

This handbook serves as the Student Handbook for all TEXANS CAN! Schools

Texans Can! Charter Schools

STUDENT HANDBOOK & CODE OF CONDUCT

2007-2008

TEXANS CAN! Inc., is a 501 (c)(3) nonprofit corporation created to provide alternative educational opportunities for at-risk students in Texas. The corporation currently operates ten schools: Dallas Can! Academy, which has four campuses, Fort Worth Can! Academy, which has two campuses, Houston Can! Academy, which has two campuses, Austin Can! Academy and San Antonio Can! High School.

The term Texans Can! will be used throughout this document to represent Dallas Can! Academy, Fort Worth Can! Academy, Houston Can! Academy, Austin Can! Academy, San Antonio Can! High School and Texans Can! Academy

WELCOME to Texans Can!. We congratulate you on your personal decision to attend school because being here means you have chosen to be a WINNER! The entire Staff is here to support you as you set and reach your goals.

This student handbook contains information needed by both students and parents during the school year. It is organized alphabetically by topic, and where appropriate, references to Texans Can! policy are given. Students are addressed as “the student,” “students,” “the child,” or “children.” The term “the student’s parent” refers to the parent, legal guardian, or other person who has agreed to assume school-related responsibility for the student.

The information in this handbook reflects the requirements, policies, and procedures that were in effect as of the printing date. The State Board of Education, Texas Education Agency, and the School Board have the authority to institute changes that may alter some of the information.

Many schools have requested waivers granting exceptions to or changes in some of the local or state regulations cited in this publication. Parents and students should consult with the Principal if there are any questions or concerns.

Texans Can! is a non-discriminatory local education agency that serves all eligible students according to its charter, complies with all regulations set forth in the Federal Individuals with Disabilities Education Act, and insures a free and appropriate public education to all of its students. It is the policy of Texans Can! not to discriminate on the basis of race, color, national origin, sex or handicap in its

Mission

The mission of TEXANS CAN! is:

- To provide a second chance for at-risk youth and their families to achieve economic independence and hope for a better life through relationship-based education and training.

- As a Texas charter school, Texans Can! is recognized as a public school district by the Texas Education Agency.

Enrollment at Texans Can! means that both the parent and student agree that the student will comply with all regulations that are now in effect, or which may become effective during the student's enrollment.

Texans Can! Campuses

Austin District

Austin Can! Academy

2601 Rosewood Avenue
Austin, Texas 78702
(512) 477-4226
Principal: Dr. Joe Gonzales
Superintendent: Dr. Yolanda Cruz-Wilder

Dallas District

Dallas Can! Academy

4621 Ross Avenue
Dallas, Texas 75204
(214) 824-4226
Principal: Mr. Richard Davis
Superintendent: Dr. Yolanda Cruz-Wilder

Dallas Can! Academy

325 West 12th Street
Dallas, Texas 75208
(214) 943-2244
Principal: Mrs. Laura Rodriguez
Superintendent: Dr. Yolanda Cruz-Wilder

Texans Can! Academy

2720 Hollandale Lane
Farmers Branch, Texas 75234
(972) 243-2178
Principal: Mr. Eric Brown
Superintendent: Dr. Yolanda Cruz-Wilder

Texans Can! Academy

3837 Simpson Stuart Road
Dallas, Texas 75241
(214) 371-6226
Principal: Mr. Mene Khepera
Superintendent: Dr. Yolanda Cruz-Wilder

School Hours: Breakfast 7:30 a.m.-7:45 a.m.
Morning Session 7:50 a.m.-12:00 p.m.
Lunch 12:00 p.m.-12:45 p.m.
Afternoon Session 12:50 p.m.-5:00 p.m.

Fort Worth District

Fort Worth Can! Academy

4301 Campus Drive
Fort Worth, Texas 76119
(817) 431-4226
Principal: Ms. Cynthia Miles
Superintendent: Dr. Yolanda Cruz-Wilder

Fort Worth Can! Academy

5508 Black Oak Lane, Ste A
Fort Worth, Texas 76114
(817) 735-1515
Principal: Mr. Gary Applewhite
Superintendent: Dr. Yolanda Cruz-Wilder

Houston District

Houston Can! Academy

2301 Main Street
Houston, Texas 77002
(713) 659-4226
Principal: Ms. Tiffany Abrams
Superintendent: Dr. Yolanda Cruz-Wilder

Houston Can! Academy

9020 Gulf Freeway
Houston, Texas 77017
(832) 379-4226
Principal: Mrs. Ledy Garza
Superintendent: Dr. Yolanda Cruz-Wilder

San Antonio District

San Antonio Can! High School

502 E. Southcross
San Antonio, Texas 78214
Principal: Ms. Veronica Hernandez
Superintendent: Dr. Yolanda Cruz-Wilder

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School Information

Accountability

Texans Can! participates fully with all accountability measures as outlined at both the state and federal level. A complete explanation of all accountability measures and our ratings can be found on our website and available upon request as they are determined and provided to us by the Texas Education Agency.

Admission

Texans Can! does not discriminate in admissions on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability. Students who have not graduated from high school are entitled to free public education if they are under the age of twenty-one on the first day of September (of the current school year) and if they provide satisfactory evidence of required immunizations. Students receiving special education services may continue to be enrolled in school until they are no more than 22 years of age on September 1. For students who transfer, the transferring school must send records within ten working days after receiving the records request. If a student has been removed from their home school and placed in an Alternative Education Program, the student must complete the required terms of placement before enrolling at Texans Can!. Applications from new students are accepted from June 1st of each year through August 1st of each year. If the number of eligible applicants does not exceed the number of vacancies, then all applicants who timely applied are offered admission. If there are more eligible applicants than available spaces in class, then a lottery will be conducted on the last Wednesday prior to the first day of school, or prior to the new grading period. A name is drawn for each vacancy that exists, and each applicant whose name is drawn is offered admission. The remaining names are then drawn and placed on a waiting list in the order they were drawn. If a vacancy arises before the commencement of the school year or during the school year, the individual on the waiting list with the lowest number assignment will be offered admission and then removed from the waiting list.

Asbestos Hazard Communication

Texans Can! has completed a building inspection required by the Asbestos Hazard Emergency Response Act of 1986. We have filed management plans with the Governor's office, which were developed in conjunction with the inspections. We also have personnel who are trained to assure that asbestos containing materials are observed and handled as required to prevent the possible release of fibers.

Attendance

Compulsory Attendance

Unless specifically exempted by law, every child in the state who is as much as six years of age and who has not completed the academic year in which the student's eighteenth birthday occurred shall be required to attend the public schools in the district of his/her residence or in some other district to which the student may be transferred as provided or authorized by law. Students are required to attend each school day for the entire period the program of instruction is provided. School employees must investigate and report violations of the attendance law.

Students in violation of the compulsory attendance law (unexcused absences from school on 10 or more days or parts of a day within a six-month period or three or more days or parts of days within a four-week period) shall be reported to the truancy court action as provided by law.

A student must attend at least 90% of the days the class is offered to be awarded credit. If you must be absent or tardy due to any of the following circumstances, it is your responsibility to notify your Student Advisor as soon as possible. It is your responsibility to know the extension of your Student Advisor and to leave a message on his/her voice mail if they are not available at the time of your call.

Excused Absence

A student may be excused for temporary absence:

1. resulting from any cause acceptable to the, Student Advisor, or Principal.
2. for the purpose of observing religious holidays, including traveling for that purpose if, before the absence the parent submits a written request for the excused absence.
3. for treatment by health care professionals if the student begins classes or returns to school on the same day of the appointment or treatment.

Only three excused absences per class will be accepted per term. No unexcused absences will be permitted. Absences are only excused when official documentation is presented. Handwritten notes will not be accepted.

Extenuating Circumstances

Texans Can! recognizes the following extenuating circumstances:

1. Board-approved extracurricular activity or public performance, subject to established limitations.
2. Required screening, diagnosis, and treatment for Medicaid-eligible students
3. Documented health care appointment for Medicaid-eligible students
4. Court proceeding documented by a probation officer
5. Absence required by state or local welfare authorities.
6. Temporary absence resulting from any cause acceptable to the student advisor, or Principal, including personal illness, illness or death in the immediate family

When returning to school after any absence, all students must bring an excuse note. An excuse note must be presented on the first day the student returns back to school following an absence. In order for an absence to be excused, student/parent/guardian must provide written documentation/verification of the absence. Only three forms of excuse notes will be accepted. These include: original (not copied), verifiable, documentation from a doctor or hospital (fax copies will be accepted if sent directly from the doctor or hospital), court documentation stating that the student was involved in an actual court proceeding, and funeral documentation such as an obituary or funeral program. Hand written notes will not be an acceptable form of documentation for an excused absence.

Extended Absence

When a student's absence for personal illness exceeds five consecutive days or a total of 10 days in a six-weeks period, the student will be required to present a statement from a physician or health clinic verifying the illness or other condition requiring the student's extended absence from school.

Absence Notification

When absences occur, the school will make an effort to contact the student's home to encourage improved attendance. After three unexcused absences further attempts will be made to notify the parent, either by U.S. mail, documented telephone call, or documented personal contact, that the student may be in danger of being dropped for non-attendance. The parent has ten days to file a written request with the Principal for an appeal before the attendance committee.

Release of Students from School

For permission to leave school early, students must see their primary Student Advisor. If the Student Advisor is not available, the student must see the Assistant Principal of Student Services. Permission will only be granted if the circumstance requires immediate attention from the student directly. No student will be released to anyone except his/her parent/guardian. Parent may communicate to Student Advisor or Principal any other authorized individual who may pick up a student.

Bullying

- (a) In this section, "bullying" means engaging in written or verbal expression or physical conduct that a school district board of trustees or the board's designee determines:
- (1) will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
 - (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.
- (b) On the request of a parent or other person with authority to act on behalf of a student who is a victim of bullying, the board of trustees of a school district or the board's designee shall transfer the victim to:
- (1) another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
 - (2) a campus in the school district other than the campus to which the victim was assigned at the time the bullying occurred.
- (c) The board of trustees or the board's designee shall verify that a student has been a victim of bullying before transferring the student under this section.
- (d) The board of trustees or the board's designee may consider past student behavior when identifying a bully.
- (e) The determination by the board of trustees or the board's designee is final and may not be appealed.
- (f) A school district is not required to provide transportation to a student who transfers to

another campus under Subsection (b)(2).

(g) Section 25.034 does not apply to a transfer under this section.

Change of Address Notification

When students move or relocate to a new address, the student is required to notify their primary Student Advisor within three school days.

Child Abuse

Anyone "having cause to believe that a child, elderly, or disabled person's physical or mental health or welfare has or may be adversely affected by abuse or neglect" must report the case to any state or local law enforcement agency and to the Department of Protective and Regulatory Services. Failure to report suspected abuse or neglect is punishable by imprisonment of up to 180 days and/or a fine of up to \$1,000. (Texas Family Code, Chapter 34). According to recent state law, a report of child abuse or neglect must be made to the Department of Protective and Regulatory Service when the report involves a person responsible for care, custody, or welfare of the individual. (HB 1970 effective September 1, 2005). Staff members will cooperate fully in the investigation and reporting of Child Abuse as required by law.

Child Find

Texans Can! is responsible for providing a free appropriate public education (FAPE) to all individuals with disabilities age birth through 21 who live within our jurisdiction and meet the qualifications of our Charter filed with the Texas Education Agency. These eligible students are served by the school district with the assistance of the Texas Education Agency and the local Regional Education Service Center. Regardless of the severity of the disability, Texans Can! will make every effort to locate, identify, and evaluate these individuals. 34 C.F.R. Part 300; 19 T.A.C. Chapter 89, Texas Education Code (T.E.C.) 29.

If a child is experiencing education related difficulties, the parent or adult student must contact the campus administrator, the campus Special Education coordinator, the student's teacher, or the Director of Special Education in writing to express their concern. At any time, a parent or adult student is entitled to request an evaluation for special education services. The student will then be referred to the Student Support Team, the district's overall general education pre-referral committee.

**Options and Requirements
For Providing Assistance to Students Who Have Learning Difficulties
or Who Need or May Need Special Education**

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.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If evaluation is needed, the parent will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. 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 a 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. Additionally, the notice must inform the parent how to obtain a copy of the Notice of Procedural Safeguards - Rights of Parents of Students with Disabilities.

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

Contact Person: Campus Principal, SPED Specialist, or Director of Special Education

Phone Number: Individual Campuses or 214-944-1985 district

College Scholarships and Financial Aid

Applications for many local scholarships are available by writing or calling the local college financial aid offices. The Free Applications for Federal Student Aid are available in your Student Advisor's office.

Communicable Diseases

Parents of student with a communicable or contagious disease are asked to telephone the Student Advisor and/or the Assistant Principal of Student Services so that other students who have been exposed to the disease can be alerted. A student who has certain diseases is not allowed to come to school while the disease is contagious. These diseases include but are not limited to any disease causing a fever of 100.4 degrees or greater, chicken pox, Type A (infectious) hepatitis, influenza, measles, mumps, pink eye, strep throat, and

gastroenteritis (stomach virus). The major criterion for exclusion from attendance is the condition's probability to spread from person to person.

Complaints by Students/Parents

Complaints by students or parents about instructional materials, expulsion, or prior review of non-school materials intended for distribution to students are handled through procedures specific to policies in those particular areas. Students or parents shall be entitled to informal conferences with administrators to resolve their complaints. In most circumstances in which a complaint involves a problem with a teacher, the student or parent shall be expected to discuss the matter with the teacher before requesting a conference with the principal.

A student or parent who has a complaint shall request a conference with the principal within ten days of the time the student or parent knew, or should have known, of the event or series of events causing the complaint. The principal shall schedule and hold a conference with the student or parent within five days of the request. The principal shall have seven days following the conference within which to respond.

If the outcome of the conference with the principal is not to the student or parent's satisfaction or the time for a response has expired, the student or parent may request a conference with the Superintendent or designee. The request must be filed within seven days following receipt of a response or, if no response is received, within seven days of the response deadline. The Superintendent or designee shall hold the conference within seven days after receiving the request.

Prior to or at the time of the conference, the student or parent shall submit a written complaint that includes the student's or parent's signed statement of the complaint, any evidence in its support, the solution sought, and the date of the conference with the principal. The Superintendent or designee shall have seven days following the conference within which to respond.

If the outcome of the conference with the Superintendent or designee is not to the student or parent's satisfaction or if the time for a response has expired, the student or parent may request a conference with the President. The request shall be in writing and must be filed within seven days of the response or, if no response is received, within seven days of the response deadline.

If the outcome of the conference with the President is not to the student's or parent's satisfaction or if the time for a response has expired, the student or parent may request to place the matter on the agenda of a future Board meeting. The request shall be in writing and must be filed within seven days of the response or, if no response is received, within seven days of the response deadline. The Superintendent shall inform the student or parent of the date, time, and place of the meeting.

The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall make an audiotape record of the Level Three proceeding before the Board. The Board shall hear the complaint and shall then make and communicate its

decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.

If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.

Computer Use

Computer User Responsibilities

All Texans Can! computers and networking resources should be used in an effective, efficient, ethical, and legal manner. Users are assumed to agree to respect the following conditions of use.

1. Respect the intended purpose of computing resources:
 - A. Use account only for the instructional, research and administrative purposes specified. Playing games, printing calendars, posters and other artwork (unless it has an instructional purpose), gambling pools, pyramids and party flyers are examples of inappropriate computer use.
 - B. Do not use accounts for any form of commercial activity.
 - C. Do not “talk” to other users on the network unless the intent is instructional (pertaining to your project) and prearranged.
 - D. Do not use the electronic communication facilities (for example pine, mail, or talk) to send fraudulent, harassing or intimidating messages.
2. Respect the privacy of other users:
 - A. Do not use any other person’s account.
 - B. Do not intentionally seek information on, obtain copies of, or modify files, tapes, passwords or any type of data or programs belonging to other users unless specifically authorized to do so.
 - C. Keep your password secret and change it regularly.
3. Respect the system integrity and resources:
 - A. Do not develop or execute programs that could harass other users, infiltrate systems, damage or alter software components, or use any services for unauthorized purposes. Avoid excessive use of resources: for example, computers, printers, graphic devices, networks and processors time. Share resources in an equitable manner, respect the people responsible for overseeing the lab and those responsible for administering the network. Follow established policies and procedures.

Consent to Counseling

A child may consent to counseling for:

1. Suicide prevention,
2. Chemical addiction or dependency; or

3. Sexual, physical, or emotional abuse. *Family Code 32.004(a)*

Professional's Authority

A licensed or certified physician, psychologist, counselor, or social worker having reasonable grounds to believe that a child has been sexually, physically, or emotionally abused; is contemplating suicide; or is involved in chemical or drug addiction or dependency may:

1. Counsel the child without the consent of the child's parents, managing conservator, or guardian;
2. With or without the consent of a child who is a client, advise the parents, managing conservator, or guardian of the treatment given to or needed by the child;
3. Rely on the written statement of the child containing the grounds on which the child has capacity to consent to his or her own treatment as provided above.

Exception: Court Order: The physician, psychologist, counselor, or social worker may not counsel a child if consent is prohibited by a court order, unless consent is obtained as otherwise allowed by law. *Family Code 32.004(b), (c)*

Professional Immunity

A psychologist, counselor, or social worker licensed or certified by the state is not liable for damages except those damages that may result from his or her negligence or willful misconduct. *Family Code 32.004(d)*

Outside Counselors

Neither the District nor an employee of the District may refer a student to an outside counselor for care or treatment of a chemical dependency or an emotional or psychological condition unless the District does all of the following:

1. Obtains prior written consent for the referral from the student's parent, managing conservator, or guardian.
2. Discloses to the student's parent, managing conservator, or guardian any relationship between the District and the outside counselor.
3. Informs the student and the student's parent, managing conservator, or guardian of any alternative public or private source of care or treatment reasonably available in the area.
4. Requires the approval of appropriate District personnel before a student may be referred for care or treatment or before a referral is suggested as being warranted.
5. Specifically prohibits any disclosure of a student record that violates state or federal law. *Education Code 38.01*

Counseling and Guidance

Texans Can! Student Advisors serve as student advocates, assisting students with a wide range of personal concerns, including such areas as personal/social, family, emotional,

academic, or chemical dependency needs. The Student Advisor may also make available information about community resources to address personal concerns.

The Student Advisor's primary responsibility is to provide support services directly to students by assisting all students to plan and work toward their selected graduation program and post-secondary goals, providing individual and group counseling related to students needs, and to provide support to students indirectly by consulting with staff and parents. To the greatest extent possible under legal and ethical guidelines, the privacy rights for students and their families are protected by Student Advisors. However, there are times when it is necessary to confer with others regarding a particular student's problem in order to best serve that student. Student Advisors are required by state law to report any form of child abuse or endangerment--whether to self or others. If you would like your child to opt out of all counseling services, please send a letter of request to the campus Principal.

Student Advisors also advise students and their parents or guardians regarding the importance of higher education, coursework designed to prepare students for higher education, financial aid availability and requirements. Additionally, the high school counselor is required to provide information to a student and parents during the student's first year and senior year in high school regarding the importance of higher education; the advantages of completing the recommended or higher high school program; the disadvantages of taking courses to prepare for a high school equivalency; coursework designed to prepare students for higher education; financial aid availability and requirements; instruction on how to apply for federal financial aid; the eligibility and academic performance requirements for the TEXAS Grant; and information concerning the financial aid center operated by the Texas Higher Education Coordinating Board under TEC Section 61.0776.

Credit By Exam

Credit By Exam Without Prior Instruction

Credit by Examination is a means by which students transferring from a home school or a private school in grades 9-12 may be awarded credit for particular courses. This also applies to students who enter school with missing or incomplete school records. The Superintendent or designee shall be responsible for development or selection of tests to be used to grant credit to students without prior instruction in a subject area or grade level. Whether tests are developed by the District or purchased from a State Board-approved university or other appropriate source, each examination shall thoroughly test the essential knowledge and skills in the applicable grade level or subject area. The parent/student may not hold the school liable for consequences of acceleration decisions made with parent approval.

Students in grades 9-12 shall be promoted or reclassified according to the promotion standards in effect for the student's grade level. Credit toward meeting graduation requirements shall be awarded for qualifying scores on high school course examinations.

Scores shall not be counted toward a student's grade point average (GPA) or rank in class.

Examinations are offered for students having no prior instruction; therefore, the school is not obligated to furnish textbooks, study guides, tutoring, or other instructional aids to students registering for the examinations.

To receive Credit by Examination credit for a course for in which the student has not received prior instruction, a student must receive a 90 percent mastery score or above on the examinations.

Credit By Exam With Prior Instruction

Credit by Examination is a means by which a student in grades 9-12, who has received prior instruction in a course but not received credit, may take a test to demonstrate mastery of the course. Students transferring from a home school or a private school in grades 9-12 may be awarded credit for particular courses if they demonstrate mastery of the course. This also applies to students who enter school with missing or incomplete school records. Students seeking to gain a passing grade for courses failed must obtain parent approval to take the exam. Examinations used to earn credit under this policy shall assess the student's mastery of the essential knowledge and skills and shall be properly evaluated before credit is granted. The District may develop the examinations or may obtain them from another source.

To receive Credit by Examination credit, a student must receive a 70 percent mastery score or above on the examinations. The numeric test score shall be entered on the student's transcript. Passing scores for courses in grades 9-12 shall receive high school credit but shall not be used in computing the student's grade point average (GPA) or rank in class.

Crisis Intervention

We can all expect to experience loss of significant others, objects, social status, and physical health. Change brought about by crisis and loss is important to normal social and emotional growth. A crisis occurs, as a normal part of life, when problems of change are temporarily beyond our ability or capacity to cope, when our support system is inadequate, or when we are thrown off balance emotionally. We can help others cope and adjust to change by offering psychological first aid. The goal of crisis management at Texans Can! is to provide emotional support to an individual during a vulnerable crisis period that will enable a person to make a healthy adjustment and to function on their own again as soon as possible. Texans Can! works hard to ensure we are prepared to face any/all crisis that we face. In the instance of an emergency, parents, students and staff are encouraged to contact the campus administration.

Diabetes

The parent of a student with diabetes who seeks care for the student's diabetes while the student is at school shall submit to the Principal a copy of the student's diabetes management and treatment plan upon enrollment or as soon as assistance is sought. The parent must develop in conjunction with the physician responsible for the student's diabetes treatment a diabetes management and treatment plan which:

1. Identify the health care services the student may receive at school;
2. Evaluate the student's ability to manage and level of understanding of the student's diabetes; and
3. Be signed by the student's parent or guardian and the physician responsible for the student's diabetes treatment.

The school will review the plan and develop in conjunction with a school health designee and at least one of the student's teachers in cooperation with the student's parent an Individualized Health Plan that creates a coordinated plan of care designed to meet the unique health care needs of a student with diabetes in the school setting. The Principal will request a signed agreement from the parent of the student that (1) authorizes an unlicensed diabetes care assistant to assist the student; and (2) states that the parent or guardian understands that an unlicensed diabetes care assistant is not liable for civil damages as provided by Section 168.009.

In addition, upon written agreement by a parent of a student with diabetes and as soon as practicable, the principal will designate at least three unlicensed diabetes care assistant, non-health care professionals, who will undergo the appropriate state training. The principal will maintain a copy of the training records available for inspection upon request. The unlicensed diabetes care assistant shall perform the tasks necessary to assist the student with diabetes in accordance with the student's individualized health plan and in compliance with any guidelines provided during training.

Texans Can! will not restrict the assignment of a student with diabetes to a particular campus on the basis that the campus does not have the required unlicensed diabetes care assistants.

In accordance with the student's individualized health plan, Texans Can! shall permit the student to attend to the management and care of the student's diabetes, which may include:

Performing blood glucose level checks;

Administering insulin through the insulin delivery system the student uses;

Treating hypoglycemia and hyperglycemia;

Possessing on the student's person at any time any supplies or equipment necessary to monitor and care for the student's diabetes; and

Otherwise attending to the management and care of the student's diabetes in the classroom, in any area of the school or school grounds, or at any school-related activity.

In addition, the principal will provide to each district employee who is responsible for providing transportation for a student with diabetes or supervising a student with diabetes during an off-campus activity a one-page information sheet that: (1) identifies the student who has diabetes; (2) identifies potential emergencies that may occur as a result of the

student's diabetes and the appropriate responses to such emergencies; and (3) provides the telephone number of a contact person in case of an emergency involving the student with diabetes.

Directory Information

Directory Information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want the school to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing within 30 calendar days after the student starts school. The school has designated the following information as directory information: a student's name, address, photograph, degrees, honors and awards received, dates of attendance, grade level, and participation in officially recognized activities and sports, and the weight and height of members of athletic teams. Federal law requires districts receiving assistance under the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.) to provide a military recruiter or an institution of higher education, on request, with the name, address, and telephone number of a secondary student unless the parent has advised the district that the parent does not want the student's information disclosed without the parent's prior written consent.

Dress Code

Students will comply with the established dress code for campus security. The following dress code has been adopted by the school faculty and staff to ensure appropriate and non-distracting appearance of students and to increase safety on the campus:

1. All students will wear the school's designated uniform from the time they arrive on Texans Can! premises until they leave. The school uniform must be gender appropriate.
 - Khaki colored pants, or skirts. Pants shall be properly sized and belted at the waist. PANTS MAY NOT BE OVERSIZED OR BAGGY. Belts must be black or brown. Skirts must be knee length or longer.
 - All-white polo style shirt. The shirt may not have stripes. Shirts must fit well and not be oversized or undersized. Shirts must have collars, and may be polo style. All shirts must be tucked in. In addition, an alternate shirt (school spirit shirt) that conforms to the uniform standards may be selected by each school. All under shirts and undergarments worn under the white polo shirt must be plain white, unless otherwise approved by Principal.
2. Clothing may not be worn to reflect gang affiliation or conceal illegal items.

3. Hats, caps, scarves, head bands, and other head apparel may not be worn or brought to school.
4. Jewelry that disrupts the educational environment will not be permitted. Facial piercing and/or spacers will not be permitted.
5. Hair must be kept clean and non-distracting. No inappropriate hair designs or tattoos.
6. Sunglasses or shades may not be worn at school.
7. Book bags and backpacks shall be clear, see through or net material. If it is necessary for a student to bring a bag to school, the bag must not be used to reflect gang affiliation or conceal illegal items. If a bag/back pack does not meet this criteria, the contents of the bag/back pack will be given to the student and the bag/back pack itself will be only given to a parent/guardian. All bags/back packs are subject to search by school personnel at any time with reasonable suspicion.
8. Cell phones, I-Pods, MP3 players, and other non-medical electronic devices are not allowed on campus. If a student must bring such a device, it should be left in his/her vehicle or with his/her Student Advisor until after school has dismissed. If any of these devices is seen or heard on campus, they will be confiscated and returned only to a parent/guardian after an administrative fee of \$15.00 is paid. If an item is confiscated more than twice, it will be returned to parent/guardian at the end of the school year.
9. Boys are encouraged to be cleanly shaven each day.
10. Jackets with inappropriate decorations, words and logos may not be worn. All jackets must zip or button up the front and must be worn unzipped/unbuttoned at all times. No pull-over jackets, sweaters, sweatshirts, or vests are allowed. No oversized jackets (including trench coats) will be allowed.
11. All students are subject to being searched. Searches must be conducted in an appropriate manner, by appropriate personnel with reasonable cause.
12. Footwear shall be appropriate. Footwear must be closed toe and closed heel. Students will not wear house shoes. Footwear must be solid black, solid brown or solid white. Shoelaces must be the same color of the shoe. Shoes may not be made of out net, or any netting type material.

Students who do not adhere to the dress code:

1. Will not be permitted to attend class until a parent or guardian brings the acceptable change of clothing. If student does not change into proper uniform attire, they may be sent home.
2. After repeated disregard for the rules concerning the school dress code and grooming, the student will be declared insubordinate for persistent dress code violations and will be subject to appropriate disciplinary action, including suspension or expulsion.
3. The Texans Can! dress code is established to observe grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards and teach respect for authority. All students are expected to adopt appropriate dress and grooming standards that reflect a positive image for the student and the school. The school's administration shall have the discretion to determine the appropriateness

of attire and grooming and make special exceptions, including those for religious or medical reasons.

Appropriate Attire

1. Students are expected to promote good citizenship in their attire and grooming standards.
2. All students shall wear appropriate footwear. Students shall not wear house slippers, flip-flops, open toe shoes, or open-heel shoes. Footwear must be solid black, solid brown or solid white. Shoelaces must be the same color as the shoe.
3. The Texans Can! uniform consists of an all white polo-style shirt and belted khaki pants or khaki skirts. Shorts may not be worn and skirts must be knee length. Belts must be black or brown.

Inappropriate Attire

1. Skirts that are above knee length.
2. Pants sagging below the hip-bones.
3. Jewelry or similar artifacts that are either vulgar, distracting, related to gangs, drugs, alcohol or suicide, or cause disruption to the educational environment.
4. Any gang-identifying clothing or accessories.
5. Hats, caps, hair rollers, plastic bags, hair scarves or nets, stocking caps, head bands, and other similar grooming items.

A student whose clothing violates the dress code shall be asked to remove the inappropriate article, cover the article, or parent will be notified to bring appropriate attire to the campus. Student will not be permitted to class until dressed in proper uniform.

Final decision regarding the dress code shall be at the discretion of the principal.

Drills - Fire, Tornado, and Other Emergency Drills

Students, teachers, and other school employees will participate in drills of emergency procedures. When the alarm is sounded, students should follow directions quickly, quietly, and in an orderly manner.

Dyslexia

Students enrolling at Texans Can! shall be assessed for dyslexia and related disorders at appropriate times (TEC §38.003 (a)). The appropriate time depends upon multiple factors including the student's reading performance, reading difficulties, poor response to additional reading instruction (if placed in additional reading instruction), teachers' input, and parents' input. The procedures to follow include:

- Notify parents or guardians of proposal to assess student for dyslexia (§504 or IDEA);
- Inform parents or guardians of their rights under §504 or IDEA;
- Obtain parent permission to assess the student for dyslexia; and

- Administer measures only by individuals/professionals who are trained in assessments to evaluate students for dyslexia and related disorders (19 TAC §74.28).
- A team or committee of knowledgeable persons determines if the student has dyslexia.
- Based on the above information and guidelines the committee of knowledgeable persons determines whether the student has dyslexia.
- If the student has dyslexia, the committee of knowledgeable persons also determines whether the student has a disability under the Rehabilitation Act of 1973, §504. A student is considered to have a disability under §504 if the condition substantially limits the student's learning. Students with additional factors that complicate their dyslexia may require additional support or referral to special education.

A full outline of all Policies and Procedures related to Dyslexia at Texans Can! is available both on our website and per request.

Emergency Medical Treatment

Parents are asked to complete an emergency care form each year that includes a place for parental consent for school officials to obtain medical treatment for the student. Other information that may be required in case of an emergency should be provided and updated by the parents as necessary.

In case of serious accident or serious illness of a student at school, the student's parent shall be called immediately to take charge of the student. If the parent cannot be reached, the specific instructions of the parent for taking a student to specified facilities for emergency care shall be followed unless deemed inappropriate by the ambulance attendant. In this instance, the attendant shall transport the student to the nearest medical facility having services appropriate to the student's needs.

School authorities shall not call any private physician unless the parent of the student concerned has submitted a signed form on which they have requested that a certain physician be called in an emergency when the parents cannot be reached immediately.

Emergency School Closing Information

In the event of weather or other conditions that make it necessary to close the school, students and parents will be notified through announcements made on local television stations, and local radio stations. In the event of severe weather conditions, if the major school district near the campus is closed, we will more than likely close too. The Superintendent of schools will make the final determination.

English As A Second Language

The English as a Second Language (ESL) program for secondary schools is a comprehensive instructional program designed to meet the language and academic needs of LEP (Limited English Proficient) students. Students are scheduled into ESL courses and sheltered courses in the areas of math, science, social studies and language arts/English in which the use of second language methods make instruction comprehensible. The goal of the ESL program is to prepare LEP students for successful

linguistic and academic participation in all subject areas and in extra curricular activities. Electives for these students should require reading/writing skills at an appropriate level allowing the students to be successful.

FERPA & HIPAA Notice

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. A student's school records are confidential and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters Texans Can!, until the student withdraws or graduates. By law, both parents, whether married, separated, or divorced, and students have access to the record of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights. Texans Can! Schools adhere to the federal regulations under the Health Insurance Portability and Accountability Act (HIPAA) as it relates to the transmittal of any health information in electronic form.

Field Trips

Educational field trips are permitted, with appropriate prior approval. Information and permission slips are sent home prior to the planned trip and must be returned to the school at least one day before a scheduled trip. Students who do not return a signed permission slip may not participate. Cultural and educational programs appropriate to the curriculum are the guidelines by which the teacher makes his/her choice of field trips. Students must be in compliance with the Student Handbook on all field trips.

Fighting

One of the most important goals of Texans Can! is to promote maturity and responsibility in students. The school promotes mature ways of handling disagreements and disputes through communication rather than physical assault. Students who fight are subject to expulsion and all legal implications deemed necessary by the campus police and campus administrators.

Food and Drink

Breakfast and/or lunch is available in the school cafeteria. Students are allowed to purchase food/drinks before and after school, however food and drinks are prohibited from being eaten in the classrooms unless your campus is participating in a breakfast or lunch in the classroom program. It is each student's responsibility to clean up after himself or herself.

Fund-Raising

Fund-raising activities by student groups and/or for school-sponsored projects shall be allowed with prior administration approval and under the supervision of the project sponsor. All fund-raising projects shall be subject to the approval of the Principal. Student participation in approved fund-raising activities shall not interfere with the

regular instructional program. No outside organizations of any sort may solicit contributions of any type from students within the school.

Grade Point Average (GPA)

All eligible courses in grades 9-12 are graded on a 100-point system. Eligible courses for the computation of GPA include all courses taken for state or local high school credit in grades 9-12. Courses taken in summer or evening school, as well as approved correspondence courses and courses taken for concurrent college credit, shall count toward the grade point average (GPA). Scores earned on either type of credit-by-exam, with or without prior instruction, will not count toward the grade point average (GPA). Grade point average is computed by totaling the numerical grades earned and dividing by the number of numerical-grade-earning courses attempted. The transcript shall carry the final grade point average. Please note: No special weight for honors/AP courses will be calculated.

Grading Policy

Semester Grades

For purposes of assigning yearly grades, high school students who fail the first semester may attain a complementary score the second semester to achieve an average of 70 or above, resulting in credit for both semesters. Course averaging is permissible only for students taking the two-semester course in the same school year, during the fall and spring semesters only. However, both semester grades, not the average, will be used to compute GPA and class ranking. A student can fail the first part of a two-part course, pass the second half of the course and then get both grades to average and if the average is at or above 70, credit is awarded for the entire course.

Computation of Averages

For purposes of averaging across nine-week periods or semesters, a numerical grade of 50 is the lowest grade that will be used. That is, if a student has a numerical average below 50, 50 will be used for averaging purposes. Numerical averages of .5 or above will be rounded up to the next whole number. That is, 77.5 becomes 78 while 77.4 becomes 77.

Graduation

A student entering grade 9 must earn at least 26 credits to complete the Recommended High School Program. In accordance with Texas Education Agency, to be eligible to receive a high school diploma, a student must demonstrate satisfactory performance as determined by the State Board of Education (SBOE) on the assessments required for graduation as specified in the Texas Education Code (TEC), § 39.025. A student may not receive a high school diploma until the student has performed satisfactorily on the secondary exit-level assessment instruments for English language arts, mathematics, social studies, and science. Only students who have completed all graduation requirements and passed all portions of the TAKS may participate in the graduation ceremony. Only students who have completed all coursework required for graduation

and passed all portions of the exit-level test shall receive a diploma. Graduation requirements for Special Education students are individualized through the ARD process.

Students who complete coursework, but not testing requirements, will be required to remain in school until the next test is administered. If a student completes all coursework and is no longer enrolled in school, but returns to take any portion of the exit level TAKS test and does not pass, an attempt will be made to notify the student and/or parent by phone. If the student and/or parent cannot be reached by phone, a certified letter will be mailed to the last known address on file.

Each student who obtains a High School Diploma from Texans Can! is eligible to participate in graduation. Our graduation is a cap and gown ceremony that celebrates the achievements of our students. It is modeled after a traditional graduation ceremony you would see at any school district.

Gum and Candy

Candy is not to be eaten in any classroom, hallway or lavatory. Candy may be eaten in the cafeteria. **GUM CHEWING IS NOT PERMITTED!**

Hall Passes

Hall passes will be issued only for official business. Students in the halls during class time without passes will be considered skipping class and will be subject to procedures of the Student Code of Conduct. A student should never be in the hall without a pass.

Hazing Offense

Hazing will not be permitted A person commits an offense if the person:

1. Engages in hazing.
2. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing.
3. Recklessly permits hazing to occur.
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or first-hand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the principal, Superintendent, or designee.

“Hazing” means any intentional, knowing, or reckless act occurring on or off the campus of an educational institution directed against a student, by one person alone or acting with others, that endangers the mental or physical health or the safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students. The term includes:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.

2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above.
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

Hearing, Vision, and Scoliosis Screenings

Texans Can! routinely screens students for Hearing, Vision and Scoliosis as outlined by the Texas Department of Health and Human Services. We do not send out notifications prior to such screenings as they are required by law. If you feel your child requires a screening for hearing, vision, and/or Scoliosis please notify the Principal in writing.

Homebound

Students that have a medical issue that will result in the need for student to be removed from the campus for four or more weeks must notify their student advisor and an administrator. The family must supply the school with a Physician statement that includes the nature of the medical issue, the support recommended, and the specific timelines of removal. This form can be on Physician stationary or a prescription form. Documentation is the responsibility of the family. Services cannot begin until this documentation is received. Upon receipt of appropriate documentation the campus will hold a meeting to determine the frequency, duration, and type of services necessary to support the student during their homebound time.

Illness

A student who becomes ill while in school should inform a member of the staff or faculty. Texans Can! will call the parent/guardian to discuss whether the student should be sent home. No student under 18 will be released to anyone except his/her parent/guardian. Parent may communicate to Student Advisor or Principal any other authorized individual who may pick up a student.

Immunizations

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical or religious reasons, the student should not be immunized.

The immunizations required are: diphtheria, tetanus, polio, measles (rubeola), mumps, rubella, and haemophilus influenzae: the school can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by the Texas Department of Health. Proof of immunization may be personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. licensed physician that states that, in the doctor's opinion, the immunization required would be harmful to the health and well-being of the student or any member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long contraindication.

If a student's religious beliefs conflict with the requirement that the student be immunized, the student must present a statement signed by the student (or by the parent if the student is a minor) that states the immunization conflicts with the beliefs and practices of a recognized church or religious denomination of which the student is an adherent or member. This statement must be renewed yearly.

Law Enforcement

When a student's actions consist of a violation of law, he or she may be issued a citation and a court date will be assigned. Examples of violations include but are not limited to fighting, smoking, possession of drugs, possession of drug paraphernalia, public intoxication, etc. The school will involve law enforcement related to any issue that is deemed by administration to require their intervention and/or assistance. We will assist them as outlined by law in any and all investigations and inquires. **IF IT IS ILLEGAL OUTSIDE OF THE SCHOOL, IT IS ILLEGAL INSIDE OF THE SCHOOL.**

Medications

1. Parents should deliver medications directly to the Principal's office. All medications must be brought to the office in the original container. All medications shall have a label including student name, drug name, directions concerning dosage and schedule of administration.
2. The principal will designate a nurse consultant or other designee to administer medication as outlined in the prescription.
3. A log of medication administered will be maintained by the nurse consultant or designee of all medications administered.
4. For non-prescription medicine, such as Tylenol, parents or guardians must include a note explaining when the medication should be given. Over-the-counter (non-prescription) medicines will only be given on a temporary basis.
5. If there are any questions about a medication, the nurse consultant or designee may call to get clarification from the student's doctor.
6. It will be the student's responsibility to remember to go to the office for medication.
7. Medications will not be given to students to take home. Parents must pick up medications to take home.

8. Appropriate Student Advisors and teachers will be notified of medical requirements for each student.

Messages

The school makes every attempt to relay important messages from parents or guardians to students. The Student Advisor will be the contact when a message has been left for a student. Students cannot be called to his/her Student Advisor's office for messages during the school day except in cases of family emergency.

Metal Detectors

The school shall not tolerate actions that endanger the well-being of students or faculty or disrupt the educational process. Accordingly, hand-held metal detectors may be used, or walk through safety checks may be conducted at any time by the administration as a safeguard to students and to maintain a safe environment. Students shall be subject to search by a metal detector on a random basis or if there is an individualized reasonable suspicion that the student possesses a prohibited weapon. All prohibited weapons or other devices that are located shall be confiscated and turned over to applicable law enforcement agencies, which shall determine whether or not to initiate criminal prosecution. Students shall be notified at the beginning of each school year that they may be subject to search by a metal detector on a random or regular basis or on the basis of an individualized reasonable suspicion that the student possesses a prohibited weapon.

Parental Involvement and Responsibilities

Education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. Parents are partners with teachers, administrators, and the Board and are encouraged to:

Review the Student Handbook with your child help your child understand and consent to the responsibilities outlined in the student discipline section of this handbook.

- Encourage your child to put a high priority on education and to commit to making the most of the educational opportunities provided by the school.
- Become familiar with the academic program offered at Texans Can! and feel free to ask the Principal any questions, including concerns about placement, assignment, or early graduation.
- Exercise your right to review teaching materials, textbooks, and other aides, and to examine tests that have been administered to your child.
Be aware of your right to temporarily remove your child from an instructional activity that conflicts with your religious or moral beliefs. Such removal cannot be for the purpose of avoiding a test and may not prevent the student from attending for an entire semester, however. Further, such removal does not exempt the student from satisfying grade level or graduation requirements as determined by the school and the Texas Education Agency.
- Review your child's school records when needed. Monitor your child's progress; contact teachers as needed. Take advantage of all opportunities to stay informed

regarding your child's activities, as well as school activities and general issues. Follow up on a matter not resolved administratively by presenting it to the Board for review according to policy.

Pest Control Information

Texans Can! periodically applies pesticides inside the building. Pesticides will only be applied when students are not expected to be present for normal academic instruction for at least 12 hours after application.

Phones

Students may use the pay phone before/after school. Students are not permitted to use staff phones, unless it is an emergency situation and the student is given permission by a staff member. The campus prohibits the use of cellular phones during the instructional school day. Students are not allowed to have cell phones on campus, or school sponsored events. If a cell phone is found in the building during the instructional period, the device will be confiscated and will only be released to a parent/guardian for an administrative fee of \$15.00. For further information on fees, please refer to Sec. 37.082 Senate Bill 133, Chapter 37. Students are only allowed two violations before their phone is confiscated and kept until the end of the year. If a student has a phone confiscated and released two times during the school year, on the third confiscation the principal will keep the phone and will release it at the end of the year.

Physical Restraint

All members of Texans Can! faculty or staff may restrain a student to:

1. Protect a person from physical injury,
2. Obtain possession of a weapon or other dangerous object,
3. Restrain an irrational student.

Texans Can! participates in the Texas Behavior Support Initiative (TBSI) implemented by the Texas Education Agency (TEA). TBSI is designed to build campus level knowledge and skills on the use of positive behavior supports for students with disabilities, as well as all students attending public schools.

Each campus has a core team of at least three members trained based on state guidelines related to de-escalation and restraint. Texans Can! utilizes Crisis Prevention and Intervention (CPI) techniques. Any faculty or staff member that is involved in a restraint will receive training as outlined by law. The campus will make reasonable attempts to notify parents both verbally and in writing should their child be restrained.

Plato Learning

The Plato Learning Program is a computerized self-paced, self-directed learning system for both academic and life skills. Some courses at Texans Can! require the successful completion of Plato as part of the course grade.

Posting of Student Work

As part of the educational process at Texans Can!, group or individual projects are used as a means of instruction or evaluation. These projects are often displayed within the classroom or around the school. In accordance to the Family Educational Rights and Privacy Act (FERPA), Texans Can! will in no way compromise the personal rights of or embarrass the student, however, you are giving Texans Can! permission to display your student's work when signing the receipt of this handbook, unless a written request stating you objections is submitted to the school.

Pregnancy Related Services

Pregnancy Related Services (PRS) is a program that allows a district to provide support services to pregnant students. Compensatory Education Home Instruction (CEHI) is a part of the PRS program that helps a student stay current with school work if she has to go home because of medical reasons during the prenatal period (period of time before birth) and/or during the postpartum period (period of time after the birth). CEHI must be provided. The CEHI teacher provides academic services to the student at home or hospital bedside when pregnancy prevents the student from attending school and during the postpartum period. Students must provide a verification of pregnancy to be eligible for the program.

Progress Reports

Students will be issued progress reports approximately every 5 weeks during the school year. Report cards are issued approximately every 10 weeks. The progress report / report card process is designed to ensure that parents/guardians are kept abreast of their child's performance and to stress that parent/guardian participation is vital to the academic success of each student. See the school calendar for dates.

Restricted Areas

Students are restricted from the following areas of the building for security reasons: reception area, staff kitchen, textbook storage area, and staff offices (unless permission is given by a teacher, Student Advisor or administrator).

Safety/Accident Insurance

Student safety on campus, or at school-related events, is a high priority of Texans Can!. With safety in mind, Texans Can! has implemented safety procedures. However, the school can address only part of the challenge; the essential remaining part is the cooperation of students, including:

- Avoiding conduct that is likely to put the student or other students at risk;
- Following the student discipline policy and any additional rules for behavior and safety set by the Principal or teachers;
- Remaining alert to and promptly reporting safety hazards, such as intruders on campus;
- Knowing emergency evacuation routes and signals;

- Following immediately the instructions of teachers, and other Texans Can! employees, who are overseeing the welfare of students.

School Lunch Program

Texans Can! participates in the National School Lunch Program and offers free and reduced-price lunches, based on a student's financial needs. Further information can be obtained from the Food Service office. Application forms for all free and reduced-price lunches are provided to all parents/guardians during the initial enrollment. All students entering Texans Can! must fill out and sign the application form, even if they do not choose to participate in the program.

School Supplies

All students are responsible for supplying their own school supplies for class. The supplies include but are not limited to: pencils, pens, paper, notebooks, erasers, and highlighters.

Section 504 Supports

It is the intention of Texans Can! Academy to eliminate discrimination on the basis of disable in any program or activity. Section 504 support focuses on support in three areas: academics, facilities, and employment. Additional information may be found in the district Section 504 policies and procedures manual available on our website or upon request.

Academics:

Texans Can! schools will provide a free appropriate education (regular or special education and related aids and services) to school-aged children within the Texans Can! school's jurisdiction who qualify under Section 504. Instruction will be individually designed to meet the student's needs as adequately as the needs of non-disabled students. Before the child can be placed and receive special services, the parents must be notified and the child must be evaluated using validated tests and trained personnel. While parental notice is required before a child is tested and/or placed, their consent is not required under Section 504. Only if the child is suspected of having a disabling condition under IDEA is parental consent necessary. Placement decisions must be made by a group of persons knowledgeable about the child, the evaluation dates, and placement options, and the child must be placed in the least restrictive environment appropriate. Periodic reevaluations must be conducted, including prior to any significant change in placement. 34 CFR §104.35. No qualified disabled person shall, on the basis of disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity at Texans Can! Academy. 34 CFR §104.4 Referrals for services are made through the Student Support Team process.

Section 504 Coordinator(s) (Section 104.7(a)) Academics Issues:

District Level: Director of Special Education

Campus Level: Principal

Facilities:

No qualified disabled person shall, because facilities are inaccessible to or unusable by disabled persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies. Request for support should be made directly to the appropriate Section 504 Coordinator.

Section 504 Coordinator(s) (Section 104.7(a)) Facilities Issues:

District Level: Director of Facilities

Campus Level: Principal

Sexual Harassment

Students must not engage in unwanted and unwelcome verbal or physical conduct of a sexual nature directed toward another student or school employee. This prohibition applies whether the conduct is by word, gesture, or any other sexual, including requests for sexual favors. All students are expected to treat other students and school employees with courtesy and respect; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop.

A substantiated complaint against a student will result in appropriate disciplinary action, according to the nature of the offense. See the student discipline section of this handbook for information regarding disciplinary sanctions.

The school will notify the parents of all students involved in sexual harassment by students(s) when the allegations are not minor, and will notify parents of all incidents of sexual harassment or sexual abuse by an employee. The school encourages parental and student support in its efforts to address and prevent sexual harassment and sexual abuse at schools. To the greatest extent possible, complaints will be treated as confidential.

Limited disclosure may be necessary to complete a thorough investigation.

Students and/or parents are encouraged to discuss their questions or concerns about the expectations in this area with, the Student Advisor, the Principal or designee, who serves as the District Title IX coordinator for students.

A complaint alleging sexual harassment by another student, or sexual harassment or sexual abuse by a staff member may be presented by a student and/or parent in a conference with the director or designee or with the Title IX coordinator. The first conference with the student ordinarily will be scheduled and held as soon as possible within five days of the request. The director or Title IX coordinator will coordinate an appropriate investigation, which ordinarily will be completed within ten days. The student or parent will be informed if extenuating circumstances delay completion of the investigation. The student will not be required to present a complaint to a person who is the subject of the complaint.

If the resolution of the complaint is not satisfactory to the student or parent, the student or parent within ten days may request a conference with the Superintendent. If the resolution by the Superintendent or designee is not satisfactory, the student or parent may present the complaint to the Board as provided by policy.

Smoking, Alcohol, Drugs, Weapons and Gambling

Smoking, alcohol, drugs, drug paraphernalia, controlled substances, weapon paraphernalia, weapons or gambling will not be permitted in or near the school building or parking lots. If a student is suspected to be under the influence of drugs, alcohol, or controlled substance, the parent is notified and required to immediately remove student from school. An expulsion hearing will be scheduled to determine further action to be taken by the school (See Student Discipline). The student may not return to class until a hearing has been conducted. If a student is suspected of smoking tobacco products or possessing or using tobacco products on campus or at a school related function, student may be subject to a suspension hearing (See Student Discipline). The student may not return to class until a hearing has been conducted. Any student caught gambling at school or at a school related function will be scheduled a suspension hearing (See Student Discipline). The student may not return to class until a hearing has been conducted.

Special Education Overview

Texans Can! provides a full Special Education program as outlined by both Federal and State law. Texans Can! does not discriminate based on individual disabilities. We provide services to all students regardless of specific disability who meet our admission criteria. We provide a continuum of placements based on individualized decision-making through the ARD process. Upon admissions, parents and/or students are required to notify Administration and/or Student Advisors that they qualify for Special Education Services. They are encouraged to provide the Campus Special Education Coordinator with a copy of their current Full and Individual Evaluation and Individualized Education Plan. A transfer ARD will be held to determine the appropriate interim placement and services. Within 30 days of the transfer ARD, a temporary or annual ARD will be held in compliance with federal and state guidelines. Additional ARDs may be necessary from time to time to address programming and planning for students served in Special Education. A full outline of all Policies and Procedures related to Special Education at Texans Can! is available both on our website and per request.

Texans Can! maintains full time staff of individuals available to assist with issues pertaining to Special Education. Parents and students who have questions related to Special Education should notify their campus Special Education Coordinator or the District Director of Special Education. In addition, a full outline of all Policies and Procedures related to Section 504 at Texans Can! is available both on our website and per request.

Special Education- Referrals/Student Support Team/Response to Intervention

A student experiencing difficulties in the general education program may be considered for eligibility for Special Education services. All such students will be referred through the district pre-referral committee, the Student Support Team. Adaptations in the general education program are attempted, if appropriate. If these adaptations are unsuccessful and the student is suspected of having a disability, a referral may be made for a Full and Individual Evaluation (FIE). If said adaptations are not appropriate due to the nature and severity of the student's

presentation and the student is suspected of having a disability, a referral may be made for a Full and Individual Evaluation (FIE). 34 C.F.R. Part 300; 19 T.A.C. Chapter 89, Texas Education Code (T.E.C.) 29. Texans Can! schools utilize the Student Support Team process as both its Referral Process for Special Services and Response to Intervention initiative.

If a child is experiencing education related difficulties, the parent or adult student must contact the campus administrator, the campus Special Education coordinator, the student's teacher, or the Director of Special Education in writing to express their concern. At any time, a parent or adult student is entitled to request an evaluation for special education services. The student will then be referred to the Student Support Team, the district's overall general education pre-referral committee. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom will be considered for tutorial, compensatory, and other support services that are available to all students.

The Student Support team in conjunction with its relevant members will then determine the appropriate strategy to assure that the student has been offered the opportunity to benefit from various strategies as outlined by law such as tutorial, compensatory, and other support services that are available to all students. If the Student Support Team determines that an evaluation is needed, the parent will be notified, provided a copy of the *Notice of Procedural Safeguards - Rights of Parents of Students with Disabilities and A Guide to the Admission, Review, and Dismissal Process* and asked to provide written consent and support information for the evaluation. The district must complete the evaluation within 60 calendar days of the date the district receives the written consent. In addition, the district will report the results of the evaluation within 30 days of the written report. The district will provide the parent with a copy of the report.

If the parent or adult student has specifically requested an evaluation and the district determines that the evaluation is not needed, the district will provide the parent with a 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. Additionally, the notice will include a copy of the *Notice of Procedural Safeguards - Rights of Parents of Students with Disabilities*.

Special Education and Parental Rights Regarding Adult Students

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make education decisions as a student without a disability, except that the school district shall provide any notice required by IDEA, Part B to both the student and the parents. A notice of an admission, review and dismissal (ARD) committee meeting does not constitute invitation to, or create a right for, the parent to attend the meeting. All other rights accorded to parents under IDEA, Part B transfer to

the student. All rights accorded to parents under IDEA, Part B transfer to students who are incarcerated in an adult or juvenile, state or local correctional institution.

Adult students are asked to complete a consent to release information between the school and their parents to assist with educational coordination.

Full Inclusionary Support

Texans Can! schools provide support for all students with learning differences from an inclusionary model that focuses on providing all students with access to grade level curriculum in alignment with the Individuals with Disabilities Education Act (2004).

Steroid Use

Anabolic steroids are for medical use only. State law prohibits the possession, dispensing, delivery, or administering of an anabolic steroid in any manner not allowed by state law. State law provides that bodybuilding, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a person who is in good health is not a valid medical purpose. Only a medical doctor may prescribe an anabolic steroid or human growth hormone for a person. A violation of state law concerning anabolic steroids or human growth hormones is a criminal offense punishable by confinement in jail or imprisonment in the institutional division of the Texas Department of Criminal Justice.

Student Organizations and Clubs

Texans Can! encourages student participation in extracurricular activities and recognizes the right of students to form associations, organizations or clubs for the purpose of pursuing common interests.

Any student-initiated organization – artistic, athletic, career, educational, recreational, religious or social - will be recognized as a Texans Can! Student Organization when the student organizers complete the following steps:

- 1) Present a petition to the Principal requesting recognition of the organization.
 - a) The petition will include the names of the organizing members.
 - b) A copy of the organization's bylaws will be included with the petition.
 - c) The petition will include a statement describing the purpose and activities of the organization.
- 2) The organization must have an adult sponsor who is a full-time employee of Texans Can!. A letter of agreement to serve, from the proposed sponsor, must accompany the organization's petition.
- 3) To maintain its status as a recognized Student Organization, the organization must provide the Principal's office information concerning the times and place of its meetings. Regular meetings may be reported once each semester; special meetings must be reported 24 hours in advance.
- 4) The organization may lose its status as a recognized Student Organization if any of its activities are found to be in violation of the Student Code of Conduct.

Recognized Student Organizations will be entitled to use school facilities for meetings and other activities, as long as those activities do not interfere with the school's academic program. Such organization's meetings and activities may be placed on the school's official calendar and may be publicized in school publications.

As a public high school, Texans Can! is officially neutral in matters of religion. The school will protect the rights of free expression of any religious group, but may not – as a school – promote the interests or teaching of any religious faith.

Student Records

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. A student's school records are confidential and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters Texans Can!, until the student withdraws or graduates. By law, both parents, whether married, separated, or divorced, and students have access to the record of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

The Principal is custodian of all records for currently enrolled students at the assigned school. The Principal is also custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours upon completion of the written request form. The records custodian or registrar will respond to reasonable requests for explanation and interpretation of the records.

Parents of a minor or of a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Trustees of Texans Can!, or cooperatives of which Texans Can! is a member, or facilities with which Texans Can! contracts for the placement of students with disabilities, as well as their attorneys and consultants, who are:

1. Working with the student
2. Considering disciplinary or academic actions, the student's case, an Individual Education Plan (IEP) for a student with disabilities under IDEA or an individually designed program for a student with disabilities under IDEA or individually designed program for a student with disabilities under Section 504;
3. Compiling statistical data; or
4. Investigating or evaluating programs.

The parent's or student's right of access to, and copies of student records does not extend to all records. Materials that are not considered educational records, such as teachers' personal notes on a student that are shared only with a substitute teacher, records

pertaining to former students after they are no longer students at the campus, and records maintained by school law enforcement officials for purposes other than school discipline do not have to be made available to the parents or student.

Certain officials from various governmental agencies may have limited access to the student's records. Texans Can! forwards on request and without prior parental consent to a school in which a student seeks or intends to enroll. Parental consent is required to release the records to anyone else. When the students reaches 18 years of age, only the student has the right to consent to release of records.

A student over 18 and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If Texans Can! refuses the request to amend the records, the requester has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, parents and the student are not allowed to contest a student's grade in a course through this process. Parents or the student have the right to file a complaint with the U.S. Department of Education if they believe Texans Can! is not in compliance with the law regarding student records.

Parents may be denied copies of a student's records (1) after the student reaches age 18 and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; (3) if the parent fails to follow proper procedures and pay the copying charge; or (4) when the school is given a copy of a court order terminating the parental rights. If the students qualifies for free or reduced-price meals and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record will be provided at no charge.

Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. The school has designated the following information as directory information: a student's name, photograph, degrees, honors and awards received, dates of attendance, grade level, and participation in officially recognized activities and sports, and the weight and height of members of athletic teams.

Student Searches

Texans Can! reserves the right to use drug dogs, metal detectors and searches of students at random to ensure campus safety and to maintain effectiveness of the school. Other searches may be conducted if school officials have reasonable cause. Students shall be free from unreasonable searches and seizures by school officials. School officials may search a student's outer clothing, pockets, or property by establishing reasonable cause or securing the student's voluntary consent. Coercion, either expressed or implied, such as threatening to contact parents or police, invalidates apparent consent. U.S. Const.,

Amend. 4.: New Jersey v. T.L.O., 105 S. Ct. 73 (1985); Jones v. Latexo ISD, 499 F. Supp. 223 (1980).

A search is reasonable if it meets both of the following criteria:

1. The action is justified at the inception; i.e., the school official has reasonable grounds for suspecting that the search will uncover evidence of a rule violation or a criminal violation.
2. The scope of the search is reasonably related to the circumstances that justified the search in the first place; i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Texans Can! is committed to insuring that our school remains safe and drug-free and reserves the right to randomly bring in trained dogs.

Trained dogs' sniffing of cars and school property does not constitute a search under the Fourth Amendment. The alert of a trained dog provides reasonable cause for a search only if the dog is reasonably reliable in indication that contraband is currently present. Trained dogs' sniffing of students does constitute a search and requires individualized reasonable suspicion.

Suicide

It is the policy of Texans Can! to take all threats of suicide seriously. Therefore, even the slightest of threat is taken as a life-threatening issue. In the case of a student that threatens suicide verbally, nonverbally, or in writing, we will conduct a threat assessment by a licensed counselor/psychologist when available or contact 911 for a mental health evaluation by a trained professional. The appropriate steps will be taken based on lethality of the threat. Parents and students are encouraged to communicate issues related to suicide and suicidal threats with their student advisor to ensure educational support. Families are encouraged to contact their physician or one of several resources for follow up care Suicide and Crisis Center at 866-672-5100, Texas Youth Crisis Hotline at 800-210-2278, National Youth Hotline at 800-448-4663, and/or Hope Hotline at 800-784-2433.

Tardy Policy

Students are required to be on time for all classes. Students who arrive after classes begin may be subject to tardy sweep or ISS. Students who are tardy will not receive credit for that class for first period only. The Student Advisor will notify parent/guardian of action taken. Three tardies in one week may lead to a discipline referral and or parent conference.

Title I, Part A- Improving Basic Programs

Intent and Purpose: Title I provides funding to school districts to help schools with high percentages of students that receive free/reduced lunch to provide high-quality education to enable all children to meet the state student performance standards. The goal is to help

all students perform well in school and on the TAKS (Texas Assessment of Knowledge and Skills) test. Title I, Part A supports campuses in implementing either a School-wide Program or a Targeted Assistance Program.

A **School-wide campus** can use Title I funds and programs to support the identified needs of the students in the entire school based on comprehensive needs assessment. A **Targeted Assistance campus** can use the funds and programs to meet the needs of those students who have been targeted as failing, most at risk of failing, and most at risk of not meeting the State's student performance standards.

All Texans Can! schools qualify as School-wide campuses for the 2007-2008 school year.

Title I Parent Rights

As a parent of a student in a Title I school, you have the right to know the professional qualifications of the classroom teachers who instruct your child, and the Federal law requires the school district to provide you with this information in a timely manner if you request it. Specifically, you have a right to request the following information about your child's classroom teachers:

- ❑ Whether the teacher meets the state qualifications and licensing criteria for the grades and subject he or she teaches.
- ❑ Whether the teacher is teaching under emergency or provisional status because of special circumstances.
- ❑ The teacher's college major, whether the teacher has any advanced degrees, and the field of discipline of the certification or degree.
- ❑ Whether paraprofessionals provide services to your child, and, if so, their qualifications.
- ❑ If you would like to receive any of this information, please contact the school principal.

Transportation and Vehicles

Texans Can! will provide bus passes to be used in conjunction with the local transit system (if available) for any student who is in need of transportation to and from school. Students that lose a monthly bus pass and request a replacement pass will handle as follows:

1st offense of bus pass replacement will require the student to pay a five-dollar replacement fee.

2nd offense of bus pass replacement will require the student to provide his/her own transportation until the following monthly passes are issued.

3rd offense of bus pass replacement will require the student to provide his/her own transportation for the remainder of the current school year.

For those students who drive to school, vehicles parked on school property are under the jurisdiction of the school. The school reserves the right to search any vehicle if

reasonable cause exists to do so. A student has full responsibility for the security of his or her vehicle and will be held responsible for any prohibited objects or substances, such as alcohol, drugs, drug paraphernalia, weapons, or weapon paraphernalia that are found in his or her car and will be subject to disciplinary action, as well as referral for criminal prosecution. Searches of vehicles may be conducted any time there is reasonable cause to do so, with or without the presence of the student.

Video Surveillance

This facility employs video surveillance equipment for security purposes. This equipment may or may not be monitored or recorded at anytime.

Visitors

Parents and immediate family are welcome to visit Texans Can! All visitors must first report to the reception area. Visitors will be required to sign in the visitor's log. A staff member will escort visitors to designated area of interest. Visitors must wear a visitor's badge for the duration of the school visit. While visits to schools are encouraged, the principal shall ensure that such visits do not disrupt or interfere with the educational process in the classroom. To create the best learning environment for all students, children of students are not allowed in the classroom. It is a liability issue to have small children in the classroom with other students during instructional time.

Weapons

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone," as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

Students shall not bring, possess, conceal, or use a weapon on district property, at activities under the jurisdiction of the district, or interscholastic activities. Students shall not bring, possess, or conceal a bullet on district property, at activities under the jurisdiction of the district, or interscholastic activities. Students shall not bring, possess, or conceal a toy gun. All items brandished or presented as a weapon are prohibited.

For the purposes of this policy; and as defined by state and federal law, *weapon* includes:

- 1) "Dangerous weapon" – any devise, instrument, material, or substance that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is reality capable of causing death or serious physical injury.
- 2) "Deadly weapon" – any instrument, article or substance³ specifically designed for and currently capable of causing death or serious physical injury.
- 3) "Firearm" – including handguns, rifles or shotguns, any weapon (including a starter gun) which will or is designed to or many readily be converted to expel a projectile by the action of an explosive or propellant, frame, or receiver of any such weapon or any firearm silencer as defined by 18 USC 921.

- 4) “Destructive Device” – any explosive, incendiary, or poison gas
 - a) bomb
 - b) grenade
 - c) rocket having a propellant charge of more than four ounces
 - d) missile having an explosive or incendiary charge of more than one-quarter ounce
 - e) mine, or
 - f) similar device

Under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Improving America’s School’s Act, and in compliance with state law, a student who is determined to have brought a weapon to school is expelled for not less than a one-year, unless modified by the superintendent on a case-by-case basis. A referral to the criminal justice or juvenile delinquency system will also be made for any student who brings a weapon to school.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property (including, but not limited to, hunter safety courses, weapons-related vocational course, or weapons-related sports).

Winner’s Circle

On designated Friday’s, Texans Can! staff hosts Winner’s Circle to honor and appreciate students. For those who have displayed especially positive and winning attitudes, the staff presents Character Awards. For those who “show up to grow up” everyday, there are Perfect Attendance Awards. For those who master their lessons, there are Student Achievement Awards. This is a great time to celebrate the achievements of the students!

Withdrawals

When it becomes necessary for a student to withdraw from school, the student should report to his/her assigned Student Advisor and follow the school’s withdrawal procedure in order to receive grades at the time of withdrawal and records for transferring to another school. The student and parent should see the assigned Student Advisor to discuss alternative programs that may be available to help meet the student’s needs. Students within the compulsory attendance age are not dropped from the rosters of Texans Can! except for the following reasons:

1. School has received documentation of student’s enrollment at another school
2. Committed to an institution
3. Deceased
4. Entered private school
5. Graduated/completed GED
6. Non-Attendance

TEXANS Can!

Disciplinary Procedures

Student Conduct:

Texans Can! is committed to providing each student with a quality educational program. This requires that the school environment must be free of disruptions and distractions that interfere with teaching and learning activities. The school is committed to all your rights recognized and protected under state and federal laws. In addition, the school sets expectations for appropriate behaviors that contributes in a positive way to the school and community. A proper balance between rights and responsibilities is essential if Texans Can! is to provide educational experiences, which allow you to develop your fullest potential. Texans Can! is intent to set forth reasonable standards of conduct that will enhance educational opportunities for you and promote self-responsibility. The following five standards are offered to guide the development of a self-responsibility system for our campus.

Maintain self-control:

- Speak using appropriate tone of voice, volume and language.
- Resolve conflicts in a mature manner.
- Follow the dress code.

Demonstrate a positive attitude:

- Be a positive leader.
- Be polite.
- Be cooperative.

Respect the rights and feelings of others:

- Treat others the way you want to be treated. Put yourself in the place of the other person, whether it is a student, teacher, parent, administrator or any other person on campus.
- Respect the building, the grounds, property and individuals.
- Keep the campus free from trash and graffiti.

Support the learning process.

- Be on time.
- Work consistently on individual assignments.

Students are responsible for conducting themselves appropriately, in a manner consistent with their age and level of maturity. The school fosters a climate of mutual respect for the rights of others. Texans Can! rules of conduct and discipline are established to achieve and maintain order in the school.

Student Responsibilities

Student responsibilities for achieving a positive learning environment at school or school-related activities include:

1. Attending all classes, regularly and on time.
2. Working consistently on individual assignments.
3. Following the dress code and being properly groomed.
4. Showing courtesy and respect toward others.
5. Behaving in a responsible manner and not disrupting others.
6. Listening carefully to instructions.
7. Talking in a courteous manner.
8. Avoiding violations of the Student Code of Conduct.
9. Obeying all class and school rules, including eating in class and wandering around.
10. Seeking change in school policies and regulations in an orderly and responsible manner, through the appropriate channels.
11. Cooperating with Texans Can! staff in investigation of disciplinary cases and volunteering known information relating to a serious offense.

Texans Can! has authority over a student during the regular school day. The Texans Can! Student Code of Conduct applies to all school-sponsored and school-related activities, on or off campus, and at any time the school is involved. This jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity, regardless of time or location. A violation of the law and the student code of conduct involving retaliation against an employee, even though it occurs off school grounds, and not at any school-related activity, is also subject to Texans Can! jurisdiction. Students who violate these rules will be subject to disciplinary action, and when appropriate, will be referred to legal authorities for criminal prosecution for violations of the law.

The Code of Conduct identifies a broad range of behaviors that disrupt learning and are not acceptable at Texans Can!. The behaviors listed are not all inclusive of all behaviors that are subject to discipline at Texans Can!.

When and Where the rules apply:

The policies and administrative procedures concerning student conduct apply to actions of students during school hours, before and after school while on or within 300 feet of school property/school transportation, at all school-sponsored events/activities, field trips, sporting events, stadium assemblies, evening school-related activities, as well as traveling to and from school.

All students, parents and school personnel should understand that, in addition to taking disciplinary actions at the school level, administrators will report all illegal acts to the appropriate authorities.

Gang Activity on School Property

Texans Can! Charter School Board of Trustees is committed to keeping the campus free from threats or harmful influences of groups or gangs that advocate drug use, violence, or disruptive behaviors while under the campus supervision. The Board prohibits the presence of apparel, jewelry, accessory, notebook, or manner of grooming which, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in gangs which advocate drug use, violence, or disruptive behavior. The Principal and/or designee(s) shall maintain visible supervision of school premises so as to deter gang intimidation of students and confrontations between members of different gangs. Campus personnel will work closely with students and local law enforcement agencies in order to remain current in regard to constantly changing trends of gang activity.

Students are prohibited from gang involvement or gang activities while at school, at any school facility, at any school-sponsored activity, or on any school vehicle. Gang activities and gang involvement are described as:

1. Wearing, possessing using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other items that are evidence of membership or affiliation in a gang.
2. Committing any act or using any speech, either verbal or nonverbal, such as gestures, handshakes and the like, that indicates membership or affiliation in a gang.
3. Promoting interests in a gang or gang activity, including but not limited to:
 - a. Soliciting others for membership.
 - b. Requesting any person to pay for protection or otherwise intimidating or threatening any person.
 - c. Committing any other illegal act or violation of campus policies.
 - d. Inciting other students to act with physical violence toward any other person.
 - e. Engaging in concert with others by intimidating, fighting assaulting or threatening to assault others.

The student and/or parent will not be required to present a complaint to a person who is the subject of the complaint.

If the resolution of the complaint is not satisfactory to the student or parent, the student or parent within 10 days may request a conference with the superintendent.

General Discipline Guidelines For Assessing Penalties:

When imposing discipline, professional staff shall adhere to the following guidelines:

1. All professional staff are expected to enforce discipline and direct students so that they will demonstrate appropriate behavior.
2. Discipline shall be administered when necessary to protect students, school employees, or property, and to maintain essential order and discipline.
3. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstance of each case:
 - Seriousness of offense
 - Student's age
 - Frequency of misconduct
 - Student's attitude
 - Potential effect of the misconduct on the school environment
4. Personnel will use their professional judgment in determining which disciplinary action will be most effective in dealing with specific acts of student misconduct. Behaviors that detract from the instructional environment may result in parental contact, suspensions, detention, and parental requirement to shadow student in the classroom.

Discipline System

Texans Can! students are serious about their educational goals, and thus, have very few behavior problems. We are proud of our students, and committed to showing them respect by: 1) making our expectations clear and reasonable, 2) addressing all disciplinary concerns in a private, respectful manner and 3) being consistent in all disciplinary actions.

If a student participates in a prohibited activity or displays behavior that is not productive to the student or the school, the Discipline System is a form of communication between parents, teachers, Student Advisors and students. This serves as a special opportunity for students to express their personal needs and to enlist the help of their Student Advisor in solving problems that are preventing them from meeting their goals.

Some consequences are, but not limited to the following: behavior contracts, community service hours, verbal and/or written apologies, essays, sentences, parent shadowing in the classroom, etc.

A suspension hearing can be scheduled based on the severity and frequency of an event. After meeting with the student and/or parent/guardian, the Principal or his designee will honor due process for all students in all circumstances. A student's first suspension is generally three days, and cannot be longer than three days. The length of the second suspension can also vary depending on the seriousness of the offense, but cannot be longer than three days. A third time suspended will warrant an expulsion hearing.

A student's expulsion hearing would normally result in a home study arrangement or termination from the program.

This process is designed to allow the student time and opportunity to change the behavior which led to the warning. The student has the choice to continue the undesirable behavior, which will result in termination or the student may choose to change the behavior in order to continue in school.

Each step of the above process will be conducted in private. If a student believes that he/she has not been treated properly, the student should present a complaint in writing to the Principal who will (1) conduct an inquiry on the student's behalf and (2) schedule a conference with the parties involved, in order to arrive at a mutually agreeable resolution.

Possible actions of misbehavior that may warrant the Discipline System:

Any activity off campus that threatens the safety of students and staff on campus

Absenteeism/Tardiness

Having a pager/cell phone "ON" while in school

Cheating

Damaging or vandalizing property belonging to others

Disobeying school rules

Dress code violations

Eating/drinking in non-break areas

Engaging in inappropriate physical or sexual behavior

Excessive/loud talking

Exhibiting and/or soliciting gang membership

Failure to comply with staff directives

Failure to work during class

Gambling

Horseplay or verbal fighting

Leaving school grounds without permission

Name calling or racial slurs or derogatory statements

Possessing or using matches or a lighter

Possessing or using tobacco products on school property

Profanity/offensive language

Refusing to follow instructions

Stealing from students, staff or the school

Throwing objects that can cause bodily harm

Wearing headphones/personal radio during class

Willful refusal to work or follow directions

Other behaviors that disrupt the educational efficiency of the school

The previous listings above are prohibited activities. The consequence for the offense will be assessed depending on the seriousness of the violation and frequency of misbehavior. The listings are not intended to be inclusive of all possible actions of misbehavior.

Removal for Certain Conduct: Suspension (Education Code §37.006)

Students shall be removed from class and placed in an In-School Suspension or Suspended program if the student commits the following on or within 300 feet of school property, as measured from and point on the school's real property boundary line, or while attending a school related activity on or off of school property:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the element of the offense of assault under Section 22.01 (a) (1), Penal Code, or terrorist threat under Section 22.07, Penal Code.
3. Engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code.
 - A. If a student engages in conduct that contains the element of offense of retaliation against any school employee or student, that student will be removed from the school.
 - B. In addition to Subsection (a), a student may be removed from school based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:
 1. The continued presence of the student in the regular classroom threatens the safety of the students or staff or will be detrimental to the education process

Procedure:

1. The Principal or his/her designee investigates the infractions(s).
2. The Principal or his/her designee confers with the student and parent about the misconduct. The student is given an opportunity (due process) to explain his/her version of the incident.
3. Written notice of the offense(s) and action taken are given to the parent and appropriate staff member.

Suspension of Disabled Students

A disabled student may be suspended for any acts of misconduct that would warrant suspension of a non-disabled student. Students may be suspended for a total of 10 days prior to triggering a change of placement. Once a student has established a pattern of behavior or reached the 10th day of removal, the school will hold a Manifest Determination meeting in conjunction with an ARD meeting as outlined by IDEA Reauthorization 2004 and Special Education Policy and Procedures. The Manifest Determination committee/ARD committee will determine as subscribed by law if the

behavior/action is a direct result of the disability or the lack of Special Education programming and complete a Functional Behavioral Assessment and Behavior Intervention Plan. If the behavior/action or lack of programming is deemed the result of the behavior/action, the ARD will consider this in designing a new IEP to address this issue. If the behavior/action is not deemed the result of the behavior/action, students with disabilities may be suspended in the same manner as regular education students. Procedures regarding suspension and the appeal of a suspension shall be the same as those for regular education students.

Expulsion (Education Code §37.007)

At the district's discretion, a student may be expelled for:

1. Criminal mischief, if punishable as a felony whether committed on or off school property.
2. Serious or persistent misbehavior by a student who is already assigned to a disciplinary In-School Suspension program and continues to violate the Code of Conduct. The school defines "persistent" as two or more violations of the Code of Conduct in general, or repeated occurrences of the same violation.
3. Serious offenses that include, but not limited to, the following:
 - A. Assault of a teacher or other staff member or student.
 - B. Retaliation against a school employee.
 - C. Murder, capital murder, or criminal attempt to commit murder.
 - D. Indecency with a child.
 - E. Kidnapping
 - F. Sell, gives or delivers to another person an alcoholic beverage, as defined by Section 1.104, Alcoholic Beverage Code, commits a serious act of offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.
 - G. Engages in conduct that contain the elements of an offense relating to abusable glue or aerosol paint under Sections §485.031 through §458.035, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.
 - H. Engaging in conduct that constitutes criminal mischief.
 - I. Vandalism.
 - J. Robbery or theft.
 - K. Extortion, coercion, or blackmail.
 - L. Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.
 - M. Insubordination.

- N. Profanity, vulgar language, or obscene gestures directed towards teachers or other school employees.
- O. Fighting, committing physical abuse, or threatening physical abuse.
- P. Sexual harassment of a student or campus employee.
- Q. Possession of or conspiring to possess any explosive or explosive devise.
- R. Falsification of records, or tampering with school-related documents.
- S. Possession or distribution of pornographic material.
- T. Making or assisting in making threats, including threats against individuals and bomb threats.
- U. Refusal to accept discipline management techniques proposed by teacher, Principal or his/her designee.

A student MUST be expelled for any of the following offenses if committed on school property or while attending a school-related or school-sponsored activity on or off school property. Decisions involving expulsions will include a consideration of self-defense, intent, disciplinary history, and disability (as identified in IDEA reauthorization 2004) discussion. Specific timelines of the duration of expulsion will be made by principals on a case-by-case basis. State and federal guidelines apply.

1. A firearm violation, as defined by federal laws include:
 - A. Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive.
 - B. The frame or receiver of any such weapon.
 - C. Any firearm muffler, firearm weapon or fireworks.
 - D. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade.

2. Use, exhibition, or possession of the following, under the Texas Penal Code:
 - A. A firearm or a bullet to be used with a firearm.
 - B. Any knife, such as a knife with a blade over 3 inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk stiletto, and poniard; Bowie knife; sword; or spear.
 - C. A club.
 - D. A prohibited weapon, such as an explosive weapon; machinegun; a short barrel firearm; a firearm silencer; a switchblade knife; knuckles; armor-piercing ammunition; a bullet; a chemical dispensing device; or a zip gun. (This list is not intended to be inclusive of all illegal weapons that are prohibited on campus or at school activities.)

3. Behavior containing the elements of the following under the Texas Penal Code:
 - A. Aggravated assault, sexual assaults, or aggravated sexual assault.
 - B. Aggravated robbery
 - C. Manslaughter
 - D. Criminally negligent homicide
 - E. Arson
 - F. Murder, capital murder, or criminal attempt to commit murder.
 - G. Indecency with a child.
 - H. Aggravated kidnapping.
 - I. Behavior related to an alcohol or drug offense that could be punishable as a felony.
 - J. Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

4. Selling, giving, or delivering to another person or possessing or using or being under the influence of
 - A. Marijuana or a controlled substance, or being in possession of drug paraphernalia as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; or
 - B. A dangerous drug as defined by Chapter 483, Health and Safety Code.

Before a student may be expelled, the student will be provided a hearing at which the student is afforded appropriate due process as required by the federal constitution.
Education Code §37.009(f)

The minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved. Federal due process requires notice and some opportunity for hearing.

The notice should contain a statement of the specific charges and grounds that, if proven, would justify expulsion. In some cases, the student should be given the names of the witnesses against him or her and an oral or written report on the facts to which each witness testifies. The rights of the student may properly be determined upon the hearsay evidence of school administrators who investigate disciplinary infractions.

At the hearing, the student is entitled to be represented by the student's parent, guardian, or another adult who can provide guidance to the student and who is not an employee of the school. If the school makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the school may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

In an emergency, the Principal or the Principal's designee may order the immediate removal of a student when people or property are in imminent harm.

TEXANS CAN! ENFORCES ZERO TOLERANCE FOR POSSESSION OF FIREARMS, ILLEGAL KNIVES, OR ANY ILLEGAL WEAPON, AND ANY CONDUCT PUNISHABLE AS A FELONY.

Expulsion means removal of a student from school. A charter holder shall notify the school district in which the student resides within three business days of any action expelling or withdrawing a student from the charter school.

A student shall be considered to be in possession of any substance or object prohibited or regulated by this CODE OF CONDUCT if the substance or object is:

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

Possession means actual care, custody, control, or management.

Procedure:

1. The Principal or his/her designee investigates the infractions(s) and illegal act(s). If it is determined that the act is of an illegal nature, the proper law enforcement authorities will be notified.
2. The Principal or his/her designee confers with the student and parent about the misconduct. The student is given an opportunity (due process) to explain his/her version of the incident.
3. The investigator notifies parent/legal guardian in writing of the reasons for the proposed expulsion.
4. Principal or his/her designee will act as a hearing officer and conduct a full hearing before a final decision to expel a student is made, unless the parent/guardian waives the hearing.
5. A parent may appeal the expulsion decision to the Principal within three school days. In the event that the Principal acted as the hearing officer, the expulsion may be appealed with the superintendent.

Expulsion of Disabled Students

A disabled student may be expelled for any acts of misconduct that would warrant expulsion of a non-disabled student. Once the administration determines that a student

served in Special Education has committed an act that will result in Suspension, they will notify the Special Education Coordinator. The school will hold a Manifest Determination meeting in conjunction with an ARD meeting as outlined by IDEA Reauthorization 2004 and Special Education Policy and Procedures. The Manifest Determination committee/ARD committee will determine as subscribed by law if the behavior/action is a direct result of the disability or the lack of Special Education programming and complete a Functional Behavioral Assessment and Behavior Intervention Plan. If the behavior/action or lack of programming is deemed the result of the behavior/action, the ARD will consider this in designing a new IEP to address this issue. If the behavior/action is not deemed the result of the behavior/action, students with disabilities may be expelled in the same manner as regular education students. Procedures regarding expulsion and the appeal of an expulsion shall be the same as those for regular education students. The ARD/IEP Committee will determine the instructional and related services necessary to ensure continued progress related to the students IEP during the expulsion.

All decisions of the ARD/IEP Committee can be appealed through the Special Education due process procedures. The disabled student's placement during such appeal is governed by IDEA Reauthorization 2004, which maintains the disciplinary placement during the appeal, unless the parties agree otherwise.

Students who are being expelled for any offense related to drugs, weapons, or serious bodily injury offense result in 45 day expulsion even if the determination is made that the behavior/action was a manifestation of the behavior or the programming.

Expulsion of Students service under section 504.

A student served under section 504 may be expelled for any acts of misconduct that would warrant expulsion of a non-504 student.