

**Texans Can! Shared Service Arrangement
Austin Can!, Dallas Can!, Fort Worth Can!,
Houston Can! & San Antonio Can!**

SPECIAL EDUCATION POLICIES

Board Adopted November 2004

Topics
ARD Meeting

ARD MEETING

Authority: 34 C.F.R. Part 300; Texas Education Code (TEC); 19 T.A.C. Chapter 89

Texans Can! Shared Service Arrangement procedures for implementing the IEP requirements are consistent with School Board policy and are as follows:

H. Assurances

The district assures that removal of students with disabilities from the general education environment occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The district assures that each student with a disability participates in non-academic and extracurricular services and activities, including meals and recess periods with non-disabled students to the maximum extent appropriate to the needs of that student.

The district assures that, to the maximum extent appropriate, students with disabilities are educated with students who are non-disabled.

Texans Can! Charter Schools

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

STUDENT HANDBOOK & CODE OF CONDUCT

Board Adopted June 2006

Topics

Nondiscrimination Statement

Directory Information

Section 504 Services

Sexual Harassment

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

Nondiscriminatory Statement

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.

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, 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.

Section 504 Services

Texans Can! will provide a free appropriate education (regular or special education and related aids and services) to school-aged children within the Texans Can! 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. 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!. 34 CFR §104.4

A full outline of all Policies and Procedures related to Section 504 at Texans Can! is available both on our website and per request.

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.