity to give written consent to the evaluation or (b) providing the parent with notice of its refusal to conduct an evaluation. The district must complete the evaluation and the report within 45 school days of the date of the district receives the written consent, except that if a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent. The district must give a copy of the 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 parent of their rights if they disagree with the district. The district is required to give parents the *Notice of Procedural Safeguards—Rights of Parents or Students with Disabilities*. Additional information regarding the IDEA is available from the school district in a companion document *A Guide to the Admission, Review, and Dismissal Process*.

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

- Texas Project First
- The Legal Framework for the Child-Centered Special Education Process
- Partners Resource Network
- The Texas Special Education Information Center (SPEDTex)

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is:

Elementary Contact Person: Sara Ripley, Elementary Asst. Principal 254-694-3456

Intermediate Contact Person: Layna Philipp, Intermediate Principal 254-694-7303

Bacterial Meningitis Information: What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord---also called the meninges. It can be caused by viruses, parasites, fungi, and bacteria. Viral (aseptic) meningitis is common; most people recover fully. Medical management of viral meningitis consists of supportive treatment and there is usually no indication for the use of antibiotics. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

There are two common types of bacteria that cause meningitis: - *Strep pneumoniae* causes pneumococcal meningitis; there are over 80 subtypes that cause illness - *Neisseria meningitidis*—Meningococcal meningitis; there are 5 subtypes that cause serious illness—A, B, C, Y, W-135

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, but any of the following are possible. Children (over 1 year old) and adults with meningitis may have:

- Severe headache
- High temperature
- Vomiting
- Sensitivity to bright lights
- Neck stiffness, joint pains
- Drowsiness or confusion

**In both children and adults, there may be a rash of tiny, red-purple spots or bruises caused by bleeding under the skin. These can occur anywhere on the body. They are a sign*

of blood poisoning (septicemia), which sometimes happens with meningitis, particularly the meningococcal strain.

What is the risk of getting bacterial meningitis?

The risk of getting bacterial meningitis in all age groups is about 2.4 cases per 100,000 population per year. However, the highest risk group for the most serious form of the disease, meningococcal meningitis, is highest among children 2 to 18 years old.

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, such as deafness, blindness, amputations or brain damage (resulting in intellectual disability or paralysis) even with prompt treatment.

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. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing; sharing drinking containers, utensils, or cigarettes). The germ **does not** cause meningitis in most people. Instead, most people become **carriers** of the germ for days, weeks or even months. Being a carrier helps to stimulate the body's natural defense system. The bacteria rarely overcomes the body's immune system and causes meningitis or another serious illness.

How can bacterial meningitis be prevented?

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss. Vaccines against pneumococcal disease are recommended both for young children and adults over 64. A vaccine against four meningococcal serogroups (A, C, Y, W-135) is available. These four groups cause the majority of meningococcal cases in the United States. This vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85-90%). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within 7 to 10 days after the vaccine is given and lasts for up to 5 years.

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

Seek prompt medical attention.

How is bacterial meningitis diagnosed?

The diagnosis is usually based on a combination of clinical symptoms and laboratory results from spinal fluid and blood. Spinal fluid is obtained by a lumbar puncture (spinal tap).

For 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 Texas Department of Health office to ask about meningococcal vaccine.

Additional information may also be found at the web sites for the Centers for Disease Control and Prevention: www.cdc.gov and the Texas Department of Health: www.tdh.state.tx.us.

Pest Control: Periodically, district buildings and grounds are treated by licensed or trained individuals to control unwanted pests, such as insects and rodents. We will post notices of those treatment dates as required by law and will schedule treatment times when students or employees are least likely to be in the building or on the grounds.

Asbestos Management Plan: The district's Asbestos Management Plan, designed to be in compliance with state and federal regulations addressing asbestos that may have been used in district facilities, is available in the Superintendent's office during regular business hours 8:00 a.m. to 4:00 p.m., Monday through Friday. If you have any questions, please contact Russell Gauer, at 254-694-4121.

COVID-19 or Other Widespread Illness or Epidemic: The district will adhere to all orders of local, state, and federal authorities and governmental officials with respect to school closure and social distancing as a result of a widespread illness or epidemic such as COVID-19. In addition, the district will follow the guidance of the Texas Department of State Health Services (TDSHS), the Centers for Disease Control and Prevention (CDC), and any other appropriate federal, state, or local health authorities when determining the standards for admittance to school after exposure to, symptoms of, and/or infection with COVID-19 or other widespread illness or epidemic; for sending home students who have been exposed to or are displaying symptoms of COVID-19 or other widespread illness or epidemic; for excluding students from school attendance with COVID-19 or other widespread illness or epidemic exposure, symptoms, or diagnoses; for holding campus-based instruction and district-sponsored activities and events; and for any other recommendations pertaining to and/or affecting school district operations and student health and safety.

GENERAL INFORMATION

2022-2023 School Calendar

Please find updated calendar [HERE](#).

“Student’s Legal Name

While we recognize that there are circumstances when a parent may wish his or her child to be enrolled under a name other than the child’s legal name, we are required to maintain all school records for your child under the child’s legal surname as shown on the birth certificate or other recognized document to prove the child’s identity or as shown in a court order changing the child’s name.

Admission, Release, Withdrawal

[\(Admission Application Questions and Residency Power of Attorney forms available\)](#)

These are the basic requirements for admission to district schools:

1. The student lives in the district with a parent or legal guardian or one of the student’s parents lives in the district, even if the student does not live with that parent.
 - The parent enrolling a student based on only the parent’s residence in the district must provide a copy of a current order, signed by the judge and showing a file stamp from the court, designating the parent as a managing or possessory conservator.
2. The student is under age 18 and, subject to district policy at FD (LOCAL) and FDA (LOCAL), lives in the district with an adult resident of the district who has accepted a Power of Attorney from the child’s parent or legal guardian or adult caregiver who has accepted responsibility for the child by an Authorization Agreement in compliance with Texas Family Code section 34.002. The school district has Power of Attorney forms to be completed by both the parent and the person with whom the student lives.
3. The student is under age 18 and does not reside in the district, but a grandparent who provides a substantial amount of after-school care for the person resides in the district. “Substantial amount of after-school care” means the grandparent provides after-school care for the student at least four days each school week.
4. The student resides with a parent or guardian who is an active member of the U.S. armed forces stationed in a military installation in or adjacent to the district’s attendance zone.

5. The student resides with a parent on a residential homestead that is located on a parcel of property with any part of the parcel being located in the school district.
6. Students under the age of 18 must be enrolled by a parent, legal guardian, or adult resident who has a valid Power of Attorney for the student. Students who are 18 or older, who are legally married, or who have ever been legally married, and who have not graduated from high school can enroll themselves.
7. The adult enrolling the student must present current immunization records or show proof that the required immunizations have been begun.
8. No later than 30 days after a student has been enrolled, the adult enrolling the student must provide a copy of a birth certificate or other acceptable identification for the child and copies of the education records from the school the child last attended.

We do not admit underage students to school. Your child must be 5 years old on or before September 1 of the current school year to be admitted to kindergarten. To be admitted to first grade, your child must be 6 years old on or before September 1 of the current year or must have completed kindergarten, or been enrolled in first grade, in the public schools of another state.

We do not ordinarily admit overage students to school. However, a student who is under 21 years of age on September 1 of the current school year will be admitted.

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

The application for admission and enrollment forms are official government records, and it is a crime to provide false information of any kind or false records for identification. School officials can ask parents or another adult enrolling a student to provide some evidence that they are bona fide residents of the school district. As required by law, we will record the name, address, and date of birth of the person enrolling a student.

At the time of enrollment, we will request that you disclose whether your child has a food allergy or a severe food allergy (including the food to which the child is allergic and the nature of the allergic reaction) that, in your judgment, should be disclosed so that district officials may take necessary precautions regarding the child's safety. This information is confidential and will be disclosed only to those employees who need the information to appropriately care for your child.

If school officials have reason to question the legitimacy of a child's residency information, they can investigate to determine the student's actual place of residence. If the district finds that a student is not really a district resident, the student will be withdrawn, and school officials will take the necessary legal steps to recover the maximum tuition fee the school district can charge or the amount the board of trustees budgets as an expense per student.

Certain Transfers—Victims of Bullying and Sexual Assault or Students Who Have Engaged in Bullying

If you believe that your child is the victim of bullying (see the definition in the Student Code of Conduct), you may request a transfer to another classroom at the same campus or to another campus within the school district. If we verify that your child is the victim of bullying, the transfer will be made. If the transfer is to another campus, we will not provide transportation to that campus. Our decision on this kind of transfer is final and cannot be appealed to the board or any other authority.

If your child is determined to have engaged in bullying of any other student, he or she may be transferred to another classroom at the same campus or to another campus. We will consult with you about the transfer before it occurs.

If another student in the district is convicted of committing continuous sexual abuse of a young child or children or convicted and placed on deferred adjudication for a sexual assault or aggravated sexual assault against your child (see definitions in the Student Code of Conduct), you may request that your child be transferred to a neighboring school district, and the request will be granted. We will not provide transportation to the new campus. If you do not want to transfer your child, we will take appropriate steps regarding the other student to ensure that both students are not assigned to the same campus. Our decision on this kind of transfer is final and cannot be appealed to the board or any other authority.

Release During the School Day

Students will be allowed to leave school during the school day only with the permission of the principal or someone in the principal's office who has been given the authority to release students. Parents cannot go directly to their children's classroom and take the child away from school during the day. Teachers do not have the authority to let children leave their classroom with anyone. If you need to take your child from school before the end of the school day, such as for a medical appointment or a family emergency, you should go to the principal's office and sign the child out. The teacher will send the child to the principal's office, and she or he will be released to you at that time.

At the time children are enrolled, the parent or other adult completing the enrollment forms should list those people who are authorized to pick up children during the school day. **Unless the principal has a current court order signed by a judge, showing an official file stamp with the court and indicating that a parent's right of access to and possession of his or her children has been limited in some way, the principal will release children to either parent.**

Students will not ordinarily be released during the school day to participate in private lessons or other instruction. If you believe you have a special situation that would warrant an exception to this rule, please contact the campus principal to schedule a conference about your situation.

Withdrawing from School

Children who are under age 18 will not be permitted to withdraw from school unless a parent, legal guardian, or other adult with responsibility for the child comes to the school to complete the necessary forms. Students must return all textbooks and instructional technology issued to them and clear any library fines and other outstanding fees in order for the school to release an official copy of the student's records to the parents or to another school district.

Students who are age 18 or older, who are legally married, or who have ever been legally married are adults and can withdraw themselves from school.

Attendance Requirements

State compulsory attendance laws generally require all children between the ages of six and 19 to attend school each day that school is in session. A student who is younger than six and has ever been enrolled in the first grade is required to attend school. Once a parent enrolls a child in kindergarten or pre-kindergarten, the child is required to attend school that school year.

Regular attendance is critical to your child's success in school. It is also critical to the school district's success because it is a factor in the district and campus rating under the state accountability system and is a significant factor in the amount of state financial aid the district is entitled to receive. In the event of a temporary school closure due to a widespread illness or epidemic, such as COVID-19, all attendance policies will apply to virtual learning on remote platforms and all other forms of distance learning as they would during classroom instruction.

School officials aggressively enforce the state compulsory attendance laws. If your child, age 12 or older, is absent three or more days or partial days during a four-week period but has not had absences that would require a referral to truancy court, we will

implement truancy prevention measures in hope of minimizing the need to refer your child to truancy court. If your child aged 12 or older is absent from school on 10 or more days or partial days within a six-month period in the same school year, you will be referred for prosecution for contributing to truancy and your child will be referred to truancy court, unless the truancy is a result of your child's pregnancy, assignment to a state foster program, homelessness, or being the principal income earner for your family.

You will be notified when your child has three unexcused absences within a four-week period or less to advise you that you must monitor your child's attendance, to inform you that you may be prosecuted, and to request a conference to discuss the absences. Every day that a child is out of school in violation of compulsory attendance laws is a separate offense. You may be assessed a fine for each offense and may also be ordered to participate in a class designed to help you make sure your child attends school as required.

Of course, there are times that children are sick or have other legitimate reasons for being absent from school. Regardless of the age of your child, if she or he is sick and will not be at school that day, you should call the school office to let them know of the absence. Whenever a child is absent from school for any reason, she or he should bring a note signed by you explaining the reason for the child's absence when she or he returns to school. The principal or someone acting for the principal will make the final decision whether an absence is classified as excused or unexcused.

If the child does not bring a signed note, the absence will be classified as unexcused. Students ordinarily will not be permitted to make up missed work for credit if the absence is unexcused.

Although students who are married are legally adults, this fact does not mean that they are not legally required to attend school until they are age 19. We will work aggressively with local authorities to make sure that all students who are within compulsory attendance requirements come to school.

Doctor and Dental Appointments: Absences for appointments with doctors, dentists, orthodontists, physical therapists, and other health care professionals will be classified as excused absences if the student returns to school on the same day as the appointment and presents a note from the health care provider stating the time of the appointment and the time the student left the doctor's office. If the appointment is at the end of the school day and the student has been at school all day up to that time, the absence will be excused if the student brings a note from the health care provider the following day. These excused absences include those for a student diagnosed with

autism spectrum disorder to attend appointments with health care practitioners to receive a generally recognized service for persons with that diagnosis, such as applied behavioral analysis, speech therapy, and occupational therapy. This provision also applies to excuse the absences of students who are parents and are absent to take the student's child for a medical appointment.

Serious or Life-Threatening Illness: Absences resulting from a serious or life-threatening illness or related treatment causing a student's attendance infeasible shall be excused upon presentation of a written certification from a physician licensed to practice medicine in this state specifying the student's illness and the anticipated period of absence. Students who become truant as a result of a serious or life-threatening illness shall not be referred to truancy court but will instead be offered additional counseling.

Religious Holidays: Absences for religious holy days, including up to two days of travel time if necessary, will be classified as excused absences.

Court Appearances: Absences for required court appearances will be classified as excused absences upon presentation to the campus attendance official of a copy of the document requiring the student's appearance in court.

Foster Care Activities: Absences for court-required activities attendant to the student's being in foster care will be classified as excused absences upon presentation to the campus attendance official of a copy of the document requiring the student's attendance at the activities, provided it is not practicable to schedule the activity outside of school hours. Absences are also excused if they are required under a foster care service plan.

Sounding "Taps" at a Veteran's Funeral: Absences by students in grades 6-12 for the purpose of sounding "Taps" at a veteran's funeral with military honors may be excused upon verification that the student provided the service noted.

Citizenship/Naturalization Activities: Absences for appearing at a government office to complete citizenship application paperwork and for taking part in a United States naturalization oath ceremony will be excused upon verification of the student's participation.

Enlistment in Armed Services or National Guard: No more than four absences in the period a student is enrolled in high school will be excused for a student who is 17 years of age or older in order for the student to pursue enlistment in a branch of the armed services of the United States or the Texas National Guard. The absences

need not be consecutive. The absence will be excused upon verification that the student did pursue such enlistment.

Military Deployment: No more than five absences in a school year for visiting with a student's parent, stepparent, or legal guardian who is on active duty and who is called to duty for, on leave from, or immediately returned from a continuous deployment of at least four months away from the person's regular residence will be excused. The absences must occur not earlier than 60 days before the date of deployment or 30 days after the date of return from deployment.

Election Clerk Activities: Students who are serving as election clerks or early voting clerks may receive a maximum of two excused absences in a school year for such activities.

Attendance and Credit

Separate and apart from the compulsory attendance requirements, students in all grade levels K-12 must attend school a certain amount of time in order to get credit or a final grade for a class. State law generally requires students to be "in attendance" for at least 90 percent of the days or minutes a class is taught during a semester or year. All absences from class, excused or unexcused, are counted in determining whether a student has met attendance requirements for credit or a final grade.

Students who are in attendance in a class at least 75% of the days or minutes but less than 90% are eligible to receive credit or a final grade if they complete a plan approved by the principal providing for the student to meet the instructional requirements for the class. Students who are under the jurisdiction of a court in a criminal or juvenile justice proceeding must also obtain the court's consent before credit may be granted.

In the 2022-2023 school year, we require students to be in a class for 72 days in the Fall Semester and 82 days in the Spring Semester to meet the 90% attendance for credit requirements. Each campus has an attendance committee that will review student attendance records. If the committee decides that extenuating circumstances prevented a student from meeting the minimum attendance for credit standard or fulfilling the principal's plan for meeting instructional requirements, the committee can award credit or tell the student what additional work, additional time, or both time and work must be completed in order for the student to get credit for the grade level or course. We offer a Saturday school program as one-way students can make up time and ordinarily will charge a fee for participating in that program. If your child needs this program, the principal will provide complete information about the times and cost before your child is assigned.

Texas Education Code section 11.158 (a)(15) specifically authorizes schools to charge for Saturday school or before and after school programs provided for meeting attendance for credit requirements. If you have such a program, include this highlighted section. The fee cannot exceed \$50 and can be assessed only if the parent signs a statement that it will not create a financial hardship or discourage the student from attending the program.

You will be notified when your child is in danger of losing credit because of absences and will have the chance to meet with the attendance committee to discuss your child's situation.

Conduct and Discipline

Along with this Student Handbook, your child has also received a copy of the Whitney ISD Student Code of Conduct. The Code of Conduct contains the school district's requirements for student conduct and behavior while at school or under the school's jurisdiction. The Code of Conduct also explains the kinds of disciplinary action school officials can take in response to violations of the rules for student conduct and the steps involved in taking disciplinary action. If you have any questions about conduct or discipline rules, please refer to the Code of Conduct or call your child's principal.

Dress and Grooming Code

We expect students to come to school in clothes that are clean and neat, and we expect students to exhibit basic cleanliness and grooming that will not be a health or safety threat to themselves or to other students or staff. We do not permit students to wear clothing with pictures, emblems, or writing that is lewd, offensive, vulgar, or obscene or that advertises or depicts tobacco products, alcoholic beverages, drugs, or any other substance that students are prohibited from having or using at school. The principal makes decisions about dress and grooming violations.

In the event of a temporary school closure due to a widespread illness or epidemic, such as COVID-19, all dress and grooming policies will apply to virtual learning on remote platforms as they would during classroom instruction.

- 1. The length of dresses, skirts, culottes, shorts and athletic shorts will be appropriate and the correct size. When one is standing with arms straight down alongside the body, the bottom of the skirt or shorts must be longer than the end of the little finger. Cutoffs must be hemmed or cuffed. Students are required to wear shorts under skirts or dresses because of P.E. or similar activities. Spandex or other tights must be worn under wind shorts. Leggings may be worn, but the shirt or top garment must extend past the little finger when the arms are held straight down alongside the body.
- 2. The length of shirts should be shorter than the length of the shorts or mid-thigh when wearing long pants. If shirt exceeds this length, the student will be asked to tuck it in.

Any dress, skirt, blouse, shirt, or trousers of any length or fabric (such as spandex) that are suggestive, overly tight, or revealing will not be permitted. This includes, but is not limited to: bare midriffs (no torso skin should show when arms are extended above the head or when seated), certain holes in clothing, low cut tops, halter tops, tube tops, open sided shirts for boys and girls, sagging pants, clothing which has been torn or ragged, apparel designed to be worn under garments, and see-through materials without the appropriate undershirt or underskirt. Dresses or shirts with spaghetti straps must be worn with a sleeved shirt. Tank tops may be worn as long as the shoulder strap is three fingers wide in width.

- 3. Jeans must be hemmed and not touch the floor. All jeans, pants, and shorts must be worn securely at the waist; otherwise, a belt will be required. Belts may be worn. Overalls must be worn with a shirt or blouse and both straps must be properly secured over the shoulders. Waistbands of the overalls must be worn at the waist. Jeans and pants may have rips or tears as long as they are below the knee.
- 4. No extreme hairstyle or color will be allowed to avoid any instructional distractions. This includes hair accessories such as colored hairpieces and colored gels. Mohawks and hair tails of any kind will not be permitted. Spiked hair may not extend more than 4” above the top of the scalp
- 5. Any form of clothing or accessories (example: backpacks, trench coats) that is associated with promotes, or advertises weapons, alcohol, tobacco, drugs, sex, gangs, hate groups, inappropriate language, and violence (i.e. WWE) will not be permitted. This includes any handwriting or pictures on clothes, accessories, or self.
- 6. No heavy/large chains that disrupt the learning process (i.e. wallet chains, large medallions, or spiked jewelry) or mercury filled jewelry are allowed.
- 7. Cosmetics are allowed as long as they do not become an educational distraction.
- 8. Appropriate footwear is to be worn at all times. Heels or platform shoes should not exceed 2 inches. No type of cleats or wheel shoes will be allowed.
- 9. No head coverings (i.e. bandanas, sweat bands) are allowed. No sunglasses are allowed.
- 10. Students’ dress and personal grooming shall not create a safety hazard, disrupt learning, or interfere with, disturb, or detract from school activities. This dress code applies to all students in the school. Exceptions will be made if the attire in question is worn in compliance of a religious doctrine or related to a medical device or need. Where there is a question regarding the dress or appearance of any Whitney ISD student, the decision of a school authority will be final.

PRINCIPAL’S AUTHORITY	The principal will determine if clothing or attire not addressed in this policy creates a distraction to the educational process and may prohibit that clothing or attire for his or her campus. Administrators have the discretion to determine the
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appropriateness of dress and grooming and to make exceptions, including for religious or medical reasons.

If your child comes to school wearing clothes that violate the dress code or in any other way violates our dress and grooming standards, she or he will be placed in a designated area until she or he is in compliance. We will make efforts to notify you as soon as possible, and if the student changes clothes or otherwise comes into compliance with the dress and grooming standards, she or he will promptly return to regular classes.

Harassment or Bullying of Students

We prohibit students from sexually harassing other students and from sexually harassing employees; we also prohibit harassment based on anyone's race, color, religion, gender (including pregnancy), national origin, or disability. Likewise, we prohibit students from bullying each other. Engaging in harassment or in bullying, including cyberbullying, is a violation of the Student Code of Conduct. We, of course, prohibit employees from having any kind of sexual contact or romantic relationship with students enrolled in our schools, even if the student is willing and the parents do not object. See the Student Code of Conduct for a complete description of the offense of "harassment" and possible disciplinary consequences.

If you or your child have a complaint about sexual comments, conduct, contact, or any other inappropriate conduct by a school employee or about any other kind of harassment or bullying, contact the Title IX coordinator whose name appears at the beginning of this Handbook regarding sexual harassment or the superintendent regarding any other harassment or bullying. We will listen to your concern and conduct a prompt investigation, if warranted based on the allegations. You may report instances of bullying anonymously. We also will look into reports that other students have been making sexual or other harassing comments or engaging in bullying or sexual or other inappropriate conduct. Harassment may ultimately be reported to law enforcement.

Although we will provide you a general report of the results of our investigation of harassment complaints, the same federal law that protects the confidentiality of information about your child (see Family Educational Rights and Privacy Act) protects the confidentiality of information about the student you reported for investigation. In other words, we will not disclose to you the specific discipline imposed on another student, unless that student's parents give us permission to disclose that information. If the complaint is about an employee's conduct, we will inform you of the results of the investigation and of the general action taken in response if there is a finding of wrongdoing on the employee's part.

Copies of the complete policies and procedures addressing prohibited bullying, harassment, or retaliation and the process for making reports or complaints related to alleged harassment or retaliation are included in the appendix of this handbook.

Searches of Students, Lockers, and Vehicles on School Property

The principal or other school administrator can search a student's outer clothing, pockets, or property if she or he has a reasonable basis to suspect that the search will reveal evidence that the student has violated a school rule. The scope of the search will be related to the suspected violation.

Lockers are school property and remain under the school's control at all times. Lockers can be searched at any time. Students are responsible for any contraband that is found in their lockers and will be disciplined accordingly. Therefore, they should not give any other student the combination to their locker or otherwise let anyone else have access to their lockers.

Vehicles parked on school property are also subject to search by the principal or other school administrators if the administrator has a reasonable basis to suspect that there may be contraband of any kind, such as weapons, alcohol, drugs, or any other prohibited substance, in the car.

We periodically bring in trained dogs to sniff around vehicles parked on school property or within 300 feet of school property. If the trained dog alerts to a vehicle, that alert provides a reasonable basis to search the car. We will always ask the student for permission to search when a dog alerts or we have another reasonable basis, such as a reliable tip, to search the vehicle. If the student does not consent, we will ordinarily contact a parent and local law enforcement and turn the matter over to law enforcement. Because students are responsible for any contraband that is found in a vehicle they have parked on school property and will be disciplined accordingly, they should be aware of and very careful about what goes on in any vehicle they drive to school.

Questioning Students at School

As school officials, we have the right to question your child about his or her own conduct at school and, in the investigation of alleged misconduct by other students or employees, to question him or her about the conduct of others. We expect students to cooperate in this process, and the refusal to cooperate will be treated as insubordination and disciplined accordingly. We will not ordinarily contact you before questioning your child about his or her own conduct or about the conduct of other students or employees, but we will contact you as provided in the Student Code of Conduct if our investigation shows that your child has violated school conduct rules. The Code of

Conduct provides a complete explanation of the discipline processes and when you will be contacted. Our investigation of possible violations of the Code of Conduct is not a criminal proceeding, and there is no such thing as “taking the Fifth” or a student’s right not to incriminate himself or herself in a school discipline investigation.

Sometimes law enforcement officials or investigators from Child Protective Services (“CPS,” or also known as the Department of Family and Protective Services) ask to interview students at school. In the case of an investigator from Child Protective Services conducting a child abuse or neglect investigation, we are required by state law to permit the investigator to talk to the child at school. We will also make every effort to cooperate with law enforcement officials conducting an investigation that requires talking to students.

Ordinarily, we will attempt to contact you before the interview by an outside person takes place. However, if the CPS investigator or the law enforcement official asks or tells us not to contact you, we will comply.

Pledges, Minute of Silence, Prayer, and Meditation

Each day teachers will lead students in the recitation of the Pledge of Allegiance to the U.S. flag and to the Texas flag. If you do not want your child to participate in this activity, please make a written request to the principal for your child to be excused. Following the recitation of the pledges, the school will observe a minute of silence. During this time, students may choose to reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract other students.

Each student has a right to individually, voluntarily, and silently pray or meditate in school or at any school activity in a manner that does not disrupt or interfere with the delivery of instruction or other activities in the school. No school employee can or will require, encourage, or coerce a student to engage in or to refrain from such prayer or meditation during any school activity.

CURRICULUM AND PROGRAMS

General Curriculum Information

Whitney ISD operates a Pre-K—12 program that meets all state curriculum requirements. Schools are organized by grade level, with separate campuses for elementary (pre-K—grade 2), intermediate (grades 3-5), middle school (grades 6-8), and high school (grades 9-12).

A free whole day pre-kindergarten program is available for children who are at least four years old on September 1 and who are eligible because:

1. they cannot speak or understand English;
2. they are homeless as defined by federal law;
3. they are educationally disadvantaged;
4. they are the child of an active duty member of the armed forces, including a National Guard member ordered to active duty;
5. they are the child of member of the armed forces, including a National Guard member, who was injured or killed while on active duty;
6. they are or ever have been in the conservatorship of the Department of Family and Protective Services, after an adversary proceeding;
7. is the child of a person eligible for the Star of Texas award (seriously injured in the line of duty) as:
 - a) a peace officer under Section 3106.002, Government Code;
 - b) a firefighter under Section 3106.003, Government Code; or
 - c) an emergency medical first responder under Section 3106.004, Government Code.

If you think your child or children are eligible, please contact the principal.

Structured Physical Activity

In accordance with state law, we have the following policies in place to ensure that all students in elementary school, middle school, and junior high school engage in the amount and level of physical activity required by the State Board of Education:

Whitney Intermediate School students participate in 30 minutes of daily recess as well as a weekly activity rotation that includes 45 minutes of physical activity. On Fridays, students receive 90 minutes of enrichment activities, which include periodic physical activity.

Whitney Elementary School students participate in 25 minutes of daily recess as well as a weekly activity rotation that includes two 45-minute sessions of physical activity. Weekly, students receive 90 minutes of enrichment activities, which include periodic physical activity.

Special Programs

To meet the requirements of state and federal law, we also offer several programs designed to meet specific needs of some of our students. We identify students as eligible for one or more of these programs based on assessments made after referrals and recommendations from teachers and counselors and will always inform you about the program beforehand. We also can identify students based on an assessment after a request or referral from you. If you have any questions about the referral and identification process for any of the following programs, please contact your child's teacher(s), counselor, or the campus principal.

Special Education Whitney ISD provides special education and related services for students with disabilities according to individualized plans developed by teachers, parents, counselors, and other professionals. You may request an evaluation of your child to determine eligibility for special education at any time. Please contact the campus assistant principal to receive full information about our special education programs. Hill County Shared Services Arrangement also provides services for Whitney ISD students at 254-582-3814. See also the required Notice at the beginning of this Handbook.

If your special education program is provided through a Shared Services Agreement with other school districts, include the name of the SSA and how to contact someone there. Do not attempt to explain the special education program in the Student Handbook beyond acknowledging its existence.

Section 504: Some students who are not eligible for special education and related services may also have disabilities that interfere with their ability to benefit from the regular school program. A committee of educators who have knowledge of the student and his or her needs and limitations will determine what accommodations to the regular method and requirements of instruction are necessary in order for the student to participate. The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for Section 504 services is:

Contact Person:	WES: Sara Ripley,	WIS: Vicki Reeves
Phone Number:	WES: 254-694-3456	WIS: 254-694-7303

Bilingual Education/English as a Second Language: English is the basic language of instruction in our schools. Children who have limited English-speaking skills will have access to programs to help them learn to understand, speak, read, and write the English language. At the time you enroll your child for the first time, you will be asked to complete a Home Language Survey so we know whether to take additional steps to be sure your child is properly served.

Gifted and Talented Students: Some children demonstrate or show a potential for demonstrating a remarkably high level of accomplishment when compared to other children of similar age, experience, or environment. These children may perform at a very high level in an intellectual, creative, or artistic area, show an unusually high capacity for leadership, or excel in a particular academic field. We provide a variety of programs, activities, and learning opportunity for these students.

Accelerated or Intensive Instruction/Students At-Risk: Some students do not qualify for special education programs or Section 504 accommodations, but still need some additional assistance to be successful in school and complete the high school program. We provide tutorial programs and intensive or accelerated instruction in subjects where students are showing special difficulty and may provide specially focused instruction to improve students' language and math skills. Some of our specialized programs are designed to help students who are pregnant or are parents or who have been involved in the juvenile justice system. Others are designed to provide additional assistance to students who have been retained at any grades or have had serious discipline problems.

We will not remove your child from a regularly scheduled class in order to provide remedial tutoring or test preparation if that removal would cause the student to miss the regularly scheduled class more than 10 percent of class time, unless you provide written consent for removal from the class for remedial tutoring or test preparation.

In addition to the circumstances listed above, accelerated instruction will be required during the 2022-2023 school year or subsequent summer for any student who did not pass STAAR grades 3-8 or EOC assessments. In this case, we will not remove your student from foundation curriculum, recess, or any other physical activity in which your student is participating. Participation in accelerated instruction is subject to state compulsory attendance laws. As such, your student's failure to attend mandated accelerated instruction shall result in attendance violations, such as truancy measures and in some circumstances, grade retention.

Counseling Programs and Services

The district has a developmental counseling and guidance program. Each secondary campus has one or more school counselors who are available to help students with questions about planning their course of instruction, applications to college or other post-secondary education and training programs, scholarships and financial assistance, and other academic issues. We also have trained school counselors available to talk and listen to students about situations and experiences that may be affecting their ability to get all they can from their instructional program. We encourage students to seek the assistance of school counselors whenever they need to, and school counselors can also refer students or parents to other sources of assistance.

Some aspects of the counseling program require prior written parent consent for the student's participation. As parents, you also have the right to preview all the written materials used in the school counseling program. For full information, please contact your school principal or school counselor.

Testing and Assessment Programs

The statewide assessment program continues to change, most recently to reduce the number of state assessments required of students. Students and parents will be informed of changes in the program affecting them as those changes are implemented. Secondary students in core curriculum courses will take and generally must pass five end-of-course examinations; students who are unsuccessful on no more than two of those assessments may graduate under a plan established by an Individual Graduation Committee. Students in grades 3-8 will continue to be assessed using the State of Texas Assessment of Academic Readiness ("STAAR"), but the frequency of testing will be reduced somewhat.

Results of the state examinations are used to assess individual student progress, as well as being a significant factor in the campus and district ratings under the statewide and federal accountability systems. There is no available option under Texas law for students to opt-out of a STAAR exam for any grade level. Please make every effort to have your children at school on state test administration days and to be sure that they have had plenty of rest the night before and a good breakfast that morning.

As required by state law, we will annually assess the physical fitness of students in grades 3-12. You may request the results for your child in writing at the end of the school year.

WIS Grading and Report Cards

Teachers establish their grading standards, including penalties for late work, but those standards must be consistent with guidelines approved by the campus principal. If you have a question about a grade your child receives on an assignment, you should talk first with the teacher. An exam or course grade issued by the teacher is final and will not be changed unless we determine that it was arbitrary, erroneous, or not consistent with the grading standards and policy.

Report cards will be sent home at the end of each grading period. If your child is having trouble in a class, the teacher may ask you to schedule a conference. We encourage you to attend those conferences. If your child's performance in language arts, math, science, or social studies is consistently unsatisfactory, you will receive grade reports every three weeks.

With the report of grades for the first grading period of the school year, we will inform you of the most recent performance rating of your child's campus under the state's Student Achievement Indicator System, along with a definition and explanation of each performance rating.

Daily work and assessment grades comprise the six weeks average for the grading period. Students are allowed to redo daily work grades for a grade improvement of no more than a 70. Late assignments will be deducted 10 points per day with a maximum of three days late before the final grade calculation. Unit assessment grades are allowed to be redone before or after the instructional day. If a student retakes a unit assessment, the highest grade will be entered into the gradebook. A student may retake a unit assessment once. The unit assessment retake timeline will be established by the classroom teacher. Students will receive the following minimum number of grades in each content area for each six weeks grading period.

GRADE EXPECTATIONS: Teachers will be expected to enter a minimum of 8 daily grades, 2 test grades per grading period.

Promotion, Retention, Award of Credit

Students are promoted from grade to grade, or awarded credit for a course, based on their mastery of the knowledge and skills that will let them be successful at the next grade level. In secondary grades, students receive credit for a course when they have met all the state and local requirements for that credit.

If your child does not pass the STAAR after the first administration at a grade level, we will provide intensive instruction in your child's area(s) of academic weakness. Contact your principal for more information or see policy EIE (LOCAL).

For grades PK-3, parents may elect in writing for their student to repeat the grade the student was enrolled in during the previous year. If the District disagrees with the parent's election to retain their student in any grade or course, the District shall convene a retention committee meeting to discuss the election. Your student will not be retained if you do not attend the retention committee meeting.

In the event of a temporary school closure due to a widespread illness or an epidemic, such as COVID-19, the Board of Trustees may amend policies for grading and promotion, retention, and award of credit as necessary.

In grades 3-8, promotion is based on an overall average of 70 on a scale of 100 based on course-level, standards (essential knowledge and skills) for all subject areas, a grade of 70 or above in language arts and mathematics, and a grade of 70 or above in either science or social studies.

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.

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.

A student in grade 5 or 8 will have two additional opportunities to take a failed 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. 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 learners—may be eligible for exemptions, accommodations, or deferred testing. An admission, review, and dismissal (ARD) committee meeting will be convened if a student receiving special education services in grade 5 or 8 fails to meet satisfactory performance after the first STAAR administrations in reading or math. 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 examinations, 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.

Library Facilities, Hours, and Access

Each school has a library available for student research and study, with resources appropriate for needs of the grades served by the campus. The library is supervised by a library aide. Students have access to the library during the school day and during posted hours before and after school.

If you have a concern about library materials available to your child, please contact the librarian, teacher, or the principal. We have a policy and process that will allow you to explain your concerns and reach an understanding about your child’s access to the questioned materials.

Educational Technology and Acceptable Use

We are steadily acquiring computers for school use and access to other instructional and research resources through connections to the Internet and the World Wide Web. These electronic instructional resources are for use at school and for school-related purposes. Before your child is permitted to receive a User Identification and password to use school computers you and your child must sign a User Agreement that explains

acceptable and unacceptable use of school educational technology. You will have the choice to prevent your child from having access to the Internet on school computers.

The following kinds of use of the school's equipment or network are classified as unacceptable under our policy and the User Agreement:

1. Unauthorized use of copyrighted material, including violating district software licensing agreements or installing any personal software on district equipment without approval of the Technology Director. (See EFE)
2. Viewing, posting or distributing messages that are obscene, vulgar, profane, harassing, sexually oriented, sexually explicit, pornographic, offensive to others, threatening to others, or illegal, because a significant part of the district's educational mission is to inculcate or instill the habits and manners of civility and to teach students the boundaries of socially appropriate behavior.
3. Personal political use to advocate for or against a candidate, office-holder, political party, or political position, measure, or proposition. Research or electronic communications regarding political issues or candidates is not a violation when the activity is to fulfill an assignment for course credit.
4. Viewing or participating in social network sites or chat rooms other than those sponsored and overseen by the district.
5. Tampering with anyone else's computer, files, or e-mail.
6. "Hacking," i.e., attempting unauthorized access to any computer or electronic device whether within the district's network or outside it.
7. Attempting to change, disable, or destroy district equipment, files, or data or any other user's data or files, including introducing computer viruses into the district's system by any means.
8. Any use that would be unlawful under state or federal law.
9. Unauthorized disclosure, use, or distribution of personal identification information regarding students or employees.
10. Forgery of e-mail messages or transmission of unsolicited junk e-mail chain messages.
11. Use that violates the student code of conduct.
12. Use related to commercial activities or for commercial gain.
13. Advertisement for purchase or sale of a product.

Students who violate the terms of the User Agreement may lose their computer privileges at school, as well as incur consequences under the school's Student Code of Conduct.

Virtual Instruction

In the event the District provides notice of its intent to offer only virtual instruction for more than one grading period during the regular school year, you may transfer your student to another district that provides in-person instruction during the same school year. Such a transfer is contingent upon the receiving district's acceptance of the student as a transfer.

You have the right to view materials used during your child's participation in virtual or remote instruction, as well as a limited right to observe virtual remote instruction in which your child is participating.

OF SPECIAL INTEREST TO STUDENTS

Extracurricular Activities

We offer a variety of school-related extracurricular activities and encourage students to participate in those that are of interest to them. Some activities, such as academic UIL that are closely related to subjects taught in the curriculum; others, such as the Student Council, help students build leadership skills. All of the academic, athletic and sports teams that participate in University Interscholastic League (UIL) athletic competition are extracurricular, as is the Marching Band, cheerleading, and drill team or pep squad. Although most extracurricular activities are designed for secondary students, those in grades 7 to 12, we encourage elementary age students to participate in UIL Academic activities and competitions.

Participation in extracurricular activities is a privilege, not a right. By state law, students must make a passing grade in all their classes in each grading period in order to be eligible to participate in any extracurricular performance or competition in the next grading period, unless the failing grade was received in an advanced placement or international baccalaureate course or in an honors or dual credit course in English language arts, math, science, social studies, or a language other than English. Students who are ineligible because of one or more grades below 70 will be allowed to practice or rehearse during a suspension but cannot perform or compete. If the student raises the grade(s) to passing within three weeks, she or he will regain eligibility to perform or compete.

Many of our approved extracurricular activities have standards of conduct, dress, and grooming that are stricter than those that apply to all students. You and your child will

be informed of those rules at the beginning of the semester, school year, or activity and will be asked to sign a form acknowledging that you are aware of those standards and know that violation of those standards will result in suspension or removal from the activity. These additional rules are authorized by the school board, which has delegated to the superintendent the authority to approve them.

Student(s) are subject to suspension of extracurricular activities privileges throughout the school year based upon behavioral incidents at the discretion of the principal or other campus designee.

Student Publications/Distribution of Materials

All materials prepared and published as part of a school's journalism or language arts programs are under the control and supervision of the administration and the Board of Trustees. The principal has final approval authority on all materials published or distributed in the name of the school.

Each campus has an area in the school where non-school publications or materials that have been approved by the principal can be made available to students. Students are not permitted to distribute non-school publications or materials in the classroom or hallways.

Before non-school materials or publications are made available to students in the designated area, they must be submitted to the principal for review and approval. The principal will make a decision within two school days after the materials are submitted, and his or her failure to act within that time is interpreted as disapproval. If the materials are disapproved, students can appeal to the superintendent using the student complaint policy FNG (LOCAL).

OF SPECIAL INTEREST TO PARENTS

Parent Rights

Academic Programs: You can ask the principal to change your child's teacher or class assignment; however, the principal is not required to make the reassignment and will not do so ordinarily if that change would affect the assignment or reassignment of another student.

You can ask the school board to add a specific academic course to the schedule and offerings. If the administration and the board determine that the course is among those included in the State Board of Education-approved curriculum and that there is sufficient interest in the class to make it economically practical to offer the class, the request will not be unreasonably denied.

You can ask that your child be permitted to attend a class for credit above his or her grade level. If the counselor and child's current and prospective teacher expect that the child can perform satisfactorily in the class, the request will not be unreasonably denied.

Teaching Materials: You may review all teaching materials, textbooks and other teaching aids used in your child's classroom and may review all tests administered to your child, after the test is given. To review these materials, please contact the principal, who will make arrangements to provide you access to those materials at school during regular school hours.

Some textbooks are so expensive that we purchase classroom sets rather than a textbook for each student taking the course. You may request that your child be permitted to take home any textbook used by the student, and if a book is available, we will gladly honor that request. If the teacher requests it, the student must return the textbook to school the following school day.

Records and Other Information: As we stated in the "Required Notices" section of this Handbook, you have a right of access to all written educational records that we maintain concerning your child. You also can receive full information about any and all school activities in which your child is involved. However, as we explained in the section on "Questioning Students at School," we must comply with a request or directive from a Child Protective Services investigator regarding contact with or information to parents about an investigation.

Video and Audio Recording: We will seek and obtain your written consent before any school employee makes an audio or video recording of your child, except that your prior consent is not required before a recording that will be used only for:

- safety purposes, including maintaining order and discipline in common areas of the school or on school buses;
- a purpose related to a co-curricular or extracurricular activity;
- a purpose related to regular classroom instruction;
- video surveillance of special education settings in accordance with Texas Education Code section 29.022; or
- media coverage of the school.

Psychological Examinations: We will seek and obtain your written consent before conducting any psychological examination, test, or treatment of your child, unless the examination is part of an investigation by Child Protective Services in response to a report of known or suspected child abuse or neglect. If the examination or test is part of the comprehensive assessment to see if your child needs special education or related services, before we obtain consent, on your request, we will provide you with

information about the name and type of examination and how the examination will be used to develop an appropriate individualized program for your child.

Exemption from Instruction: You may temporarily remove your child from a class or other school activity that conflicts with your religious or moral beliefs if you provide a written statement authorizing the removal to your child’s teacher. However, you are not entitled to remove your child from class or an activity to avoid taking a test, including a state assessment, or to prevent your child from taking a subject for an entire semester. Your child will be required to satisfy grade level or graduation requirements, regardless of any periods of temporary removal based on your religious or moral beliefs. Before providing instruction on human sexuality, the prevention of child abuse, family violence, dating violence, and sex trafficking, the District must first obtain written consent from the parent. The written consent for provision of these forms of instruction shall be sent to parents at least 14 days before instruction will begin.

Campus Performance and Accountability: We will keep you annually informed of your children’s campus ratings and whether the campus has been identified under state and federal law as one that needs improvement. If the campus is so identified, we will inform you of your rights regarding public school choice and transportation at that time. You will receive information with your child’s report card for the first reporting period of each year related to the campus performance rating under the state accountability system.

Classroom Celebrations: The campus principal has discretion over whether you or a grandparent may provide a food product of your choice to your child and his or her classmates on the occasion of the child’s birthday or for any other school-designated function, such as class parties, bake sales, etc. Such foods may not be consumed in the cafeteria when normal meals are being served due to possible conflicts with federal nutrition guidelines. Please inquire before bringing items to the school or your child’s class so that any issues with food allergies or disruption to classroom instruction can be addressed and every effort can be made to ensure a successful, positive experience.

School Marshals: You may request in writing to be informed in writing whether any school employee at your child’s campus is currently appointed as a school marshal; however, we will not disclose the identity of that person.

Visiting School

You are welcome to visit your children’s schools from time to time; however, you must comply with our policy requiring **all** visitors to go first to the principal’s office and sign in. We have this policy for the safety of your children and our staff. Parents and any

other person on campus without the principal's knowledge will be considered as trespassers and may be subject to arrest.

We also expect parents to be polite and civil in their dealings with all school staff. We do not permit or tolerate abusive, disrespectful, threatening, lewd, profane, or offensive language from your children at school, and we will not tolerate it from parents. Parents who create a disruption at school or behave unacceptably may be prohibited from coming onto school property without specific authority and will be treated as criminal trespassers if they disregard the principal's or superintendent's directive.

While we encourage you to be involved in your children's education and knowledgeable about their classes, teachers, and curriculum, it has been our experience that frequent and lengthy visits to the classroom are disruptive both to teaching and learning. The principal can limit or restrict the frequency and duration of classroom visits to be sure that disruption of the instructional process does not occur.

Visitors are required to dress appropriately while on campus. You may be asked to leave due to revealing, lewd, or otherwise inappropriate attire.

Visitors may only eat or bring food for their child unless we have express consent from the parent or guardian of the other child.

Visitors will be allowed on campus after 9am due to drop off and start of day procedures. Visitors will not be allowed to breakfast or to walk students to class in the mornings (with the exception of the first 3 days of school).

In the event of a temporary school closure due to a widespread illness or epidemic, Whitney ISD may deliver instruction to its students virtually through a remote learning platform. If you wish to view or attend a virtual learning session, you must first obtain approval of such a request from the campus principal. The principal can limit or restrict the frequency and duration of virtual classroom visits to ensure that disruption of the instructional process does not occur.

We encourage you to come to school occasionally and eat lunch with your child; however, children can be removed from the campus during lunch period only by following the established process of signing the child out from the principal's office. Unless we have possession of a court order that specifically limits a parent conservator's access to their child while at school, a parent appointed as a conservator of a child has at all times the right to attend school activities, including, but not limited to, school lunches, performances, and field trips.

Complaint Process

We realize that situations may arise when parents disagree with a decision that affects their child or believe that a policy has been improperly applied to their child. A number of these types of disputes or controversies have specific processes for pursuing those concerns. The principal can provide you with a copy of the relevant policies and procedures.

In general, all parent complaints should be brought initially to the teacher involved or the campus principal within 15 business days of the events or situation that you are concerned about. Often the problem can be resolved through an informal conference with the teacher or principal. On those occasions when a conference does not take care of problem, you should request a copy of the complaint policy and complaint form from the principal's office. In order for your concern to be resolved at the earliest possible level, you must put your complaint in writing on the form provided before meeting formally with the principal.

The principal will schedule a conference with you and give you a written or verbal response within ten business days after the conference. You will also have an opportunity for a conference with the superintendent if the principal has not resolved the matter. If the superintendent is not able to take care of the problem, you can make a written request for the board of trustees to consider the matter at a future meeting. You must, however, follow our established policies and use our forms.

Individual trustees cannot respond to parent complaints beyond referring the matter to the administration. Furthermore, the board of trustees will not permit complaints to be heard in the public comment or open forum portion of board meetings. In order for the board to take any action on a complaint, you must follow the complaint process established in policy.

Student Health Concerns

We have adopted and enforce policies to ensure that our campuses comply with Texas Department of Agriculture guidelines for restricting student access to vending machines containing foods of minimal nutritional value. Generally, this means that soft drinks and other foods of minimal nutritional value will not be available to elementary students during the school day or to secondary students during any designated meal periods.

As required by state law, we have and enforce prohibitions against student possession and use of tobacco, tobacco products, and e-cigarettes on campuses or at school-sponsored or –related activities. These prohibitions are addressed in the Student Code of Conduct and also in board policy and the employee handbook.

Physical and Mental Health Resources

The district's board policies promoting student physical and mental health may be found online at [district's Policy Online URL]. Some of the relevant Board policies include:

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

Each campus has a full-time school nurse and full-time school counselor. Parents and students who have physical or mental health concerns may contact the following:

- The school nurse, WES: Vicki Brooks at 254-694-3456 WIS: Jeanne Thompson, at 254-694-7303.
- The school counselor, WES & WIS Amber Laningham, at 254-694-7303
- The local public health authority at 254-582-7331.
- The local mental health authority, Hill County MHMR at 254-582-3444.

The district's student health advisory council met 4 times during the preceding school year and will meet at least four times during each school year.

In collaboration with you and, if possible, your child's physician, we will develop an individualized health plan for children with diabetes who need care for diabetes while in school or participating in a school activity. If your child has diabetes and will need care at school or while participating in a school activity, you must submit the diabetes management and treatment plan prepared by you and your child's physician before or at the beginning of the school year, on enrollment after the beginning of the school year, or as soon as practicable following a diagnosis of diabetes.

Students with a diagnosed food allergy that places them at risk for anaphylaxis (sudden onset, whole body reaction to an allergen that can involve closing of airways, hives, swelling, irregular heartbeat, wheezing, and other symptoms) shall be cared for in accordance with district policy.

Students are permitted to possess and use over-the-counter sunscreen at school to avoid over-exposure to the sun and over-the-counter insect repellent to prevent mosquito bites, provided that the sunscreen or repellent is not being used for medical treatment of any injury or illness.

Student Illness or Injury at School

We will promptly attempt to notify you or a person you have authorized us to notify if we have knowledge that your child has been injured at school or has become ill at school. We have school nurses/trained aides available on each campus and a secluded area where your child can stay if she or he is injured or becomes ill.

One of the forms we ask you to complete at the beginning of each school year is a form authorizing designated school employees to consent to medical treatment in case your child is injured at school or a school-related activity and requires emergency treatment. We, of course, will call you in such a situation and will also call for emergency medical assistance, if needed. **It is important, however, that you understand that the school district is not responsible for any cost of medical treatment or services provided after an injury at school or a school-related activity. We cannot and will not use public funds to pay individual student medical expenses.**

[\(Student Activity Permission and Student Activity and Transportation Permission forms available\)](#)

The school district has purchased and provides Texas Kids First as supplemental insurance for students involved in extracurricular activities.

Although we want your child to attend school every day, we do not want your child at school if she or he has a communicable disease or is running a fever of 100° or more. Under State and local Health Department regulations, if your child has certain medical conditions, she or he must be excluded from school for a period of time. The principal can provide you a complete list of those conditions and periods of exclusion.

Administering Medicine at School

Often, students have to take prescription medication for a certain period of time as treatment for a medical condition. If at all possible, we ask that you schedule the timing of the doses so that the child takes the medicine at home. If children have to take

medicine at school, you must make a written request to the principal or nurse. The school nurse or other authorized school employee will administer medications only from a container that appears to be the properly labeled original prescription container or from a properly labeled unit dosage container filled by the nurse from a properly labeled original prescription container. Only the nurse or other authorized school employees are permitted to administer prescription medicines at school. Other than prescription asthma medicine or anaphylaxis treatment for students with severe allergies that may result in anaphylaxis, we do not permit students to carry their own medications and self-administer.

Children with asthma or children with severe allergies that may result in anaphylaxis will be allowed to carry and self-administer their prescription asthma or anaphylaxis medicine under certain conditions. The student must have demonstrated to his or her doctor and to the school nurse that the child has the skills necessary to self-administer the asthma or anaphylaxis medicine. Additionally, you must provide us a written authorization for self-administration and a written statement from child's doctor that the student has asthma and is capable of self-administration and that includes the name and purpose of the medicine, the prescribed dosage, the times and circumstances for administration, and the period for which the medicine is prescribed.

We keep commonly used over-the-counter treatments, such as antacids, aspirin, acetaminophen, ibuprofen, antibiotic ointments, and the like in the nurse's office. Nurses or authorized personnel will administer these medications according to the labeled instructions only if you make a written request to the nurse, providing the same basic information as is required for administering prescription drugs.

If your child has unique medical conditions or any other condition that requires virtually immediate administration of medications under specified conditions, please contact the principal, who will schedule a meeting of appropriate personnel to ensure that your child's needs are met.

If your child has a food allergy or a severe food allergy that, in your judgment, would require immediate medical attention if the student were exposed to the allergen, we will ask you to disclose that information, including the food to which the child is allergic and the nature of the allergic reaction, at enrollment so that we may take necessary precautions for the child's safety. The information provided is confidential and will be disclosed only to those employees who need the information in order to appropriately care for your child.

Lost, Damaged, or Stolen Personal Items

We ask that you discourage your child from wearing or bringing to school expensive or irreplaceable jewelry, watches, sunglasses, or personal clothing that may be removed during the days, such as winter coats. Students are responsible for all their personal possessions while at school or any school-sponsored or school-related event. **It is important that you understand the school district is not responsible for any personal items that are lost, damaged, or stolen at school or a school-related activity.**

Each campus maintains a "Lost and Found" in the administrative offices; clothing and other items that are turned in as "lost" and not claimed by the end of the school year will be donated to a local charity.

Telephone Use

School telephones are for school business use. Students will be permitted to use school telephones only for emergencies and only with permission. If you call for your child during the school day, we will take a message and deliver it to the student at the end of the class period or other time that will least interfere with instruction. The Student Code of Conduct allows students to carry cellular or other electronic communication devices during the school day, but requires them to be turned off during instruction and placed in a designated location.

In the event of a temporary school closure due to a widespread illness or epidemic, such as COVID-19, students will not be permitted to use their cell phones during virtual instruction on virtual learning platforms except as necessary to access remote learning materials.

Consequences

1. Teacher will give one warning for student to place phone in pocket chart.
2. Student will be required to turn phone over to teacher who may return phone at end of the period.
3. Refusal to turn phone/device over warrants referral to the office, which may result in confiscation of phone, disciplinary action, and up to \$15 return fee (taken care of by parent).

*Continued daily cell phone violations will result in automatic disciplinary action taken by administration.

Final discretion for cell phone or electronic device violations and consequences is at the discretion of campus administration.

Parent Organizations/Volunteer Opportunities

Every campus in the district has an active Parent-Teacher Organization and we encourage you to actively participate in the group at your child's or children's campus(es).

We encourage parents to volunteer in our schools. All volunteers must complete an application form, and the district will obtain a Criminal History Report on all applicants for volunteer programs.

Transportation Program

We provide transportation on school buses to and from school for those children who live more than two miles away from the school they attend. Students are required to comply with rules for conduct on school buses and to comply with the Student Code of Conduct while at authorized school bus stops waiting for the bus. Students who misbehave or violate the Code of Conduct while on the bus will be disciplined according to the Code of Conduct and may be suspended from the bus for a period of time.

Authorized Fees

Although the basic cost of your child's public education is provided through local tax revenues, state funding, and some federal funds, we may assess fees for certain kinds of materials and services, as described in the following list:

- a fee to cover the cost of materials when the student makes, builds, or prepares some product that becomes the student's personal property.
- dues for voluntary student organizations and clubs and admission fees to voluntary extracurricular activities.
- security deposits for materials, supplies, or materials that must be returned to the district.
- fees for personal PE equipment and clothing, unless the student provides his or her own clothing and equipment that meets school health and safety standards.
- fees for items of personal use or products a student chooses to purchase, such as student publications, class rings, annuals, and graduation announcements.
- a reasonable fee, not more than the annual cost of maintenance, for school-owned musical instruments and uniforms.
- fees for personal apparel used in extracurricular activities that become the student's personal property, such as cheerleader, pep squad, or drill team uniforms.

- fees, not more than \$50, for attendance in a program offered outside of regular school hours that allows students who have excessive absences that would require losing credit to make up missed instruction and receive credit. This fee will be assessed only if a parent signs a form stating that paying the fee will not create a financial hardship or discourage the student from attending the program.
- a reasonable fee for transporting a student to and from school if the student is not an eligible rider and the district does not receive any state funds for a transportation allotment.

You may request a waiver of any required fee that you are unable to pay by contacting the principal who will determine ability to pay based on the criteria for identifying students who are eligible for participation in the free and reduced-price school breakfast and lunch program.

Food Service/Free and Reduced-Price Food Program

We serve a variety of nutritious food for students and faculty members at a nominal cost. We do not allow foods of minimal nutritional value, as defined by the federal Child Nutrition program, to be served or available for purchase in food service and eating areas during the time students are being served meals.

Students must follow directions for entering the cafeteria and observe good table manners and courteous behavior at all times, e.g., no cutting in line. Wearing hats in the cafeteria, loud talking, and unnecessary noise are considered poor manners and may result in disciplinary action.

We strongly discourage students from charging meals, and charges are only allowed up to \$10. Parents/guardians may add funds to student accounts through the EZ School Pay Service provided on the district website.

Our schools participate in the federal Child Nutrition Programs, which provide free and reduced-price breakfast and lunch programs to students based on family income levels. We maintain strict confidentiality as to whether students participate in the program. If you would like more information about the program or an application, please contact the Director of Food Services, Judy Bailey.

Appendix

WHITNEY ELEMENTARY GRADING POLICY

Whitney Elementary utilizes a skill based report card to report student achievement of the grade appropriate state standards. PK utilizes observation notes and skills based task to evaluate student achievement.

In grades K–2, promotion to the next grade level shall be based on significant mastery of the essential knowledge and skills in each of the following subjects: reading, language arts, mathematics, science, and social studies. Significant mastery shall be demonstrated by earning a grade of at least “Approaching” for a majority of the grades in each of those subjects on the final report card.

Grading Codes: **E**- Mastered grade level expectation **S**-Meets grade level expectation **N**-approaching grade level expectation **U**-did not meet grade level expectation

WHITNEY INTERMEDIATE GRADING POLICY

Percentage Weight of Grades

Students shall receive both major (assessment) and minor (practice) grades. Major and minor grades will be weighted as follows:

- 40% Major Grades: Essays, projects, tests, performance assessments, science labs, etc.
- 60% Minor Grades: Homework, quizzes, class activities, practice, etc.

District grading scale:

A	90 to 100
B	80 to 89
C	70 to 79
F	69 and below
I	Incomplete - Must be completed within one week or grade becomes a “F”

Whitney Elementary & Intermediate School has in place a make-up policy for missed assignments. Students may have the opportunity to re-take a major assessment or test in which the student did not meet mastery for a grade no higher than a 70. In the event a student receives a failing grade ($\leq 69\%$) on a major assessment/project, they may be provided one reasonable opportunity to participate in the re-teaching/re-testing process. Students should complete this process within 5 days of receiving the failing grade, but teachers may work with students for extenuating circumstances. Decisions

concerning extenuating circumstances will be left to the sole decision of the teacher. For UIL eligibility purposes (grades 7-12), the final grade must be posted by the UIL grade reporting deadline. Re-testing will not include semester or final exams. Due to the rigor, expectations, and guidelines of Advanced, Honors, and Dual Credit courses, these courses may be exempt from the re-test policy.

Students may be allowed to demonstrate proficiency of learning objectives by means of a re-teach activity and re-test for a maximum of 70% of the original score possible. The student should attend a reteach session during tutorials before taking the re-test. Make-up tests or quizzes shall be administered during tutorial time to prevent the student from missing class time. Upon the completion of the re-test, the two grades will be reviewed with the higher grade being recorded in Gradebook. Again, the final grade may not exceed 70%.

Make-up Work

All students shall be allowed to make up work when they are absent from class.

Students shall have a time equal to days absent to complete all missed assignments.

- Under extenuating circumstances such as long-term illness or family emergencies (with approval from the campus principal), teachers may choose to give students more than one day for each day missed to make-up assignments.
- Make-up tests or quizzes should be administered during tutorial time to prevent the student from missing additional class time.
- Students do not get extra days to complete long-term projects, essays, and assignments with advance notice of deadlines given by the teacher. For these types of assignments, students are responsible for submitting work upon return to class.

Late Classwork and Homework

Late classwork and homework penalties apply only to students who are in attendance, but fail to turn work in on time. No work will be accepted after the end of the progress report period in which the assignment grade was posted in Gradebook. With the approval of the campus principal, an incomplete (I) may be assigned in extenuating circumstances. Reminder, an (I) must be cleared by the next grade reporting period. UIL eligibility rules consider an (I) the same as a failing grade.

The penalty for late work will be deduction of points (-10 each day) for assignments that are one or more days late up until the 3rd day. After 3 days, students will be assigned mandatory morning tutorials on the 4th day to receive a grade no higher than a 70. If

tutorials are not attended, then a grade of O will be entered in Gradebook. Tutorials supersede any extracurricular activities (band, sports, etc.).

Tardies

A student is tardy if the student is not in the classroom when the 7:50a.m. (Elementary) and 7:55 a.m. (Intermediate) bell rings. A tardy slip issued by the office is required at that time to be admitted to the class.

Tardies (during a 6/9 week period)

First- Warning

Second- warning and parent notification

Third- student conference/parent notification/1 day lunch detention or miss recess

Fourth- student and parent conference/further-disciplinary action determined by campus administrator

Fifth+ -further disciplinary action determined by the campus administrator

*Excessive early dismissals from school are highly discouraged. Campus administration will address individual excessiveness of early dismissal as it relates to missed educational opportunities.

Note: The following legal provisions address dating violence and sexual harassment. For legal provisions addressing discrimination on the basis of disability, sex, and other protected characteristics, see FB.

Dating Violence

A district shall adopt and implement a dating violence policy to be included in the district improvement plan.

A dating violence policy must:

1. Include a definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship, as defined by Family Code 71.0021; and
2. Address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents.

Education Code 37.083, .0831 [See BQ]

Note: References to Title IX, part, or subpart in the following legal provisions refer to Title IX and its corresponding regulations.

Sexual Harassment

A district may develop and implement a sexual harassment policy to be included in the district improvement plan. *Education Code 37.083 [See BQ]*

Sexual abuse of a student by an employee, when there is a connection between the physical sexual activity and the employee's duties and obligations as a district employee, violates a student's constitutional right to bodily integrity. Sexual abuse may include fondling, sexual assault, or sexual intercourse. *U.S. Const. Amend. 14; Doe v. Taylor Indep. Sch. Dist., 15 F.3d 443 (5th Cir. 1994)*

A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX. *34 C.F.R. 106.45; 20 U.S.C. 1681 [See also FB regarding Title IX]*

Designation of
Title IX Coordinator

A district must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, which employee must be referred to as the "Title IX Coordinator."

Whitney ISD
109911

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LEGAL)

Parties Entitled to Notice	<p>The district must notify applicants for admission and employment, students, parents or legal guardians, employees, and all professional organizations holding professional agreements with the district ("Parties Entitled to Notice") of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.</p> <p><i>34 C.F.R. 106.8(a)</i></p>
Reporting	<p>Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during nonbusiness hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.</p>
Notification of Policy	<p>A district must notify the Parties Entitled to Notice, above, that the district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner. The notification must state that the requirement not to discriminate in the education program or activity extends to employment, and that inquiries about the application of Title IX to such district may be referred to the district's Title IX Coordinator, to the assistant secretary for civil rights of the Department of Education, or both.</p> <p><i>34 C.F.R. 106.2(d), .8(b)(1)</i></p>
Publication Requirements	<p>A district must prominently display the contact information required to be listed for the Title IX Coordinator and the nondiscrimination policy described at Notification of Policy, above, on its website, if any, and in each handbook that it makes available to the Parties Entitled to Notice, above.</p> <p>A district must not use or distribute a publication stating that the district treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by Title IX.</p> <p><i>34 C.F.R. 106.8(b)(2)</i></p>

DATE ISSUED: 12/9/2020
UPDATE 116
FFH(LEGAL)-P

3 of 17

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

Complaint
Procedures

A district must adopt and publish procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and a Title IX formal complaint process that complies with 34 C.F.R. 106.45 for formal complaints as defined below.

A district must provide notice to the Parties Entitled to Notice, above, of the district's procedures and Title IX formal complaint process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the district will respond.

The requirements of this provision apply only to sex discrimination occurring against a person in the United States.

34 C.F.R. 106.8(c)-(d)

Response to Sexual
Harassment
Definitions

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a district's Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the district with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the district. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Consent" is not defined by the Title IX regulations, nor do the regulations require districts to adopt a particular definition of consent with respect to sexual assault.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment

against a respondent and requesting that the district investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party to a Title IX formal complaint, and must comply with the requirements of the Title IX formal complaint process, including the informal resolution process.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

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

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

"Supportive measures" means nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines

or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or district-provided housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

34 C.F.R. 106.2, .30(a)

Deliberate Indifference

A district with actual knowledge of sexual harassment in an education program or activity of the district against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

Education Program or Activity

For the purposes of 34 C.F.R. 106.30 [see Definitions, above] and 106.45 [see Process for Title IX Formal Complaint, below], "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

34 C.F.R. 106.44(a)

Title IX Coordinator Response

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator must respond in this manner with or without a formal complaint. *34 C.F.R. 106.44(b)(1)*

Supportive Measures Required

A district's response must treat complainants and respondents equitably by offering supportive measures and by following a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below] before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. [For Emergency Removal procedures, see below.]

Constitutional Restrictions

The Department of Education may not deem a district to have satisfied the district's duty to not be deliberately indifferent under Title

	<p>IX based on the district's restriction of rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.</p> <p><i>34 C.F.R. 106.44(a)</i></p>
<i>Response to a Formal Complaint</i>	<p>In response to a formal complaint, a district must follow a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below]. <i>34 C.F.R. 106.44(b)(1)</i></p>
<i>Emergency Removal</i>	<p>The Title IX regulations do not preclude a district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district:</p> <ol style="list-style-type: none">1. Undertakes an individualized safety and risk analysis;2. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and3. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. <p>This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.</p> <p><i>34 C.F.R. 106.44(c)</i></p>
<i>Administrative Leave</i>	<p>The Title IX regulations do not preclude a district from placing a nonstudent employee respondent on administrative leave during the pendency of a Title IX formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. <i>34 C.F.R. 106.44(d)</i></p>
Process for Title IX Formal Complaint	<p>For the purpose of addressing formal complaints of sexual harassment, a district's process must comply with the following requirements. Any provisions, rules, or practices other than those required by this provision that a district adopts as part of its process for handling formal complaints of sexual harassment must apply equally to both parties. <i>34 C.F.R. 106.45(b)</i></p> <p>A district's Title IX formal complaint process must:</p> <ol style="list-style-type: none">1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a process that complies with the Title IX regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures

against a respondent. Remedies must be designed to restore or preserve equal access to the district's education program or activity. Such remedies may include the same individualized services described as supportive measures; however, remedies need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent;

2. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness;
3. Require that any individual designated by a district as a Title IX Coordinator, investigator, decision-maker, or any person designated by a district to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A district must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and Title IX formal complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A district must ensure that decision-makers receive training on any technology to be used at a live hearing, if any, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. [See Hearings, below] A district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. [See Investigation of a Formal Complaint, below] Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment;
4. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process;
5. Include reasonably prompt time frames for conclusion of the Title IX formal complaint process, including reasonably

prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes, and a process that allows for the temporary delay of the Title IX formal complaint process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;

6. Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the district may implement following any determination of responsibility;
7. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment;
8. Include the procedures and permissible bases for the complainant and respondent to appeal;
9. Describe the range of supportive measures available to complainants and respondents; and
10. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

34 C.F.R. 106.45(b)(1)

*Notice of
Allegations*

Upon receipt of a formal complaint, a district must provide the following written notice to the parties who are known:

1. Notice of the district's Title IX formal complaint process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - a. The identities of the parties involved in the incident, if known;

- b. The conduct allegedly constituting sexual harassment;
and
- c. The date and location of the alleged incident, if known.

The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and may inspect and review evidence [see Investigation of a Formal Complaint, below]. The written notice must inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Title IX formal complaint process.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations, above, the district must provide notice of the additional allegations to the parties whose identities are known.

34 C.F.R. 106.45(b)(2)

*Dismissal of a
Formal Complaint*

The district must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the district must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not preclude action under another provision of the district's code of conduct.

The district may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the district; or specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted pursuant to 34 C.F.R. 106.45(b)(3), the district must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

*Consolidation of
Formal
Complaints*

A district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a Title IX formal complaint process involves more than one complainant or more than one respondent, references in this provision to the singular "party," "complainant," or "respondent" include the plural, as applicable.

34 C.F.R. 106.45(b)(3)-(4)

*Investigation of a
Formal Complaint*

When investigating a formal complaint and throughout the Title IX formal complaint process, a district must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a Title IX formal complaint (if a party is not an "eligible student," as defined in 34 C.F.R. 99.3 then the district must obtain the voluntary, written consent of a "parent," as defined in 34 C.F.R. 99.3) [see FL(LEGAL) at Education Records];
2. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
3. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
4. Provide the parties with the same opportunities to have others present during any Title IX formal complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or Title IX formal complaint proceeding; however, the district may establish restrictions regarding

the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten days to submit a written response, which the investigator will consider prior to completion of the investigative report. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
7. Create an investigative report that fairly summarizes relevant evidence and, at least ten days prior to a hearing (if a hearing is required or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

34 C.F.R. 106.45(b)(5)

Hearings

The district's Title IX formal complaint process may, but need not, provide for a hearing. With or without a hearing, after the district has sent the investigative report to the parties pursuant to 34 C.F.R. 106.45(b)(5)(vii) [see Investigation of a Formal Complaint, above] and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. With or without a hearing, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior

*Determination
Regarding
Responsibility*

sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant. *34 C.F.R. 106.45(b)(6)(ii)*

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the district must apply the standard of evidence described at Process for Title IX Formal Complaint, above.

The written determination must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

34 C.F.R. 106.45(b)(7)(i)-(ii)

Implementation of Remedies The Title IX Coordinator is responsible for effective implementation of any remedies. *34 C.F.R. 106.45(b)(7)(iv)*

Appeals A district must offer both parties an appeal from a determination regarding responsibility, and from a district's dismissal of a formal complaint or any allegations therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

A district may offer an appeal equally to both parties on additional bases.

As to all appeals, the district must:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards in the Title IX regulations regarding conflict of interest and bias [see Process for Formal Title IX Complaint, item 3, above];
4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
5. Issue a written decision describing the result of the appeal and the rationale for the result; and
6. Provide the written decision simultaneously to both parties.

34 C.F.R. 106.45(b)(8)

Informal Resolution A district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent

with Title IX. Similarly, a district may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

1. Provides to the parties a written notice disclosing:
 - a. The allegations;
 - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
2. Obtains the parties' voluntary, written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

34 C.F.R. 106.45(b)(9)

Recordkeeping

A district must maintain for a period of seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A district must make these training materials publicly available on its website or if the district does not maintain a website the district must make these materials

available upon request for inspection by members of the public.

For each response required under Title IX Coordinator Response, above, a district must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity.

If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

34 C.F.R. 106.45(b)(10)

Retaliation
Prohibited

No district or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Complaints alleging retaliation may be filed according to the Process for Title IX Formal Complaint above.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by Title IX.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX formal complaint proceeding does not constitute retaliation prohibited by Title IX, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

34 C.F.R. 106.71(a)-(b)

Whitney ISD
109911

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LEGAL)

Confidentiality

The district must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. *34 C.F.R. 106.71(a)*

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UPDATE 116
FFH(LEGAL)-P

17 of 17

	<p>Note: This policy addresses discrimination, harassment, and retaliation against District students. For provisions regarding discrimination, harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.</p>
Statement of Nondiscrimination	<p>The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.</p>
Discrimination	<p>Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the student.</p>
Prohibited Conduct	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p> <p>Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]</p>
Prohibited Harassment	<p>Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none">1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or3. Otherwise adversely affects the student's educational opportunities. <p>Prohibited harassment includes dating violence as defined by law and this policy.</p>
Examples	<p>Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or</p>

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

Sex-Based Harassment

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

**Sexual Harassment
By an Employee**

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

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

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

By Others

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

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

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

Examples

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

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

Gender-Based Harassment

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

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

Examples

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

Dating Violence

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

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

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

Examples

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

Reporting Procedures

Student Report

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

Employee Report

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

Definition of District Officials

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

Title IX Coordinator

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

ADA / Section 504 Coordinator

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

Superintendent

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

Whitney ISD
109911

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Alternative Reporting Procedures	<p>An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	<p>To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.</p>
Notice to Parents	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p>
Investigation of Reports Other Than Title IX	<p>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Sexual Harassment—Title IX.</p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>
Interim Action	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.</p>

DATE ISSUED: 7/8/2020
UPDATE 115
FFH(LOCAL)-A

5 of 9

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

	areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.
<i>Bullying</i>	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
Response to Sexual Harassment–Title IX	For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p> <ul style="list-style-type: none">• Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;• Consider the complainant's wishes with respect to supportive measures; and• Explain to the complainant the option and process for filing a formal complaint. <p>The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.</p>

	<p>If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct.</p>
<p>Title IX Formal Complaint Process</p>	<p>To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."</p> <p>The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:</p> <ol style="list-style-type: none">1. Equitable treatment of complainants and respondents;2. An objective evaluation of all relevant evidence;3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;9. A description of the supportive measures available to the complainant and respondent;

	<p>10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;</p> <p>11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and</p> <p>12. Other local procedures as determined by the Superintendent.</p>
Standard of Evidence	<p>The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.</p>
Retaliation	<p>The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.</p>
Examples	<p>Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</p>
False Claim	<p>A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.</p>
Records Retention	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]</p> <p>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</p>
Access to Policy and Procedures	<p>Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.</p>

Definitions

Bullying

"Bullying":

1. Means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements below and that:
 - a. 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;
 - b. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
 - c. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
 - d. Infringes on the rights of the victim at school; and
2. Includes cyberbullying.

Cyberbullying

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

Applicability

These provisions apply to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
 - a. Interferes with a student's educational opportunities; or

- b. Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Policy

The board shall adopt a policy, including any necessary procedures, concerning bullying that:

1. Prohibits the bullying of a student;
2. Prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;
3. Establishes a procedure for providing notice of an incident of bullying to:
 - a. A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
 - b. A parent or guardian of the alleged bully within a reasonable amount of time after the incident;
4. Establishes the actions a student should take to obtain assistance and intervention in response to bullying;
5. Sets out the available counseling options for a student who is a victim of or a witness to bullying or who engages in bullying;
6. Establishes procedures for reporting an incident of bullying, including procedures for a student to anonymously report an incident of bullying, investigating a reported incident of bullying, and determining whether the reported incident of bullying occurred;
7. Prohibits the imposition of a disciplinary measure on a student who, after an investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying; and
8. Requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

The policy and any necessary procedures must be included annually in the student and employee handbooks and in the district improvement plan under Education Code 11.252. [See BQ]

Internet Posting

The procedure for reporting bullying must be posted on a district's Internet Web site to the extent practicable.

Whitney ISD
109911

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LEGAL)

**Prevention and
Mediation**

A district may establish a district-wide policy to assist in the prevention and mediation of bullying incidents between students that:

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

Education Code 37.0832

DATE ISSUED: 10/20/2017
UPDATE 109
FFI(LEGAL)-P

3 of 3

	<p>Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.</p> <p>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.</p>
Bullying Prohibited	The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
Examples	Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
Retaliation	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
Timely Reporting	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.
Reporting Procedures	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.
Student Report	
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.

Whitney ISD
109911

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment and discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	<p>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.</p> <p>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.</p>
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
District Action	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	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.

DATE ISSUED: 10/20/2017
UPDATE 109
FFI(LOCAL)-A

2 of 3

	<p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p>
<i>Transfers</i>	<p>The principal or designee shall refer to FDB for transfer provisions.</p>
<i>Counseling</i>	<p>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.</p>
<i>Improper Conduct</i>	<p>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.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
Appeal	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
Records Retention	<p>Retention of records shall be in accordance with CPC(LOCAL).</p>
Access to Policy and Procedures	<p>This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.</p>