

Student Handbook

TEXANS CAN ACADEMIES



2022 - 2023



Texans Can Academies is a 501 (c)(3) nonprofit corporation created to provide alternative educational opportunities for at-risk students in Texas. The corporation currently operates thirteen schools in **Dallas, Fort Worth, Houston, Austin, and San Antonio**. The term “**Texans Can**” will be used throughout this document to represent the Texans Can Academies campuses in Dallas, Fort Worth, Houston, Austin, and San Antonio. 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 are available upon request as they are determined and provided to us by the Texas Education Agency.

Additionally, all Texans Can schools qualify as School-wide Title I campuses for the 2022-2023 school year. Funding provides support to school Districts with high percentages of students who receive free/reduced lunch. The goal of such funding is to help all students perform well in school and on state standardized tests. Title I, Part A supports campuses in implementing programs that support student needs identified across the entire District based on a comprehensive needs assessment.

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 vocational programs, services or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Sections 503 and 504 of the Rehabilitation Act of 1973, as amended.

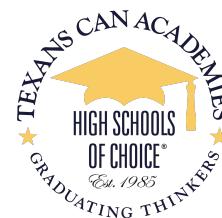


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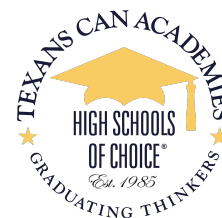


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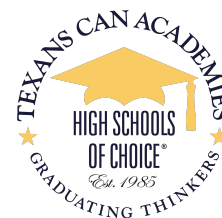


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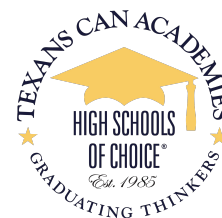


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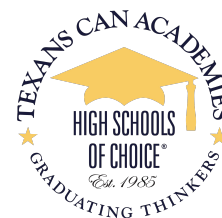


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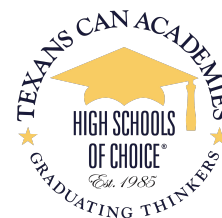


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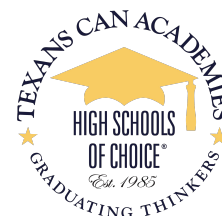


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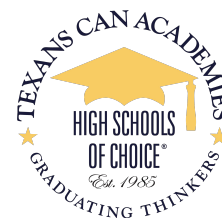


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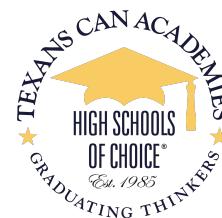
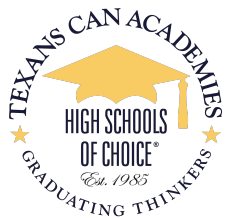


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Message to Students & Parents

Welcome to Texans Can Academies!

By choosing Texans Can, you've just said, "Yes!" to one of the most important investments you'll ever make—your, or your child's, education.

We're thrilled you've made that choice.

This Student Handbook is here to be **your guide**. You surely have a lot of questions—or you will—as you continue your journey with Texans Can. **That's what this book is for: to answer your questions.**

Here, you'll find information about how Texans Can works, and how you can know what the school expects from you, and what you can expect from the school.

It's all here.

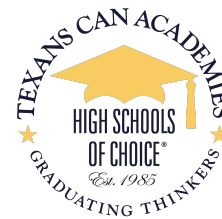
To make sure that all students have the best experience possible, please know that the regulations in this Handbook and the Student Code of Conduct are enforceable—we want everyone to be and feel safe and, to do that, we need to expect everyone's best. Below, we'll ask you to let us know that you agree to that by providing your signature.

And, if you still have questions, please reach out to your Student Advocate or your counselor.

They're there to help.

We're so glad you're with us!





Our Mission

Our mission

To provide the highest quality education for all students, especially those who have struggled in a traditional high school setting, in order to ensure their economic independence.

Our core values

- Student-centered decision making
- A rigorous curriculum based on reading and thinking skills
- Fulfilling every aspect of our mission with a sense of urgency

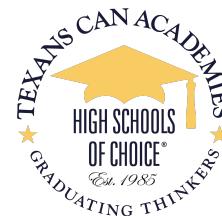
Our philosophy

- Reading is the key to empowerment, personal fulfillment, success, and employment.
- Personal responsibility, character, values, and passion lead to good citizenship.
- Learning is best accomplished in a nurturing yet structured environment

As a Texas charter school, Texans Can is an accredited Open-enrollment Charter School District by the Texas Education Agency.

Texans Can Academies shall foster a climate of mutual respect and support for the rights and privileges of our school communities across the District. At the center of our school communities are our students and parents. To maintain healthy school communities in which our students succeed, we welcome and are eager to build strong relationships with our students and partnerships with our students' parents.

This *Student Handbook* communicates the expectations and regulations to which all students and parents must adhere so that the school communities are safe learning environments. 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. In this *Student Handbook*, the term "parent" includes a natural parent, adoptive parent, legal guardian, adult student, or person having lawful control of the student.



Texans Can Campuses

Texans Can Academy – Austin

2601 Rosewood Avenue
Austin, Texas 78702
(512) 477-4226
Principal: TBD

Texans Can Academy – Dallas North

9704 Skillman Avenue
Dallas, Texas 75243
(214) 824-4226
Principal: Mr. Jared Smith

Texans Can Academy – Oak Cliff

325 West 12th Street
Dallas, Texas 75208
(214) 943-2244
Principal: Mr. Zaqueo Cazares

Texans Can Academy – CFB

2720 Hollendale Lane
Farmers Branch, Texas 75234
(972) 243-2178
Principal: Ms. Isabel Salazar

Texans Can Academy – Pleasant Grove

1227 N. Masters Drive
Dallas, Texas 75217
(214) 371-6226
Principal: Mr. Mene Khepera

Texans Can Academy – Grant East

2901 Morgan Drive
Dallas, Texas 75241
(972) 228-4226
Principal: Mr. Robert McElroy

Texans Can Academy – Garland

2256 Arapaho Road
Garland, Texas 75044
(972) 441-7202
Principal: Ms. Tina Shaw

Texans Can Academy – Fort Worth Westcreek

6620 Westcreek Drive
Fort Worth, Texas 76133
(817) 531-3223
Principal: Ms. Ku-Masi Lewis

Texans Can Academy – Fort Worth Lancaster Avenue

1316 E. Lancaster Avenue
Fort Worth, Texas 76102
(817) 735-1515
Principal: Mr. Justin Reyes

Texans Can Academy – Houston North

3401 Hardy Street
Houston, Texas 77009
(713) 659-4226
Principal: Mr. Leon Gilmore

Texans Can Academy – Houston Hobby

9020 Gulf Freeway
Houston, Texas 77017
(832) 379-4226
Principal: Mr. Rawly Sanchez

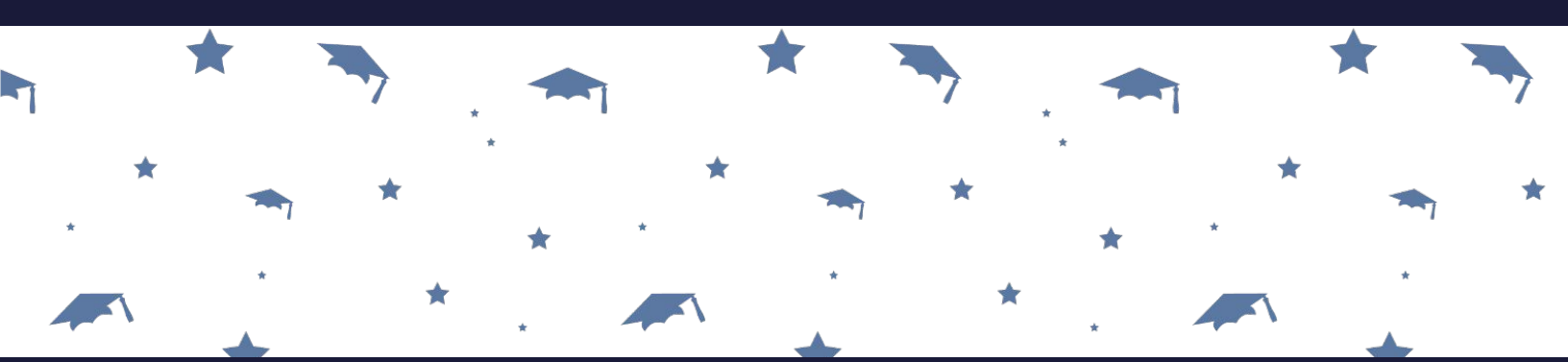
Texans Can Academy – Houston Southwest

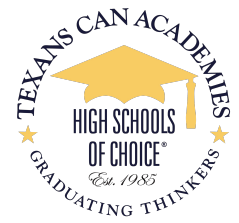
10914 S. Gessner
Houston, Texas 77071
(281) 981-4324
Principal: Mr. Martin Donald

Texans Can Academy – San Antonio

1807 Centennial
San Antonio, Texas 78211
(210) 923-1226
Principal: Kymberley Hutchinson

ACADEMIC ACHIEVEMENT, GRADING POLICY, RETENTION & PROMOTION





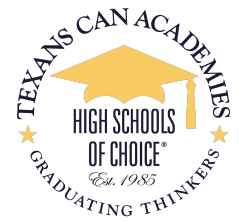
Admission

Texans Can does not discriminate in admissions based on sex, national origin, ethnicity, religion, disability, academic, artistic athletic ability, or based on the school District that the child would otherwise attend. Students who have not graduated from high school are entitled to free public education if they are under the age of twenty-one (21) on the first day of September (of the current school year) and if they provide satisfactory evidence of required immunizations within thirty (30) days of enrollment. Students receiving special education services may continue to be enrolled in school until they are no more than twenty-two (22) years of age on **September 1**. For students who transfer, the transferring school must send records within ten business 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 are accepted year-round.

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. 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.

The United States Department of Education requires all state and local education institutions to collect information on ethnicity and race for students and staff. This information is used for state and federal accountability reporting, as well as for reporting to the Office of Civil Rights and the Equal Employment Opportunity Commission.

The federal government has developed a new standard for collecting and reporting this data to provide a more accurate picture of the nation's ethnic and racial diversity. This new standard enables individuals to be identified in both ethnic and racial classifications and in more than one racial category if applicable. In the past, enrollment forms allowed individuals to be identified in only one category.



Instructional Program Overview

Relation to Essential Knowledge and Skills: 9–12 grade

The District shall determine instructional objectives that relate to the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that the student's performance indicates the level of mastery of the designated District objectives. The student's mastery level shall be a major factor in determining the grade for a subject or course.

Report cards shall be issued every grading period. Districtwide student passing/failure rates shall be monitored by the Superintendent of Schools or designee. The Superintendent of Schools shall develop guidelines for teachers to follow in arriving at the grading period and semester grades for students. These guidelines shall ensure that grading reflects a student's relative mastery of an assignment and that a sufficient number of grades are taken to support the grade average assigned. Grades shall not be reduced for disciplinary reasons except in cases of late assignments or academic dishonesty. Guidelines for grading shall be clearly communicated to students and parents.

The Superintendent of Schools or designee shall develop guidelines regulating homework, makeup work, and grading procedures.

Numerical averages of 0.5 or above shall be rounded up to the next whole number. That is, 77.5 becomes 78, while 77.4 becomes 77.

An examination or course grade issued by the teacher is final and may not be changed unless the grade is demonstrated to be arbitrary, erroneous, or not consistent with the District's grading policy applicable to the grade level or program as outlined in this policy.



Progress Reports

Progress Reports

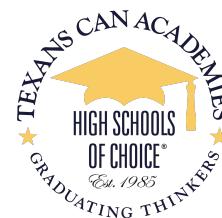
Interim progress reports shall be issued by the teacher every five (5) weeks to a student whose performance in any subject or class is below 70 or whose average is deemed borderline according to District guidelines.

Lack of a failure notice shall not absolve a student of the responsibility to pass assigned work.

The District shall make this information available to the sponsors of extracurricular activities in which the student participates. The notice shall stipulate that the student shall have the remainder of the grading period to bring the grade up to 70 or above and that the student shall be suspended from extracurricular activities if the grade is not brought up to that point by the end of the grading period.

A student who receives a progress report during the grading period indicating the student's performance in any subject or class is below 70, or whose average is deemed borderline according to District guidelines, shall be encouraged to attend tutorial sessions or complete special projects or extra-credit assignments prior to the end of the grading period. When both the teacher and principal agree that extenuating circumstances are present, the student may be given additional time to complete the special projects or extra-credit assignments beyond the end of the grading period. See PG.3.8 Local Attendance for Credit policy for extenuating circumstances.

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. Parents and students can monitor progress reports, report cards, attendance and transcripts by visiting our website www.texanscan.org.

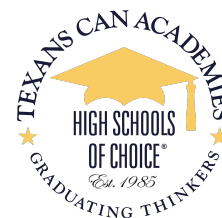


Progress Reports

To access our Parent Portal, go to the Texans Can website (www.texanscan.org), click the "Parents & Students" tab, then the Parent Portal. Parents can sign up to obtain an account through this page. If parents have any issues signing in, the registrar at the campus can provide support with the login credentials during regular business hours.

To access our Parent Access Center in Schoology, go to the Texans Can website (www.texanscan.org), click on the "Parents & Students" tab, then the Virtual Learning Portal. Once there, select Schoology. Parents can sign up to obtain an account through this page by answering student's information questions. If the information matches with eSchool records, the account will be created. If parents have any issues signing in, email schoology@texanscan.org to obtain support.

To review your child's school report cards and school assignments, use the Parent Portal and other means presented by the school; monitor your child's progress by contacting teachers as needed. **Parents are strongly encouraged to take advantage of all opportunities to stay informed regarding their child's grades and activities.** Parents can call the school office if they need assistance with access.



Instructional Program Overview

Academic Dishonesty

Academic dishonesty includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination. The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional employee, taking into consideration written materials, observation, or information from students.

Retesting During a Grading Period

To ensure that test grades reflect content mastery, a student shall be permitted to retake any major test he or she has failed within five school days of the date the failing grade was received. If the test is passed on the second attempt, the failing grade shall be removed from the grade book, and the passing grade recorded with the following exception. When student behavior or actions clearly demonstrate that a major test failed due to lack of effort or inappropriate behavior, a teacher with the principal's approval may assess a grade penalty. The grade penalty shall be either the average of the two tests or a 70 (if either the average or the second attempt is above 70). The grade given a student failing the test for the second time shall be the higher score earned on either test.

Course Credit

For purposes of assigning course credit, a high school student who fails either semester of a two-semester course, but whose scores for both semesters average 70 or above, shall receive credit for both semesters. Such course averaging is permissible only for students taking the course in the same school year, during the fall, spring, and summer semesters. If a student passes one semester but fails the other with a grade that results in a yearly average below 70, credit will be awarded for the semester passed. If a student fails to complete assignments and has earned 10 zeros the student will not receive credit and will have to retake the course.

High School Grading 9-12

Numerical grades shall be issued in all courses. The numerical grade ranges shall be:

70-100	Passing
Below 70	Failing

Instructional Program Overview

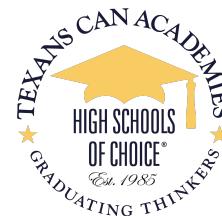


Transfer Students

A student transferring from a home school, out-of-District school, out-of-state school, or other national school system must take the EOC exams for the courses in which he or she is enrolled.

Alternative Assessments

The District shall allow for the replacement of EOC exam scores with identified scores on the Advanced Placement exams, International Baccalaureate examination, SAT Subject Test, or another assessment instrument to the extent permissible by state statute and the rules established by the Commissioner of Education.



Instructional Program Overview

Grade

Point

Average

The GPA is the cumulative un-weighted numerical average of final semester grades earned in courses for high school including all courses for high school. The GPA provides a profile of a student's overall performance in high school.

GPA on 4.0 Scale GPA on the 4.0 scale will be provided to a student, upon request, for post-secondary admissions.

Class Rank Calculation

The following provisions shall apply to all students beginning with the school year 2022-2023.

The District shall apply the same class rank calculation method and rules for local graduation honors for all students in a graduating class, regardless of the school year in which a student first earned high school credit.

Class Rank Calculation The District shall include in the calculation of class rank only grades earned in grades 9–12 for high school credit and only in core courses (English, mathematics, science, and social studies) for high school credit as listed in the course catalog, except as excluded in this policy. Failing grades in these courses shall also be included.

- All grades earned in core courses (English, mathematics, science, and social studies) for high school credit as listed in the course catalog.
- Grades earned through credit by exam with or without prior instruction, correspondence courses, summer school, dual credit/concurrent, and online courses in core courses (English, mathematics, science, and social studies) as listed in the course catalog shall be included in the class rank calculation.
- Grades earned on credit by examination with prior instruction to confirm validated credits from non-accredited institutions and home schools in core courses (English, mathematics, science, and social studies) as listed in the course catalog shall be calculated into the class rank calculation.



Instructional Program Overview

- Grades earned through the District’s remote instruction shall be included in the same manner as grades earned through in-person instruction.
- Students repeating a course due to failure shall be awarded credit only once, but each grade shall be used to calculate the class rank.
- Pass/Fail grades will be included in the class rank using the following table:
 - o Pass = 75
 - o Fail = 69

Exclusions Grades earned in local credit or non-credit courses shall NOT be included in the computation of the class rank.

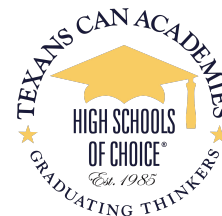
Transferred Grades When a student transfers semester grades for courses that would be eligible under the courses eligible for rank and the District has accepted the credit, the District shall include the grades in the calculation of class rank.

The District shall convert letter grades earned in eligible courses to grade points, in accordance with PG. 2.1 Local Instructional Program Overview policy.

Local Graduation

Early graduates shall be included in the total number for the class within the current school year in order to maintain accurate ranks.

Honors For the purpose of determining honors to be conferred during graduation activities, the District shall calculate class rank based on grades earned through the second term of the senior year.



Instructional Program Overview

Valedictorian The student with the highest class rank shall be awarded the honor of valedictorian.

Salutatorian The student with the second-highest class rank shall be awarded the honor of salutatorian.

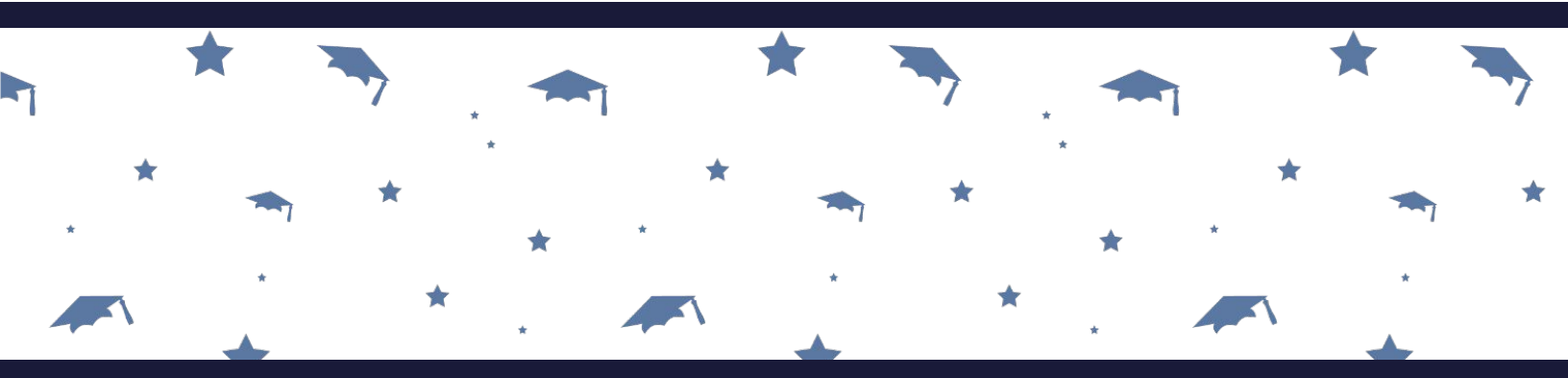
To be eligible for the valedictorian or salutatorian honors or the Highest-Ranking Senior Certificate beginning in the 2022-2023 academic year at a particular school, a student must:

- Meet graduation requirements (pass all state exams, have all required credits), and be on track to pass all classes at the end of the last term)
- Have been enrolled in the same District high school from which the student is graduating from for the last 4 continuous terms of his/her senior year
- Be scheduled to graduate in May or June at the end of his/her regular academic year
- Graduate with an Endorsement
- Graduate on the Distinguished Level of Achievement Program (beginning with the Class of 2024).

Breaking Ties

In case of a tie for valedictorian or salutatorian in the class rank, the District shall compute the average to a sufficient number of decimal places until the tie is broken.

Graduation





Graduation

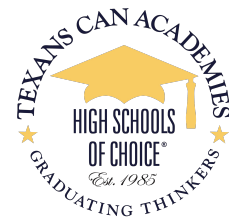
Requirements for a Graduation

To receive a high school diploma from the District, a student must successfully complete all required credits and pass STAAR End of Course (EOC) assessments. A student who does not pass the required state graduation assessments will have additional opportunities to take the tests. The *State of Texas Assessments of Academic Readiness* includes the five EOC assessments: English I, English II, Algebra I, Biology, and U.S. History.

As set forth in Senate Bill 463, a school District or open-enrollment charter school is required to establish an Individual Graduation Committee for each 11th or 12th grade student who fails to pass no more than two (2) End of Course assessments to determine whether the student may satisfy high school graduation requirements through alternative methods that show a sufficient understanding of the knowledge and skills taught and tested in the subject.

A student who entered 9th grade before 2011-2012, has successfully completed the curriculum requirements for graduation, and has not performed satisfactorily on the *Texas Assessment of Knowledge and Skills* assessment or part of an assessment instrument required for high school graduation at least three (3) times, may qualify to graduate and receive a high school diploma through the Individual Graduation Committee (IGC). The law expires on **September 1, 2023**. The committee will determine whether the student qualifies to graduate with certain requirements established by the District. The committee's decision is final and may not be appealed.

Each student who obtains a high school diploma from Texans Can Academies is eligible to participate in graduation. Our graduation is a ceremony that celebrates the achievements of our students. If a student who is a candidate for graduation violates the code of conduct pending the graduation ceremony, that student will not be allowed to participate in the ceremony. It is important for both student and parent to communicate frequently with the student advocate, school counselor(s), and campus administrators regarding graduation status each term.

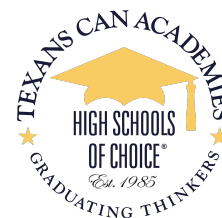


Graduation

For students graduating after January 2019, every file MUST be uploaded into the Texans Can Student Management System (SMS) by the campus principal for approval. Once all graduation requirements have been reviewed and approved by the Texans Can Academies Office of the Superintendent, the student will be notified by our SMS system via an email informing them of eligibility for graduation. For graduations that occurred before January 2019, all requests MUST be submitted through our campus registrar's office. Students must receive final approval for all graduation files from the District office. **This is a two-week process from the time the campus submits the file.**

If a student participates in the Individual Graduation Committee process, the final project must satisfy the requirements of the TEKS based project; the District will provide the final approval for the IGC projects. Please communicate frequently with your campus principal and school counselor regarding timelines, transcripts, graduation requirements, endorsements, credit recovery, scheduling, HB4545, IGC, and all senior requirements.

Students may request copies of transcripts and/or diplomas by visiting our website www.texanscan.org then click tab Parents & Students under Records Request. If you have problems with the online request system, you may contact your school registrar.



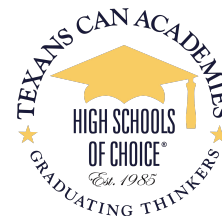
Graduation: Personal Graduation Plans, SB 1108

Grade Classification

The following credit requirements shall be met before a student is promoted:

Classification	Grade	Number Credits Required	Course Requirements
Freshman	9th	0 - 5.5	Completed 8th grade or equivalent
Sophomore	10th	Minimum 6	
Junior	11th	Minimum 12	
Senior	12th	Minimum 18	

To graduate, a twelfth-grade student must satisfy all requirements for graduation. In addition, to receive a diploma, a student must pass all required state assessments as determined by the Texas Education Agency (TEA) for their cohort. All graduating seniors who entered high school in 2013-2014 will be required to have completed the Cardiopulmonary Resuscitation (CPR) training or certification as part of their requirements. All graduating seniors who entered high school in 2018-2019 will have to meet certification for Proper Interaction with a Police Officer.



Graduation

Graduation Track & Graduation Type Change

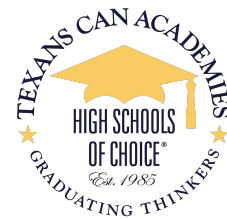
All students are defaulted to the Foundation High School Program (FHSP) with 26 credits upon initial enrollment. A student may select to opt out to the FHSP with 22 credits only after they have completed their sophomore year in high school. The form requires a parent signature and the Benefits of Graduating with an endorsement must be explained to the students/parents.

The Texas Education Code, Section 28.025(b), allows a student to graduate under the Foundation High School Program without earning an endorsement if, after the student's sophomore year, the student and the student's parent/guardian are notified of the benefits of graduating with an endorsement and the student's parent/guardian gives written permission for the student to opt out of an endorsement.

Only students who graduate from an accredited public or private Texas high school and have completed the Foundation High School Program are eligible for admission to any Texas public university.

The endorsement area offered at Texans Can are as following:

- Multidisciplinary Studies
- Foundation
- Multidisciplinary 4x4
- STEM: Math
- STEM: Science
- Arts and Humanities: History
- Arts and Humanities: LOTE
- Arts and Humanities: Fine Arts
- Distinguished Level of Achievement



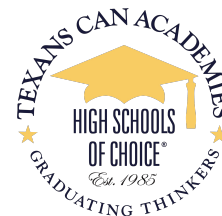
Students with Disabilities

Upon the recommendation of the Admission, Review, and Dismissal (ARD) committee, a student with a disability who receives special education services may be permitted to graduate under the provisions of his or her individualized education program (IEP) and in accordance with state rules.

A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies and receive a certificate of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will be allowed to participate in only one graduation ceremony.

ARD committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance with state law. A student who receives special education services may earn an endorsement under the foundation program. If the student's curriculum requirements for the endorsement were modified, the student's ARD committee will determine whether the modified curriculum is sufficiently rigorous to earn the endorsement. The ARD committee must also determine whether the student must perform satisfactorily on any EOC assessment to earn an endorsement.

Parents and students can find more information on graduation requirements at www.texanscan.org/graduation-requirements/. Students can track the graduation completion report online. This report will provide students information related to items completed towards graduation. Also, students can go to our website, www.texanscan.org/graduation-progress/ to obtain the report.



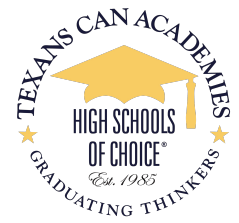
School Schedule

2022 – 2023 SCHEDULE OPTIONS

1st Period	2nd Period	3rd Period	4th Period	5th Period	6th Period	7th Period
9:00a-10:00a	10:03a-11:03a	11:06a-12:06p	A Lunch/ Advisory 12:09p-12:39p	12:42-1:42p		
			12:09p-1:09p	B Lunch/ Advisory 1:12p-1:42p		
	10:03a-11:03a	11:06a-12:06p	A Lunch/ Advisory 12:09p-12:39p	12:42-1:42p	1:45p-2:45p	
			12:09p-1:09p	B Lunch/ Advisory 1:12p-1:42p		
		11:06a-12:06p	A Lunch/ Advisory 12:09p-12:39p	12:42-1:42p	1:45p-2:45p	2:48p-3:48p
			12:09p-1:09p	B Lunch/ Advisory 1:12p-1:42p		
9:00a-10:00a	10:03a-11:03a	11:06a-12:06p	A Lunch/ Advisory 12:09p-12:39p	12:42-1:42p	1:45p-2:45p	2:48p-3:48p
			12:09p-1:09p	B Lunch/ Advisory 1:12p-1:42p		

GARLAND CAMPUS ONLY 2022 – 2023 SCHEDULE OPTIONS

1st Period	2nd Period	3rd period Lunch/ Advisory Period	4th Period	5th Period
10:03a-11:03a	11:06a-12:06p	12:09p-12:39p	12:42p-1:42p	1:45p-2:45p



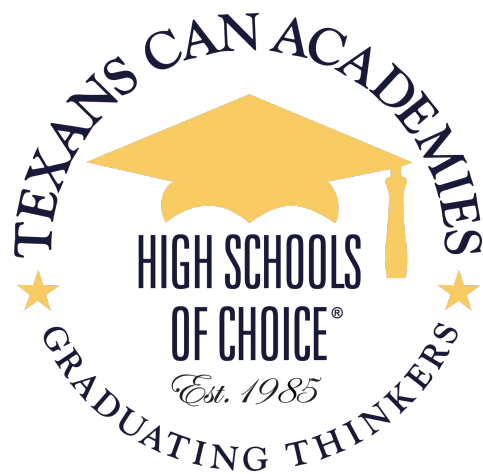
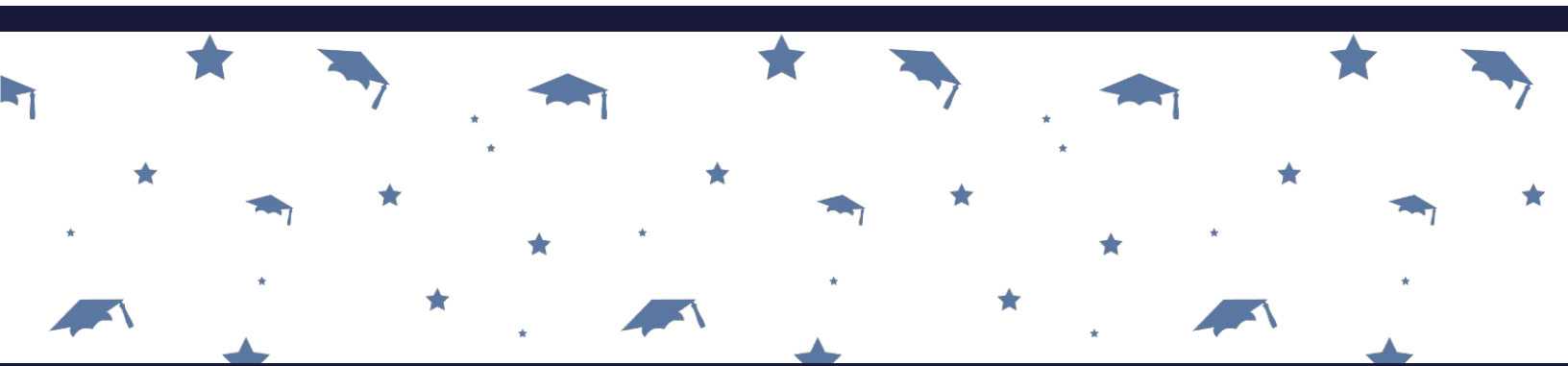
Withdrawals

When it becomes necessary for a student to withdraw from school, students should report to their administrator or school counselor 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 meet with the administrator or school counselor 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. Texans Can received documentation of student's enrollment at another school
2. Student's commitment to an institution
3. Student's decease
4. Student's entry into private school
5. Student's graduation
6. Student's non-attendance
7. Student's entry into homeschooling
8. Student's return to home country

Acceptable Use Policy & Responsible Use of Digital Network Assets





Acceptable Use Policy & Responsible Use of Digital Network Assets

It is the policy of Texans Can to (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Access to Inappropriate Material

To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

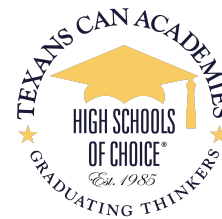
Education, Supervision and Monitoring

It shall be the responsibility of all members of the Texans Can staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act. Texans Can encourages the responsible use of digital/network/Internet assets as defined by the guidelines below.

Email

Email is a method of communication. All users who are allowed access are expected to accept conditions, which include, but are not limited to, the following:

- a. Users of email should not consider electronic communications to be either private or secure; such communications are subject to subpoena.
- b. Messages relating to or in support of illegal activities must/will be reported to appropriate authorities.
- c. Individuals are to identify themselves accurately and honestly in e-mail communications. Email account names and/or addresses should not be altered to impersonate another individual or to create a false identity.
- d. The District retains the rights to any material deemed to be District data. Use of District data sent as email or as enclosures will be in accordance with legal and District standards.



Acceptable Use Policy & Responsible Use of Digital Network Assets

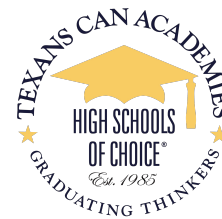
Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Texans Can online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes (a) unauthorized access, including so-called “hacking,” and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Network Etiquette

All users are expected to abide by the rules of Internet/network etiquette. These include, but are not limited to, the following:

- a. Be polite. Use language which is appropriate for an educational setting. Do not use abusive, inflammatory, or obscene language.
- b. Respect privacy. Do not reveal personal information about yourself, students and/or staff. Do not share your account information or password with anyone.
- c. Be considerate. Do not use the network in a way that would disrupt the use of the network by other users.
- d. Use access time for school-related purposes only.



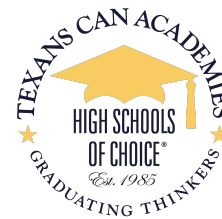
Acceptable Use Policy & Responsible Use of Digital Network Assets

Social Media

Social Media is a term that describes web-based and mobile technology communication tools with a focus on interactivity, user participation and information sharing in multiple ways. Social media refers to venues such as blogs, video/photo posting sites, social networks, and forums. Some typical social media sites include Facebook, Twitter, LinkedIn, YouTube, Twitch, Rumble, Snapchat, Whatsapp, or Instagram. This policy is not limited to these specific sites but applies to all social media. Staff members are encouraged to incorporate the use of social media into curriculum and District programs to enhance instruction, engage students in learning, model the appropriate and responsible use of social media, and inform students about school-related activities.

Staff members are responsible for monitoring student use of social media that has been incorporated into curriculum to promote and evaluate the instructional or educational purpose and ensure compliance with any District policies. All content associated with staff use of social media within the educational environment must be consistent with the District's goals and professional standards. Social media use must not interfere with the educational environment for students or job duties/responsibilities of staff members. Staff members should not communicate with current District students through social media sites, which are personal to staff members or students, if the sites do not have an instructional or educational purpose and/or do not communicate relevant information about school-related activities. Staff members should maintain appropriate professional boundaries with students and students with staff.

Communications through social media are not private. Consequently, staff and students must ensure they are not sharing confidential information concerning District staff, students, or families. Social media may not be used to publish student information including, but not limited to, names, assignments, grades, attendance data, photographs, videos, or other likenesses, without permission of the student's parent or guardian. Students and staff members are responsible for their social media use and may be subject to liability if such use is found defamatory, harassing, discriminatory, threatening, or in violation of any applicable law, policy, or regulation.



Acceptable Use Policy & Responsible Use of Digital Network Assets

Cell Phones

Use or operation of cell phones, paging/beepers devices, smart watches, or any other type of personal device with wi-fi or carrier-based Internet connectivity on school campuses or at functions during school hours is a privilege, not a right. Such devices may be used at a time and place as determined by the individual campus administrator.

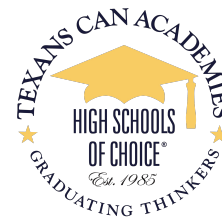
Campus administrators shall have the discretion to determine the appropriate use of cell phones or any other type of personal device during the instructional day and for students participating in extracurricular activities while on school property or while attending school-sponsored or school-related activities on or off school property. However, all cell phones or other types of personal devices must be turned off during normal instructional time, and students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students are not permitted to use staff phones unless it is an emergency and the student is given permission by a staff member.

The District is not liable for lost or stolen cell phones or other personal devices. All confiscated phones must be turned in to the principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated. All staff members must place confiscated cell phones in a secure location. Once the cell phone has been confiscated, the following procedure will be used to return the device:

1. The first time a cell phone is confiscated, the student may pick it up at the end of the class period.
2. The second time a cell phone is confiscated, the parent may pick it up at the end of the school day
3. The third time a cell phone is confiscated, the student will lose the privilege of having a cell phone on campus for a period of time determined by the campus administrator.

Any student refusing to give the device to school personnel will be subject to disciplinary intervention.

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Violations of the user agreement may result in withdrawal of privileges and other disciplinary intervention. In limited circumstances and in accordance with the law, a student's personal cell phone content can only be accessed by law enforcement.



Acceptable Use Policy & Responsible Use of Digital Network Assets

Other Mobile Devices

Mobile devices such as smartphones, laptops, netbooks, tablets, and other similar devices may be used at school to support learning. The use of this technology is at the discretion and supervision of each classroom teacher. Texans Can is not responsible for lost or stolen items at school.

Mobile devices including smart phones are allowed at school. Unless directed otherwise by your teacher, all devices should be turned off and put away during class/instructional time. Cell phone usage in the classroom is strictly guided by individual teachers in their respective classes for instructional use only (see *Cell Phones* above).

Monitoring

The District reserves the rights to limit, review and monitor all files on network computers through methods which include but are not limited to the following:

- a. Setting up a filter to block District determined objectionable sites and/or terminology
- b. Blocking or disabling any material/applications on user accounts
- c. Examining file-server spaces to make determinations on whether specific uses of the network are appropriate



Acceptable Use Policy & Responsible Use of Digital Network Assets

Prohibited Use

The transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to the distribution of the following:

- a. Any information which violates or infringes on the rights of any other person
- b. Any abusive, defamatory, illegal, inappropriate, obscene, profane, racially offensive, sexually oriented, and/or threatening material
- c. Advertisements, solicitations, commercial ventures, or political lobbying
- d. Any information which encourages the use of, controlled substances or the use of the system for the purpose of inciting crime
- e. Any material which violates copyright laws

Prohibited use of the computer network system includes, but is not limited to the following:

- a. Damage, vandalism, or theft of any equipment
- b. Altering, copying, installation, piracy, theft of any software
- c. Altering, copying, installation, piracy, theft of any unauthorized information, programs, or data from District computers
- d. Use of the system in a manner, which is not related to the curriculum or approved school activities
- e. Altering, installation or theft of any computer hardware
- f. Possessing or intentionally downloading of any software that may disrupt or destroy District software or hardware, such as hacking utilities or viruses



Acceptable Use Policy & Responsible Use of Digital Network Assets

Security

Security on any computer network system is a high priority, especially when the system involves many users. Any user who identifies a security problem must notify the system administrator. Any user who identifies a security problem will not demonstrate the problem to other users.

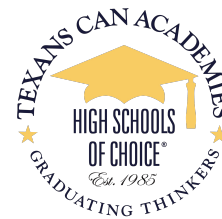
Violations include, but are not limited to, the following:

- a. Illicitly gaining entry or "hacking" into a computer system
- b. Illicitly obtaining account passwords
- c. Illicitly obtaining network administration rights
- d. Intentionally creating or distributing a computer virus
- e. Using a District network or Internet ability to disable or overload any computer system or network
- f. Using a District network or Internet ability to circumvent the security of a computer system
- g. Bypassing a District "firewall" or "filter"

System Usage

Among other privileges, the system administrators reserve the right to do the following:

- a. Set restrictions/quotas for disk usage on the system
- b. Set time limits for system usage
- c. Set download limits
- d. Set email restrictions/limits
- e. Set public posting areas (message boards/UseNet groups) restrictions/limits
- f. Set real-time conference (talk/chat/Internet relay chat) restrictions/limits
- g. Prohibit use which they determine to be for non-curricular purposes



Acceptable Use Policy & Responsible Use of Digital Network Assets

Learning Management System – Schoology is a supplement to in-person learning

Texans Can Academies has implemented the use of Schoology as the Learning Management System to communicate important information related to classwork, homework, assignments, projects, and assessments. The full functionality of this system allows teachers to input this information along with corresponding documents so that students may use this resource to organize their work and maintain consistent communication with teachers while also allowing parents/guardians and support staff access so they may support their children.

Teachers are expected to use Schoology as a learning management system. If campuses must use Schoology for online instruction, then teachers shall post all assignments, homework, and due dates to Schoology. Optimally, teachers will use the system to post classwork, class notes, and reading materials discussed or used in class as well. One of the best features of Schoology is that it allows a student seamless access to their classwork, when they are absent from school, during times of illness, or when family obligations or other events may cause them to miss school.

Schoology is the primary learning management system for Texans Can Academies. Any other system, such as Google Classroom, used in classrooms to foster collaboration, turn in assignments, or word process is secondary. One of the original intentions of adopting the Schoology Learning Management System for Texans Can Academies was accessibility and functionality for all stakeholders.



Acceptable Use Policy & Responsible Use of Digital Network Assets

Learning Management System – Schoology is a supplement to in-person learning (continued)

The following protocols are in place to support the goal of transparency and foster communication among all stakeholders for the success of every student:

Assignments will be posted on Schoology with due dates using the Assignments category, and **all assignment details** must be in the assignment post or attached to the assignment.

- Assignments/homework will be posted on Schoology on the day the assignment/homework is announced/assigned.
- Google docs may be linked to an assignment on Schoology; however, they must be shared so that anyone with a Texans Can login can access the documents.
- In the assignment description, teachers will indicate how the assignment will be turned in: Schoology, shared folder, in class, etc.

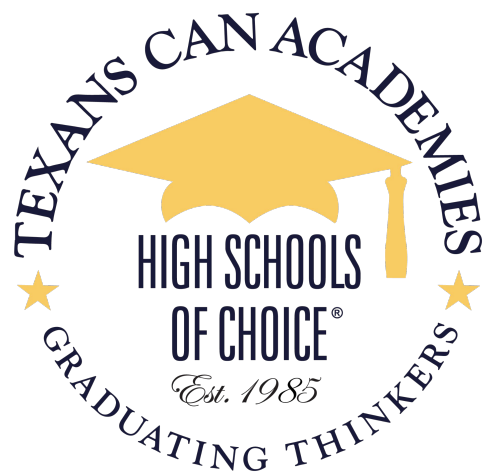
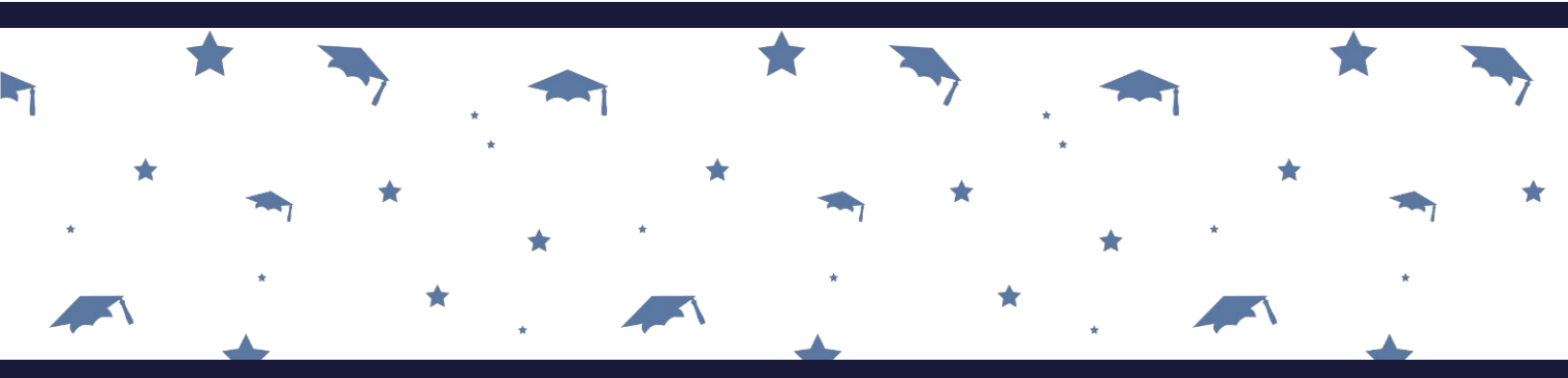
The following does not meet the guidelines for posting on Schoology:

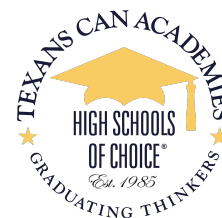
- Posting an assignment as an update or event.
- Linking assignments to other systems, sending an email or alternative applications, such as a link to Google Classroom.
- Posting an assignment due date in Schoology for the following day without first announcing the due date by the end of the class period.
- Posting titles of the same assignments, classwork, projects, or other materials inconsistently on Schoology, PowerSchool, and Google Classroom. (E.g., an assignment called “Literary Analysis Paper” must be given that same title across all platforms)
- Using other methods of collecting work and communicating with students without first clearly defining those methods in the teacher’s syllabus. **Note:** Such a decision does not change the school expectations for posting to Schoology.

Consequences for Violations of the Acceptable Use Policy

Depending on the seriousness of the offense, any combination of the following consequences may be incurred because of user actions. The user may be subject to discipline as authorized by District policy and all applicable laws or criminally charged under local, state, or federal laws in the case of illegal activity.

Attendance





Attendance

Having regular attendance in classes at Texans Can Academies is the most important characteristic of a successful student. Consistent attendance means that a student is engaging in, learning, and achieving valuable academic, social, emotional, and behavioral skills that are essential to graduation and success with post-secondary goals.

Students may have challenges that can interfere with maintaining regular attendance, so this is why Texans Can provides every student with evidence-based interventions and services when needed to address challenges that show up in school and pose barriers to students' learning. These interventions and services will often be provided during the school day on campus. However, when needed, students may be connected to community partners for assistance with parental consent for students under 18 years old. This intervention based support process is delivered through the District's Multi-Tiered System of Supports (MTSS).

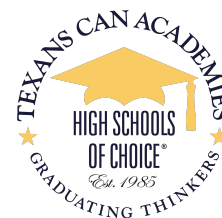
Change of Address Notification

When a student moves or relocates to a new address, the student is required to notify their administrator within three (3) school days.

Compulsory Attendance - Board Policy 3.5

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. The school board has adopted a policy requiring students under the age of 21 to attend school until the end of the school year. Failure to do so will be considered a violation of the attendance policy. 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 with 10 or more unexcused absences from school on days or parts of a day within a six-month period or 3 or more days or parts of days within a four-week period are in violation of the compulsory attendance law and shall be reported to the truancy court as provided by law.



Attendance

Absence Notification

When absences occur, school staff will make an effort to contact the student and their parent(s) to determine the reason for the absence and encourage improved attendance. Upon three (3) absences, particularly unexcused absences, further attempts will be made to notify the parent by the campus and/or District. A school official will also make **documented telephone calls** and/or text messages when needed following absences. An important reason for notifying parents about their students' third absence is that this is the point at which the student is referred to the Student Support Team for an attendance intervention plan. The Student Support Team will review all available information and data about the student's absences and classroom performance to ensure that the attendance intervention plan is coordinated and comprehensive and will effectively target the reason(s) for the absences with evidence-based interventions and prevent the absences from continuing.

Excused Absence

If a student must be absent for any portion of a school day or tardy for a cause that meets the criteria for an excused absence, it is the parent's or adult student's responsibility to provide a signed note upon the student's return to school that describes the reason for the absence or tardy. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older. When the parent or adult student knows that the student will be absent from or tardy to class, the advocate and administrator should be notified as soon as possible.

If a student who has been absent fails to bring a signed note from a parent or medical provider within three (3) days of returning to school, verifying the illness or condition that caused the student's absence, the absence will be unexcused.

Texans Can Academies will excuse a student from attending school for reasons that include the following purposes:

- a. Observing religious holy days
- b. Court appearances
- c. Citizenship paperwork or proceedings
- d. Healthcare appointments

Other temporary absences acceptable to the teacher, Principal, or Superintendent may also be excused.



Attendance

Extended Absence

When a student's absence for personal illness exceeds five (5) consecutive days or a total of 10 days in a six-week 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. If the student's absences reach five (5) in a class within a term, the student must complete the attendance for credit process.

Attendance for Credit - Board Policy 3.8

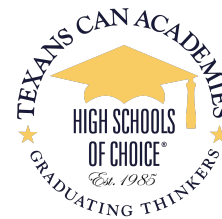
A student shall not be given credit or a final grade for a class unless the student completes missed assignments in accordance with District grading policy and is absent no more than a total of ten school days within a term. This attendance requirement includes both excused and unexcused absences. This restriction does not affect a student's right to excused absences to observe religious holy days.

A student who exceeds more than ten absences within a term and meets the District's extenuating circumstance guidelines defined below is eligible to complete the District's Attendance for Credit process. This process shall afford students who are absent more than a total of ten school days within a term and experience documented extenuating circumstance(s) the opportunity to regain credit or earn a final grade. The student and parent or adult student will meet with the attendance committee and present the student's official documentation for the extenuating circumstance(s). The committee will determine if the student in fact has an extenuating circumstance based on the written documentation.

The Committee may utilize any of the following conditions for regaining credit or earning a final grade for students with excessive absences:

1. Attending summer school
2. Attending tutorial sessions, including Saturday school or before- or after-school programs
3. Completing additional assignments, as determined by the Committee or teacher
4. Maintaining attendance standards for the remainder of the semester
5. Taking an examination to earn credit

To receive credit, a student must earn a passing grade.



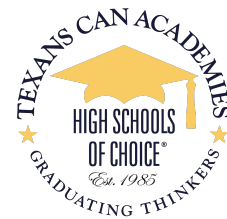
Attendance

Extenuating Circumstances

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

1. Excused and unexcused absences will be considered in determining whether a student has attended the required percentage of days.
2. If makeup work is completed, absences for the reasons listed at Board Policy PG-3.5 (Compulsory Attendance) will be considered days of attendance for this purpose.
3. A transfer or migrant student begins to accumulate absences only after he or she has enrolled in Texans Can Academies.
4. For a student transferring into Texans Can Academies after school begins, only those absences after enrollment will be considered.
5. In reaching a decision about the student's absences, the Committee will attempt to ensure that it is in the best interest of the student.
6. The Committee will consider the acceptability and authenticity of documented reasons for the student's absences.
7. The Committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
8. The Committee will consider the extent to which the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
9. The student, parent will be given an opportunity to present any information to the Committee about the absences and to talk about ways to earn or regain credit.

Extenuating circumstances include a student's own medical emergency(s) or that of their dependent(s), a catastrophic event (e.g., house fire/flood/burglary, or stolen car), victimization by violent crime, death of an immediate family member (i.e., parent/guardian, sibling, grandparent, child, or spouse), victim of a natural disaster (e.g., tornado, flooding, lightning strike, hurricane, etc.), court-ordered court appearance, or McKinney Vento status (i.e., without permanent, overnight housing).



Attendance

Conditions for Awarding Credit or a Final Grade

The Committee may utilize any of the following conditions for regaining credit or earning a final grade for students with excessive absences:

1. Maintaining attendance standards for the remainder of the term.
2. Completing additional assignments, as determined by the Committee or teacher.
3. Attending tutorial sessions, including Saturday school
4. Attending before- or after-school programs.
5. Attending summer school.
6. Taking an examination to earn credit.

A student must earn a passing grade in order to receive credit or earn a passing grade.

Appeal

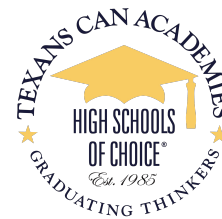
The student or parent may appeal the Committee's decision to the Board by filing a written request with the Superintendent in accordance with Board Policy PG-30 (Parent and Student Complaints and Grievances).

Withdrawal for Non-Attendance

Texas Can Academies may initiate withdrawal of a student under the age of 19 for nonattendance under the following conditions:

1. The student has been absent on ten or more consecutive school days; and
2. Repeated efforts by the attendance officer and/or Principal to locate the student have been unsuccessful.

Additionally, Texas Can Academies may revoke the enrollment of a student 19 years of age or older who has more than five (5) unexcused absences in one semester.



Attendance

Release of Students from School

For permission to leave school early, students under the age of 18 must provide their administrator with a signed note from their parent or guardian that describes the reason for the student leaving early. Adult students may provide their administrator with a signed note describing the reason for leaving early. Permission will be granted only if the circumstance requires the student's immediate, direct attention. No student will be released to anyone except (a) their parent/guardian or (b) another individual authorized by the parent/guardian in writing duly communicated to an administrator.

Tardy Policy

Students are expected to be seated in class on time daily for all classes. Students who arrive after classes begin will be subject to tardy sweep, which may result in targeted interventions. Students who are tardy will not receive credit for that class for the period if they are more than 20 minutes tardy. The Student Advocate will notify student and their parent/guardian of action taken for tardies less than 20 minutes to set up a conference as follows:

- 3 tardies lead to a student conference with the classroom teacher
- 5 tardies lead to a student conference with the advocate
- 7 tardies lead to a student conference with the parent/guardian student advocate and teacher

Students with 7 or more tardies will be referred to the Student Support Team (SST), which is part of the Multi-Tiered Systems of Support (MTSS), which provides interventions in accordance with the Student Code of Conduct.



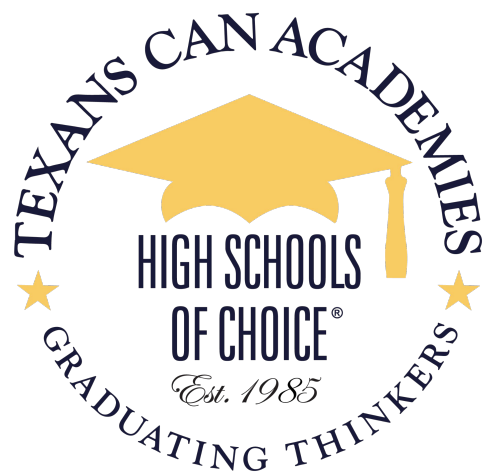
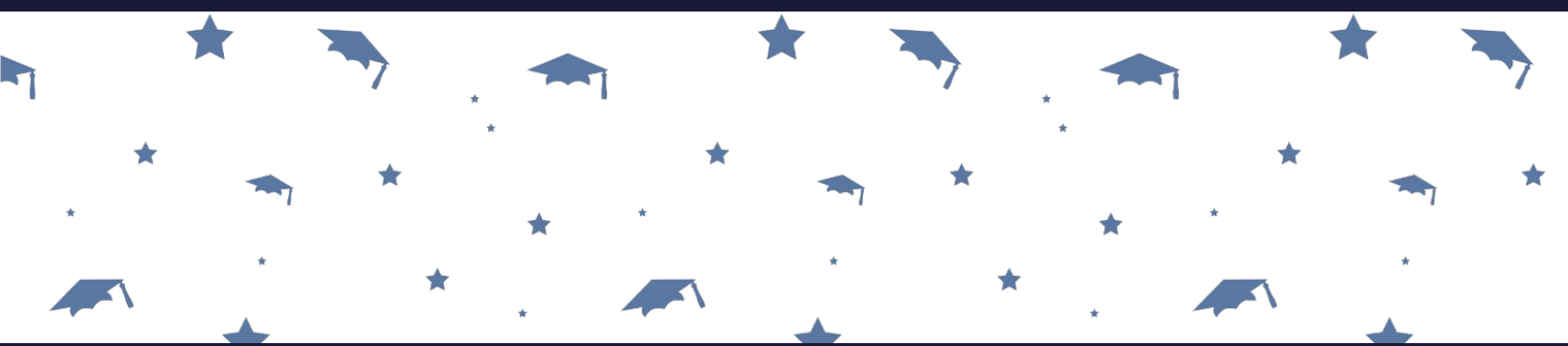
Attendance

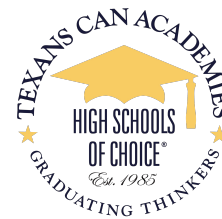
Truancy

Attendance issues will be addressed through Multi-Tiered Systems of Support (MTSS). In an effort to prevent truancy and in accordance with the Texas Education Code, Section 25.0915, to reduce the need for referrals to truancy court, Texans Can will implement truancy-prevention measures designed to address truancy related conduct in the school setting. Truancy-prevention measures are provided as part of the District's MTSS, starting with an attendance intervention plan that is created in coordination with the student, advocate, teacher, and parent for students when they reach 3 absences. After the school applies the truancy-prevention measures, and the truancy conduct persists, the student is referred to truancy court.

Students in violation of the District's policies and guidelines that regulate attendance requirements and who have unexcused absences from school on 10 or more days or parts of a day within a six-month period or three (3) or more days or parts of days within a four-week period shall be reported to the truancy court. Texans Can may also file a complaint against the student's parent in a county, justice, or municipal court for an offense under Education Code 25.093 if Texans Can provides evidence of the parent's criminal negligence.

Complaints & Grievance Process





Complaints and Grievance Process

Student or Parent Complaints and Concerns

The District values the opinions of its students and parents, and the public it serves. Parents and students have the right to express their views through appropriate informal and formal processes. The purpose of this complaint and/or grievance policy is to resolve conflicts in an efficient, expeditious, and just manner.

The Board encourages parents and the public to discuss their complaints and grievances through informal meetings with the Principal or designee. Complaints and grievances should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Neither the Board nor any School employee shall unlawfully retaliate against a parent or student for voicing a complaint and/or grievance.

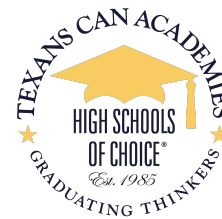
The Superintendent or designee shall ensure that the school's complaint and grievance procedures are provided to all parents and students. The formal complaint and grievance procedure shall provide for any complaint and grievance to ultimately be considered or heard by the Board of Trustees in accordance with Commissioner of Education rules.

For purposes of this policy, "days" shall mean school days, and announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

COMPLAINTS AND GRIEVANCE PROCESS

Informal Conferences

A parent or student may request an informal conference with the principal, teacher or other campus administrator within seven (7) school days of the time the parent or student knew or should have known of the event(s) giving rise to the complaint and/or grievance.



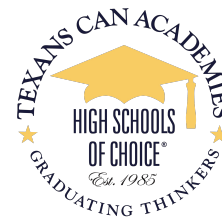
Complaints and Grievance Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level. Informal resolution shall be encouraged but shall not extend any deadlines in this process, except by mutual written consent. A student or parent may initiate the formal process described below by timely filing a written complaint form. Even after initiating the more formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time. If the parent or student is not satisfied with the results of the informal conference, he or she may submit a written complaint and/or grievance form to the Principal or designee.

Formal Grievance Process

The formal complaint and grievance process provides all persons with an opportunity to be heard up to the Board of Trustees if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, a parent and/or student can bring complaints and/or grievances to the Board of Trustees, as outlined below

A complaint and/or grievance must specify the harm alleged by the parent and/or student, and the remedy sought. A parent or student should not submit separate or serial complaints and/or grievances regarding the same event or action. Multiple complaints and/or grievances may be consolidated at the school's discretion. All time limits shall be strictly complied with; however, if an administrator determines that additional time is needed to complete a thorough investigation of the complaint and/or grievance and/or to issue a response, the administrator shall inform the parent or student in writing of the need to extend the response time and provide a specific date by which the response will be issued. Costs of any complaint and/or grievance shall be paid by the complainant and/or grievant.



Complaints and Grievance Process

Level One Complaint – Principal Review

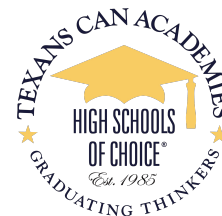
A parent or student shall submit a written Level One Complaint or Grievance Form to the Principal or designee within the later of (1) ten (10) days from the time the event(s) causing the complaint and/or grievance were or should have been known, or (2) within five (5) days following an informal conference with the Principal or designee. The school reserves the right to require the complainant and/or grievant to begin the complaint and/or grievance process at Level Two.

The Principal or designee will meet with the complaining and/or grieving parent and issue a written Level One Decision within ten (10) days of the Principal or designee receipt of the complaint and/or grievance.

Note: A complaint and/or grievance against the Superintendent shall begin at Level Three.

Level Two Complaint – Superintendent Review

If the parent or student is not satisfied with the Level One Decision, or if no Level One Decision is provided, the parent or student may file a written appeal to the Superintendent or designee. The appeal must include a signed statement of the complaint and/or grievance, any evidence supporting the complaint and/or grievance, and a copy of the written Level One complaint and a copy of the Level One Decision, if issued. The appeal shall not include any new issues or complaints and/or grievances unrelated to the Level One complaint. The appeal must be filed within ten (10) days of the Level One Decision or the response deadline if no Level One Decision is made. The Superintendent or designee will meet with the complaining and/or grieving parent or student and issue a written Level Two Decision within five (5) days of receiving the written appeal.



Complaints and Grievance Process

Level Three – Board of Trustees Review

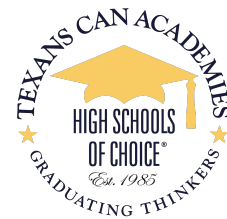
If the student or parent is not satisfied with the Level Two Decision, or if no Level Two Decision is provided, the parent or student may submit to the Superintendent a written appeal to the Board of Trustees. The request must be filed within ten (10) days of the Level Two Decision or the response deadline if no Level Two Decision is made. The Superintendent or designee will inform the student or parent of the date, time, and place of the Board of Trustees meeting at which the complaint and/or grievance will be placed on the agenda for consideration by the Board.

The Board of Trustees will consider the appeal, and may allow a presentation by the parent or student and the school administration. The appeal will be limited to the issues and documents considered at Level Two, except that if the administration intends to rely on evidence not included in the complaint and/or grievance record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the Board of Trustees' meeting.

Texans Can will determine whether the appeal will be presented in open or closed session in accordance with the Texas Open Meetings Act and other applicable law.

The presiding officer may set reasonable time limits and guidelines for any presentation of evidence, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board of Trustees. The Board of Trustees shall hear the complaint and/or grievance and may request that the administration provide an explanation for the decisions at the preceding levels.

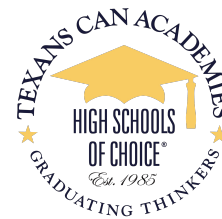
The Board of Trustees shall communicate its decision, if any, orally or in writing, before or during the next regularly scheduled Board meeting. If no decision is made by the end of the next regularly scheduled Board meeting, the decision being appealed shall be upheld. The Board of Trustees may not delegate its authority to issue a decision, and any decision by the Board of Trustees is final and may not be appealed.



Complaints and Grievance Process

In this process, the terms “complaint” and “grievance” shall have the same meaning. Student or parent complaints shall be filed in accordance with this process in the following situations:

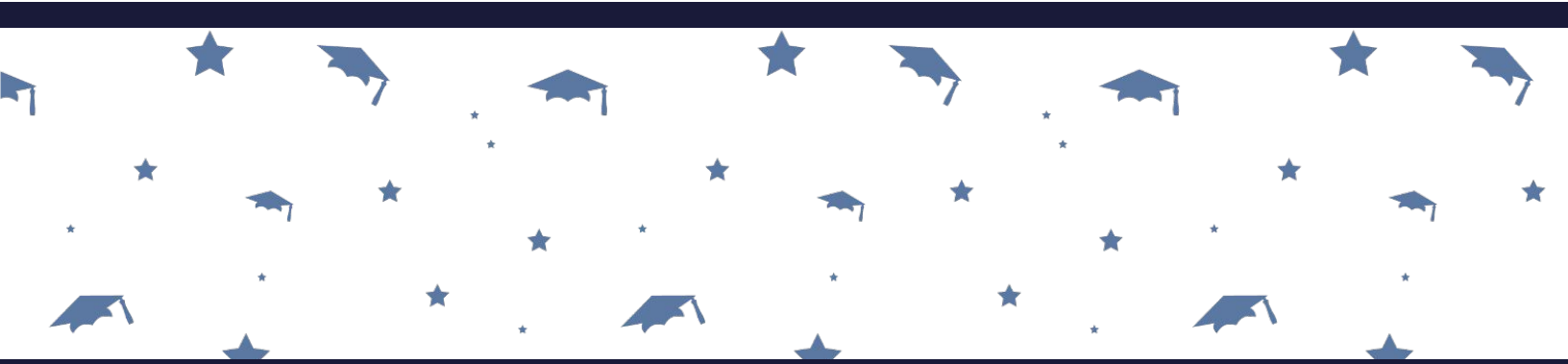
1. Complaints concerning failure to award credit or a final grade on the basis of attendance, on page 45 of this Handbook
2. Complaints concerning the identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted as described in “Student or Parent Complaints and Concerns” above, except that the deadline for filing an initial Level One complaint and/or grievance shall be 30 calendar days and the procedural safeguards handbook.
3. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504
4. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act (and the procedural safeguards handbook provided to parents of all students referred to special education)
5. Complaints concerning instructional resources
6. Complaints concerning intra district transfers or campus assignment
7. Complaints concerning admission, placement, or services provided for a homeless student
8. Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this process; however, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it.
9. Complaints alleging Prohibited Conduct (discrimination, harassment, retaliation, and similar matters) shall be submitted as described in “Freedom from Discrimination, Harassment, and Retaliation,” section of this Handbook.

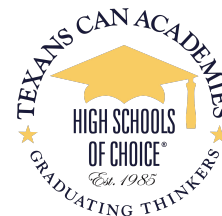


Complaints and Grievance Process

10. Formal complaints alleging sexual harassment shall be submitted as described in "Freedom from Sexual Harassment," section of this Handbook.
11. Complaints concerning bullying or retaliation related to bullying shall be submitted as described in "Freedom from Bullying," section of this Handbook.
12. Complaints regarding the Free and Reduced Price Meal Program. In accordance with federal law and U.S. Department of Agriculture policy, the school is prohibited from discriminating on the basis of race, color, religious creed, sex, political beliefs, age, disability, national origin, or limited English proficiency. (Not all bases apply to all programs.) Reprisal is prohibited based on prior civil rights activity. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which is available online at the following website: http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usada.gov. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339, or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Bullying, Cyberbullying, Hazing, Harassments





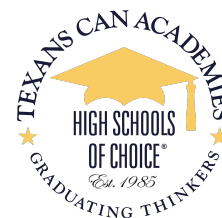
Bullying, Cyberbullying, Hazing, & Harassment

Hazing

Texans Can Academies prohibits hazing, which means any intentional, knowing, or reckless act occurring on or off campus directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

1. Is 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. Involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar 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. Involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than described in item 5 below, 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 induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code; or
5. Involves coercing, as defined by Penal Code section 1.07, the student to consume a drug or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.

Texans Can Academies will not tolerate hazing, and will impose disciplinary consequences for hazing conduct as allowed by the Student Code of Conduct. Additionally, it is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report to the Principal, Title IX Coordinator or Superintendent.



Bullying, Cyberbullying, Hazing, Harassment

Freedom from Bullying and Cyberbullying

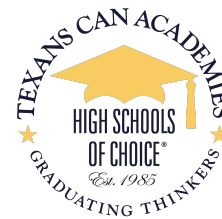
Texans Can Academies prohibits bullying and cyberbullying as defined below, as well as retaliation against anyone who reports or is involved in an investigation of bullying. Bullying is defined in state law as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

Bullying also includes cyberbullying, which is defined by state law, Tex. Educ. Code § 37.0832(a)(2) as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Texans Can Academies will also take steps to prevent and mediate bullying incidents between students that:

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



Bullying, Cyberbullying, Hazing, Harassment

Texans Can Academies' anti-bullying policy applies to:

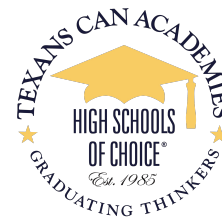
- Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- Bullying that occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored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

Texans Can Academies shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, and acts of cyberbullying. School Staff may implement a training program for parents to educate parents about the dangers of cyberbullying and provide parents with resources to help them determine if their child is a victim of such.

The Texans Can Academies Information/Technology (IT) Department and teachers who have remote desktop viewing capabilities shall monitor activities to the best of their capabilities for students using campus technology equipment. Requests to block sites need to be made by the Campus Principal.

Reporting Procedures

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, the Principal, or another school employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct. Texans Can Academies will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying. Reports of potential bullying may be submitted anonymously.



Bullying, Cyberbullying, Hazing, Harassment

Investigation of Report

The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited harassment and, if so, proceed under that policy instead. The Principal or designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate.

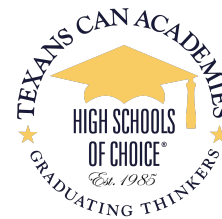
If the results of an investigation indicate that bullying occurred, the administration will take appropriate disciplinary action and may notify law enforcement in certain circumstances. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

A student who receives special education services will be disciplined for conduct meeting the definition of bullying or cyberbullying within applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 *et seq.*). Texans Can Academies may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

The Principal or designee may make a report to local law enforcement authorities if, after an investigation is completed, the Principal or designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment), Texas Penal Code.

To the greatest extent possible, Texans Can Academies shall respect the privacy of the complainant and/or grievant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation. If a law enforcement or other regulatory agency notifies Texans Can Academies that it is investigating the matter and requests that the school delay its investigation, Texans Can Academies will resume the investigation at the conclusion of the agency's investigation.

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the Texans Can Academies student and parent complaint and/or grievance procedure.



Bullying, Cyberbullying, Hazing, Harassment

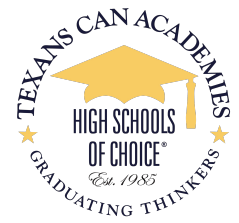
Freedom from Sexual Harassment and Gender-Based Harassment

In compliance with the requirements of Title IX, Texans Can Academies does not discriminate prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer or another student.

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

1. A school employee conditioning the provision of aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Texans Can Academies' educational programs or activities;
3. Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

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



Bullying, Cyberbullying, Hazing, Harassment

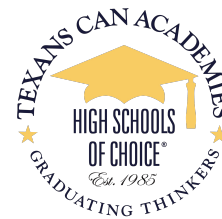
General Definitions

A “complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A “respondent” means an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Texans Can Academy investigate the allegation of sexual harassment.

- “Supportive measures” means non-disciplinary, non-punitive individualized services offered appropriately and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Texans Can Academy’s educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or Texans Can Academy’s educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications.



Bullying, Cyberbullying, Hazing, Harassment

Reporting Procedures

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator provided in this Handbook, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address or by mail to the office address listed for the Title IX Coordinator.

Texas Can Academy's response to a report of sexual harassment must treat complainants and respondents equitably by offering supportive measures and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

After a report of sexual harassment has been made, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Notice of Allegations

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

- Notice of Texas Can Academies' grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the parties may inspect and review evidence related to the complaint.
- Notice that Texas Can Academies prohibits knowingly making false statements or knowingly submitting false information during the grievance process.



Bullying, Cyberbullying, Hazing, Harassment

If, during an investigation, Texans Can Academies decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, Texans Can Academy must provide notice of the additional allegations to the parties whose identities are known.

Texans Can Academies shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, and acts of cyberbullying. School Staff may implement a training program for parents to educate parents about the dangers of cyberbullying and provide parents with resources to help them determine if their child is a victim of such.

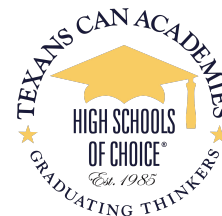
The Texans Can Academies Information/Technology (IT) Department and teachers who have remote desktop viewing capabilities shall monitor activities to the best of their capabilities for students using campus technology equipment. Requests to block sites need to be made by the Campus Principal.

Grievance Process

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of Texans Can Academies

The following guidelines apply when Texans Can Academies receives a formal complaint of sexual harassment. This process is designed to incorporate due process, principles, treat all parties fairly, and to assist Texans Can Academies reach reliable responsibility determinations.

- Texans Can Academies will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- Any individual designated by Texans Can Academies as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent responsible. Texans Can Academies will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and Texans Can Academies’ sexual harassment policy.



Bullying, Cyberbullying, Hazing, Harassment

- Texans Can Academies recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.
- Texans Can Academies shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- Texans Can Academies shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.
- Texans Can Academies may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Consolidation of Formal Complaints

Texans Can Academies may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Dismissal of Formal Complaints

Texans Can Academies must investigate the allegations in a formal complaint.

Texans Can Academies must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in Texans Can Academies' education program or activity; or
- Did not occur against a person in the United States.



Bullying, Cyberbullying, Hazing, Harassment

Texans Can Academies *may* dismiss a formal complaint or any allegations therein if, at any time during the investigation:

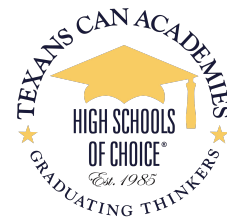
- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by Texans Can Academies; or
- Specific circumstances prevent Texans Can Academies from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, Texans Can Academies must promptly send simultaneous written notice to the parties of the dismissal and the reason(s) for the dismissal. Dismissal of a formal complaint does not preclude Texans Can Academies from taking appropriate action under the Student Code of Conduct or any other school policy that may apply to the alleged conduct.

Investigating Formal Complaints

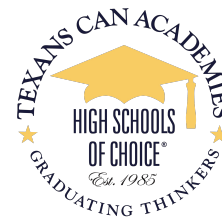
The following guidelines apply during the investigation of a formal complaint and throughout the grievance process.

- Texans Can Academies will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on Texans Can Academies and not on the parties.
- Texans Can Academies cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Texans Can Academies receives that party's voluntary, written consent to do so.
- Texans Can Academies will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Texans Can Academies will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.



Bullying, Cyberbullying, Hazing, Harassment

- Texans Can Academies will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. Texans Can Academies may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- Texans Can Academies will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- Texans Can Academies will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, Texans Can Academies must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completing the investigative report.
- Texans Can Academies must create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.
- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.



Bullying, Cyberbullying, Hazing, Harassment

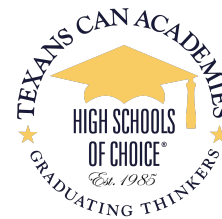
Determination Regarding Responsibility

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a written determination, based on the preponderance of the evidence standard, regarding responsibility. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding application of Texans Can Academies' Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to Texans Can Academies' education program or activities will be provided to the complainant; and
- Texans Can Academies' procedures and permissible bases for the complainant and respondent to appeal.

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

The Title IX Coordinator is responsible for effective implementation of any remedies. The Title IX Coordinator, Mia Stroy, can be contacted via mail at 325 W 12th Street, Dallas TX 75208, phone number (972) 677-4070, or email at TitleIX@texanscan.org.



Bullying, Cyberbullying, Hazing, Harassment

Appeals

Texans Can Academies will offer both parties an appeal from a determination regarding responsibility, and from Texans Can Academies' dismissal of a formal complaint or any allegations therein, on the following bases:

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

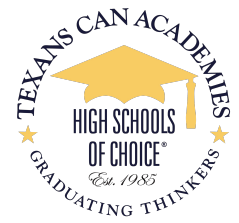
As to appeals, Texans Can Academies will ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, or the investigator(s), or the Title IX Coordinator. Texans Can Academies will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal will issue a written decision, based on the preponderance of the evidence standard, describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

A party who is dissatisfied with the appeal decision may file an appeal to the Board of Trustees through the process outlined in Texans Can Academies' grievance procedures.

Emergency Removals

Texans Can Academies is able to remove a respondent from Texans Can Academies' education program on an emergency basis, provided that Texans Can Academies undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Texans Can Academies' ability to do so may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.



Bullying, Cyberbullying, Hazing, Harassment

Informal Resolution

At any time prior to reaching a determination regarding responsibility, Texans Can Academies may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, Texans Can Academies may not require as a condition of enrollment or continuing enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, Texans Can Academies may not require the parties to participate in an informal process and may not offer an informal resolution process unless a formal complaint is filed.

Prior to facilitating an informal resolution process, Texans Can Academies must:

- Provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations. The notice must also inform that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, as well as of any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtain the parties' voluntary, written consent to the informal resolution process.

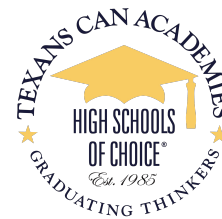
Texans Can Academies may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

Neither Texans Can Academies nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this policy.

Examples of retaliation may include, but are not limited to, intimidation, threats, coercion, or discrimination.

Complaints alleging retaliation may be filed according to the grievance procedure described above.



Bullying, Cyberbullying, Hazing, Harassment

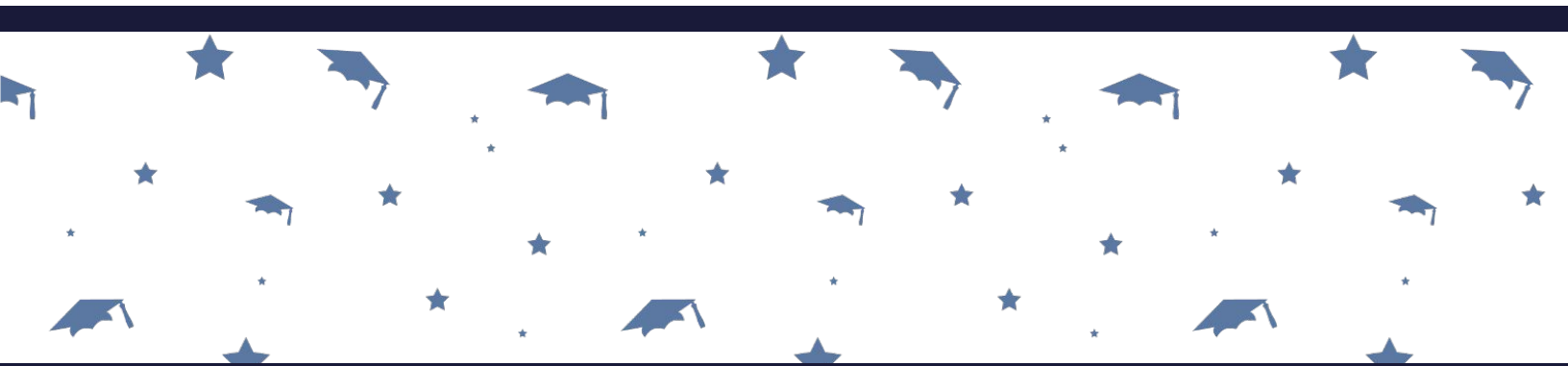
Confidentiality

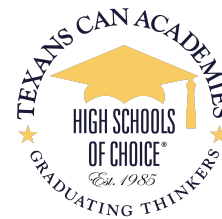
Texans Can Academies must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or for purposes related to the conduct of any investigation, hearing, or judicial proceeding arising under the Title IX regulations.

Non-Sexual Harassment Sex Discrimination

The formal complaint investigation and resolution process outlined above in "Freedom from Sexual Harassment" applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described under "Freedom from Discrimination, Harassment, and Retaliation" as outlined above.

Child Abuse, Neglect, Sexual Abuse, or Other Maltreatment





Child Abuse, Neglect, Sexual Abuse, or other Maltreatment

Texans Can has follows procedures as mandated by the Texas Family Code for addressing child abuse, neglect, sexual abuse, and other maltreatment of children.

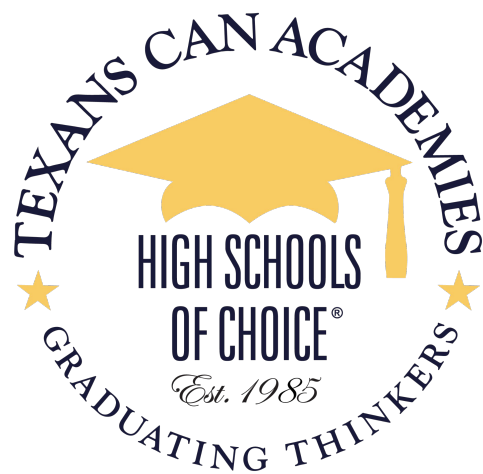
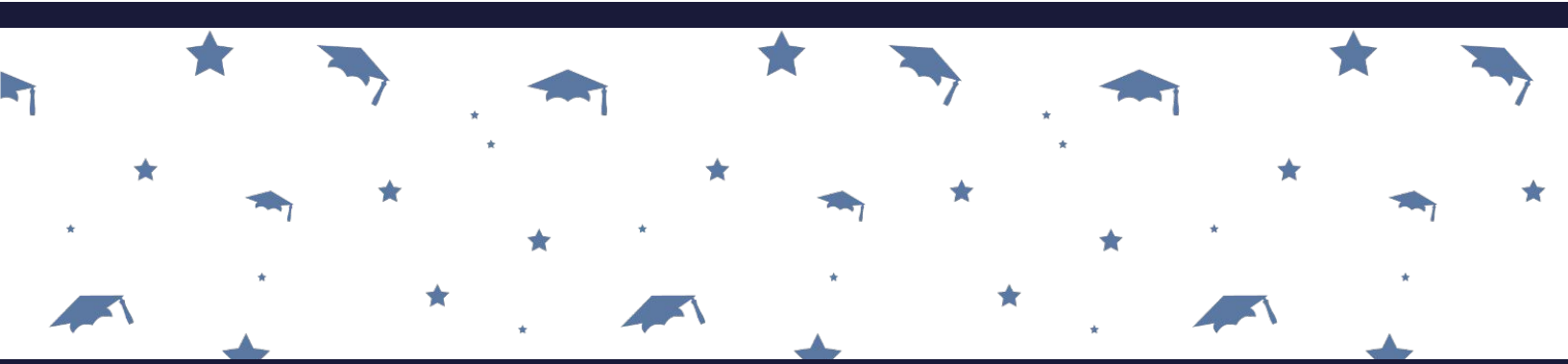
Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults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

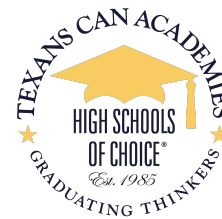
As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

A child who has experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of physical abuse and neglect, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you. As a parent, if your child is a victim of sexual abuse or other maltreatment, the campus Student Advocate or administrator will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manage early intervention counseling programs. To find out what services may be available in your county, see <https://www.childwelfare.gov/topics/can/>

The following websites might help you become more aware of a child abuse and neglect: <https://www.childwelfare.gov/pubs/factsheets/preventingcan/29> Report of abuse or neglect may be made to: The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1-800-252-5400 or on the web at <http://www.txabusehotline.org>).

Unhoused Students/ McKinney-Vento





Unhoused Students/McKinney-Vento

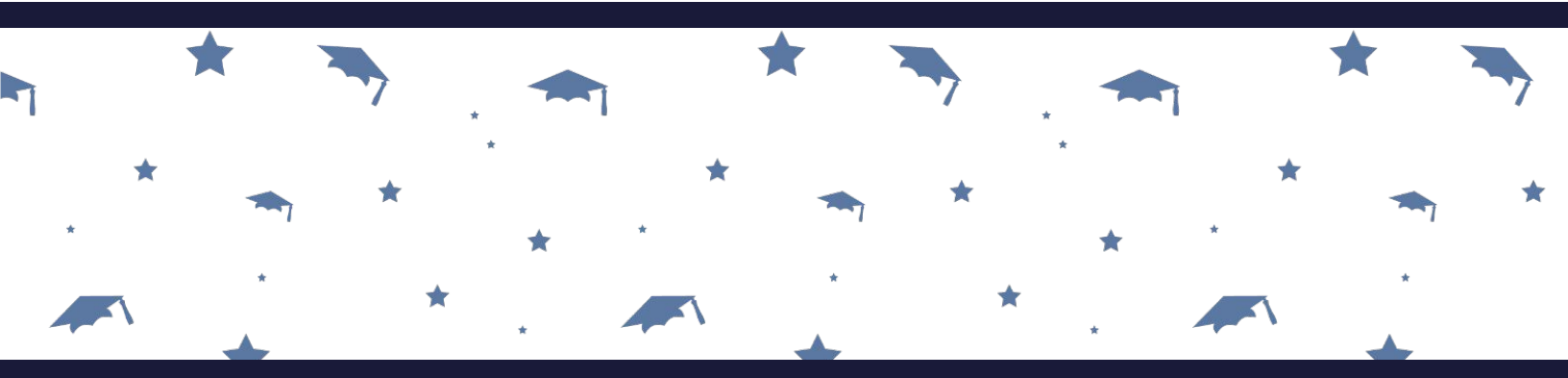
Texans Can staff understand that new learning consistently occurs when one's basic needs, like safe shelter, are met. When students are unhoused, even temporarily, their learning is often understandably disrupted as their attention, energy, and emotions are directed to securing permanent housing.

Texans Can staff are ready to assist students and parents when they are without permanent housing or lack a fixed, regular, and adequate nighttime residence. When a student and/or their parent are unhoused as defined by the McKinney-Vento Homeless Assistance Act, they are asked to inform a school staff member. The District staff will share helpful resources that may be able to assist with securing temporary or long-term housing options. Students who are unhoused are guaranteed the following:

- The right to immediate enrollment in school, even if lacking paperwork normally required for enrollment
- The right to attend school in their school of origin (if this is requested by the parent and is feasible) or in the school in the attendance area where the family or youth is currently residing
- Automatic eligibility for any nutrition services available at the school
- The right to receive transportation to their school of origin, if this is requested by the parent and is feasible
- The right to services comparable to those received by housed schoolmates, including transportation and supplemental educational services
- The right to attend school along with children not unhoused
- Segregation based on a student's status as McKinney Vento is strictly prohibited
- The posting of unhoused students' rights in all schools and other places around the community

For more information on services for unhoused students, contact the District's McKinney-Vento (Homeless/Unhoused) Liaison, Dr. Kellie Curreri, at 325 West 12th Street, Dallas, Texas TX 75208; (214-944-1985); kcurreri@texanscan.org.

Dress Code





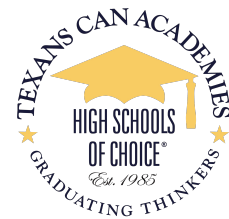
Wear Where You Are!

You belong where you learn.

A school uniform is an everyday reminder: you belong here! A school uniform also saves you time—no more worry about what to wear in the morning! Just get on out the door and get on with your diploma!

And, as you can see ...

We've kept it simple.



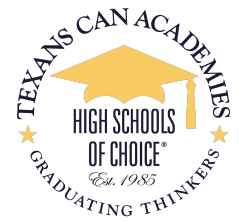
Dress Code Statement

Texans Can's Dress Code is established to teach age appropriate grooming and hygiene, prevent disruption, minimize safety hazards, instill discipline, and teach personal responsibility. Texans Can students shall be dressed and groomed in a manner that is clean and neat. The District shall require all students to follow a standardized Dress Code. The District's student Dress Code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this Dress Code, school staff shall enforce the Dress Code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group on the basis of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, national origin, disability, age, immigration status, or any other basis prohibited by law that adversely affects the student.

Any restrictions to the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this Dress Code. These Dress Code guidelines shall apply to regular school days and summer school days, as well as any school related events and activities such as graduation ceremonies, dances, field trips and school trips.

The Superintendent of Schools shall ensure funds are available for the clothing needs of educationally disadvantaged students who cannot afford to purchase the standardized Dress Code clothing.

The complaint procedures outlined in PG-3.25 LEGAL allows a parent or guardian of a student to request the student be exempt from the standardized dress requirement on the basis of a bona fide religious or philosophical objection.



Dress Code FAQs

What's the point of a school uniform, anyway?

So glad you asked! And the answer may even surprise you: there isn't a point to a school uniform—there are several! Here are some the reasons you can be positively happy about a uniform:

- Better focus – Students in uniforms can concentrate on school rather than clothes
- Safety and security – Students in uniforms are easy to identify as students
- Public image – Students in uniforms can enhance the attractiveness of the school
- School spirit – Students in uniforms may feel more closely connected to the school
- Time – Students in uniforms can dress more readily for their day

OK, but the school uniform just isn't me.

We understand how important it is for you to feel that you can be yourself. Here are several things in the school uniform code that allow you to do just that!

- Natural hairstyles are welcome
- Athletic shoes as well as dress shoes are welcome
- A variety of pant materials are welcome, including jeans
- Your unique, engaging personality is definitely welcome!

While the school uniform is required to help the school day run smoothly, remember also it's only a few hours a day!

What if my religious faith requires me to wear something not included in the uniform?

We recognize that some students' religious faith, or sometimes philosophical position, may require forms of attire not reflected in the school's uniform. In such cases, a parent, guardian or student aged 18 or older is welcome to provide a written statement showing the student's sincerely held religious belief or philosophical position and why it would mean an exemption from the school uniform. School officials will consider the written statement carefully and do what they can to accommodate if they determine that an exemption to the Dress Code is appropriate.

What if I cannot afford the school uniform?

No need to worry! Campuses always keep an inventory of uniforms on hand to ensure that students who cannot afford them can still have them.

Dress Code Guide

Hair - Brushed and well kept

Natural hair and natural hair styles will not be discriminated against or penalized in any way.

Tops - Solid black or white polo or T-shirt

Only print expectations are Texans Can spirit shirts or logo shirts. Appropriate tops must be worn under outerwear.

Belt - Pants appropriately fastened at waist.

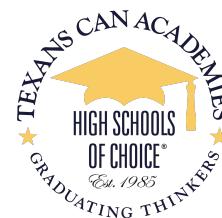
Bottoms - Khakis, jeans, short and skirts

No tears or rips allowed. All shorts and skirts must be knee-length. No sagging. No leggings.

Shoes - Athletic shoes, loafers, dress shoes, or other closed-toe or closed-heel shoes

No cros. No open-toed slides, sandals, flip-flops or house slippers.



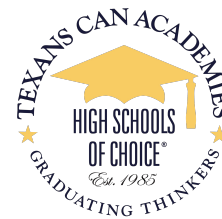


Dress Code Guide

Appropriate attire includes clothing listed below

	Style	Color	Not acceptable
Hair	Natural hair and natural hair styles will not be discriminated against or penalized in any way		<ul style="list-style-type: none"> Unbrushed hair
Tops (Shirts & Blouses)	Polo style or solid color T-shirt. Only print expectations are Texans Can spirit shirts or logo shirts	<ul style="list-style-type: none"> Solid white Solid black 	<ul style="list-style-type: none"> No additional designs No crop tops
Outerwear (Sweaters, Cardigans, Hoodies & Jackets)	Appropriately sized. Appropriate tops must be worn under outerwear	<ul style="list-style-type: none"> Solid white Solid black 	<ul style="list-style-type: none"> Outerwear with offensive slogans, symbols, and other suggestive or controversial designs are not allowed
Pants	Pants should be appropriately fastened at waist	<ul style="list-style-type: none"> Khaki Black Blue denim (jeans) 	<ul style="list-style-type: none"> Torn or ripped Sagging below hip-bone Leggings worn alone in place of pants or shorts
Skirts, Jumpers, Shorts & Capris	Knee-length	<ul style="list-style-type: none"> Khaki Black Blue denim (jeans) 	<ul style="list-style-type: none"> Inappropriate length
Footwear	Athletic shoes, loafers, dress shoes, or other closed-toe/closed-heel shoes. Mules described as closed-toed and open-heel are acceptable		<ul style="list-style-type: none"> Crocs Open-toed slides Sandals Flip-flops House slippers

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. Clothing and grooming that, in the principal's judgment, may be expected to cause disruption of or interference with normal school operation is prohibited.



Dress Code Guide

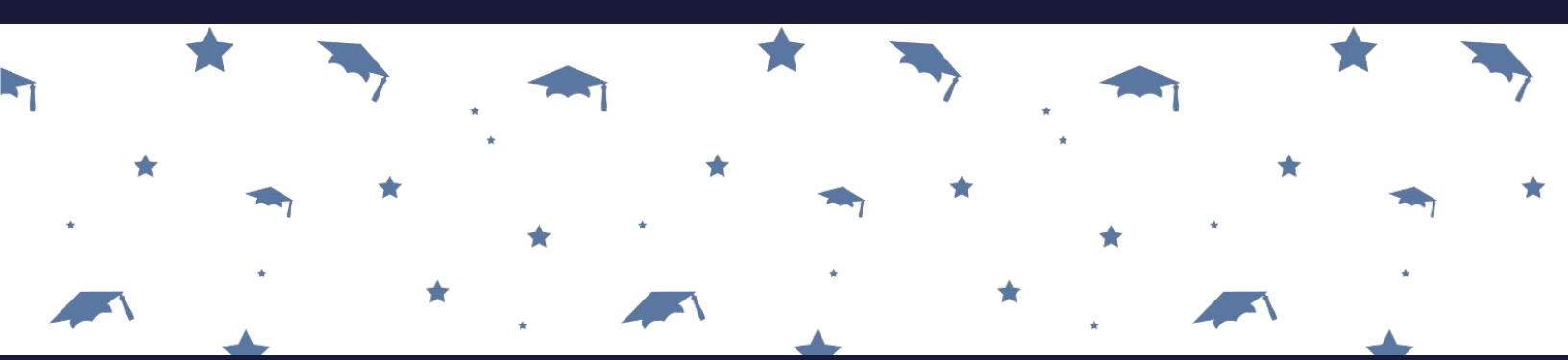
Dress Code violations also include additional articles below

- Jewelry or similar artifacts that are vulgar, distracting, related to gangs, drugs, alcohol or suicide; or disrupt the educational environment
- Any violent and/or gang-identifying clothing or accessories
- Hats, caps, hair rollers, bonnets, plastic bags, hair scarves or nets/caps, stocking caps, and headbands

As of the effective date of this policy, all students who have filed a philosophical or religious objection and all schools choosing to opt out of the appropriate attire provisions provided herein must provide written documentation to the Board describing the attire to be worn in place of the appropriate attire.

The principal shall establish campus procedures and a minimum inventory of clothing to provide appropriate attire to new students who do not have the appropriate clothing. This applies to all students with mandatory standardized Dress Codes. This policy was last adopted on June 9, 2022.

Emergency Closings, Field Trips, Food & Drink, Fundraising and Hall Passes





Emergency Closings, Field Trips, Food & Drink, Fundraising and Hall Passes

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 the campus and/or District. It is important that the school's registrar has your most current contact information in the event of an emergency. If your emergency contact information changes, please notify the school's registrar within 24 hours. Announcements will also be made on local television and radio stations, and the Texans Can website. In the event of severe weather conditions, if the major school District near the campus is closed, Texans Can will more than likely close as well. However, there are times that Texans Can will resume a normal school day under certain conditions. The Superintendent of schools will make the final determination.

Field Trips

Educational field trips require prior approval from the District with the appropriate forms, which include permission slips for all students. Information and permission slips are sent home prior to the scheduled 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. Community based experiences that have cultural and educational relevance to the course curriculum is the standard by which the teacher makes their choice of field trips. Students must follow the Student Handbook and Code of Conduct on all field trips.

Food and Drink

Breakfast is provided in the school cafeteria or classroom and lunch is available in the cafeteria. Students can consume food/drinks before and after school; however, food/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 themselves.

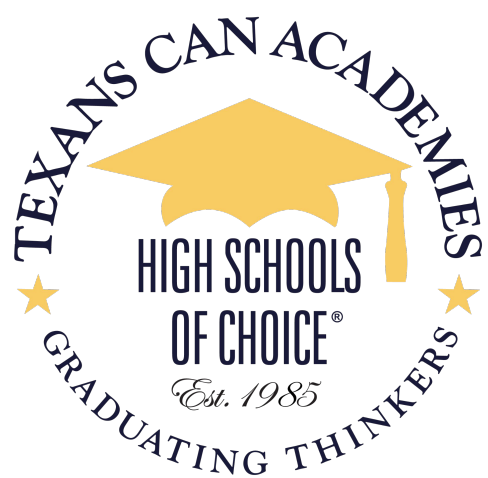
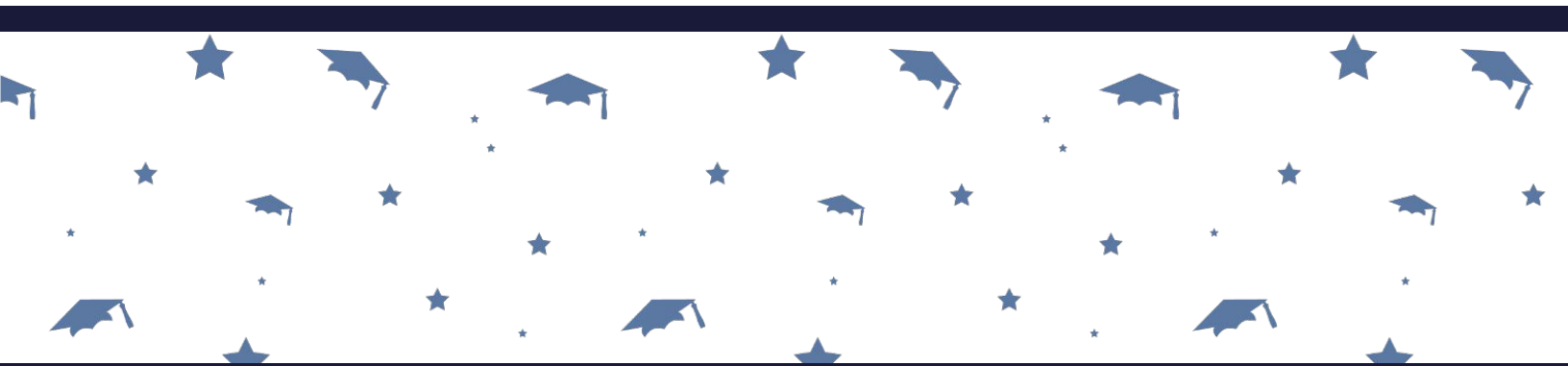
Fundraising

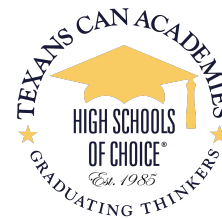
Fundraising activities by student groups and/or for school-sponsored projects shall be allowed with prior administration approval and under the supervision of the project sponsor. All fundraising projects shall be subject to the approval of the Principal. Student participation in 32 approved fundraising 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.

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 during class time.

Medically Related Processes and Procedures





Medically Related Processes and Procedures

Automated External Defibrillator Senate Bill 7 requires that each school District shall make available at each campus in the District at least one Automated External Defibrillator (AED), as defined by Section 779.001, Health and Safety Code, Texas Education Code §38.017(a). One defibrillator is on each campus and will also be transported to off campus athletic events. The Texas Department of State Health Services monitors the laws and regulations which govern the use of defibrillators as prescription medical devices used under the authority of a physician. Use by lay persons is protected by the Texas Good Samaritan Act, provided policies and procedures are followed.

Communicable Diseases

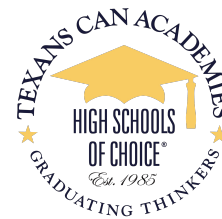
Parents of a student with a communicable or other contagious disease are asked to call their advocate and/or assistant principal so that other students who have been exposed to the disease can be alerted. A student who has certain diseases is not allowed to come to school while the disease is contagious. 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, COVID-19, 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.

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 a 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 911 ambulance attendant. In this instance, the 911 attendant shall transport the student to the nearest medical facility having services appropriate to the student's needs.

Hearing and Vision Screenings

Texans Can conducts hearing and vision screenings for students as outlined by the Texas Department of Health and Human Services.



Medically Related Processes and Procedures

Illness

A student who becomes ill while in school should inform a member of the staff. Texans Can will call the parent to discuss whether the student should be sent home. No student under 18 will be released to anyone except (a) their parent/guardian or (b) another individual authorized by the parent/guardian in writing duly communicated to an administrator.

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 at enrollment or within 30 days of enrollment. Failure to provide proof of all required immunizations within 30 days will result in referral to healthcare provider or health clinic to receive the required immunizations. The required immunizations may be provided during the enrollment period or may be obtained by contacting the admissions personnel on campus. The school can provide information on age-appropriate doses or on an acceptable physician validated history of illness form required by the Texas Department of Health. Proof of immunization may include personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

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.

A student who is unhoused, as defined in the McKinney-Vento Homeless Assistance Act, shall be enrolled temporarily for 30 days if acceptable evidence of immunization is not available. The school shall promptly refer the student to an appropriate health provider to obtain the required vaccinations.



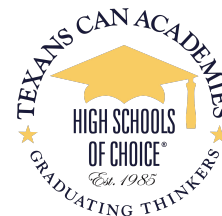
Medically Related Processes and Procedures

Medications

Medication should be administered at home whenever possible. If necessary, medication can be administered at school under the following circumstances:

1. Nonprescription medication brought to school must be submitted to Texans Can Academies by a parent along with a written request. The medication must also be in the original and properly labeled container.
2. Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (ANP) and filled by a pharmacist licensed in the State of Texas. **In accordance with the Texas Board of Nursing Practice Act, Texans Can Academies will not administer medications prescribed or fulfilled in Mexico.**
3. Prescription medications must be submitted in a labeled container showing the student's name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic baggies or unlabeled containers will **not** be administered.
4. If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student's IEP or Section 504 plan for a student with disabilities.
5. Only the amount of medication needed should be delivered to Texans Can Academies (i.e., enough medication to last one day, one week, etc.). In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
6. In certain emergency situations, Texans Can Academies may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the school's medical advisor and when the parent has previously provided written consent for emergency treatment.

Changes to daily medications require written instruction from the physician or ANP and written permission from the parent. Parents are responsible for advising Texans Can Academies that a medication has been discontinued.



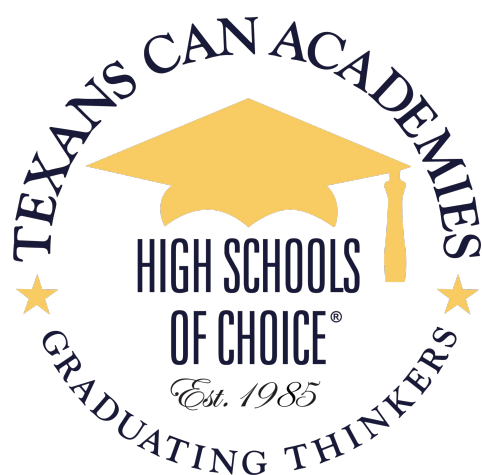
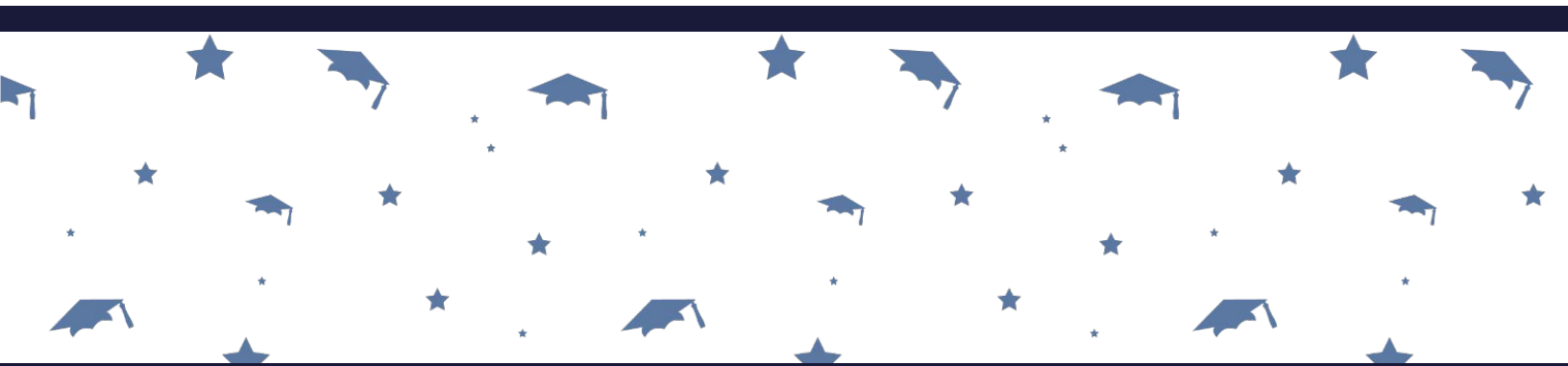
Medically Related Processes and Procedures

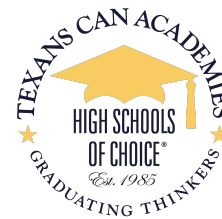
Stop the Bleed

The Texas Education Code (TEC), §38.030, as added by House Bill (HB) 496, 86th Texas Legislature, requires the Texas Education Agency (TEA) to approve training for the use of a bleeding control station in the event of an injury to another person. Additionally, TEC, §38.030, requires each school District and open-enrollment charter school to develop a protocol for school employees to follow in the event of a traumatic injury. The traumatic injury response protocol must also require each school District and open enrollment charter school to annually offer instruction on the use of a bleeding control station to students enrolled at the campus in Grade 7 or higher. The instruction must be provided by a school resource officer or other appropriate District or school personnel who has received the state-approved training.

All Texans Can Academies have “Stop the Bleed” protocols in place and staff have received training as prescribed by the TEC Sec 38.030.

Parent Rights and Responsibilities

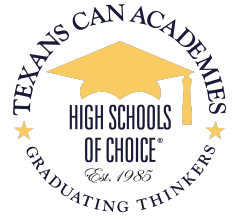




Parent Rights and Responsibilities

Each parent is expected to respect and protect the rights and privileges of students, teachers, Texans Can staff and other parents. Parents have the responsibility to:

1. Make every effort to provide for the physical needs of the child
2. Instruct the child to pay attention and obey the rules
3. Be sure their child attends school regularly and promptly as well as report and explain absences and tardiness to the school
4. Encourage and lead their child to develop proper study habits at home
5. Be sure their child is appropriately dressed at school and school-related activities given that students must conform to the District's Dress Code Policy
6. Participate in meaningful parent-teacher and/or parent-teacher-principal conferences to discuss their child's school progress and welfare
7. Bring to the attention of school staff any learning problem or condition that may relate to their child's education
8. Maintain up-to-date home address; home, work, and emergency contact phone numbers; and other pertinent information in the child's school records
9. Cooperate and collaborate with school administrators and teachers
10. Be sure their child attends school tutorials when required or as the need arises.
11. Be sure that their child is brought to and picked up from school at appropriate times to ensure the availability of adequate supervision for the child
12. Attend parent training workshops for home reinforcement of their child's skills development across developmental areas, including academic, social, emotional, and behavioral. **Parents are encouraged to express parent training topics in which they are most interested.**
13. Keep informed of school policies and academic requirements of school programs
14. Participate in school-related organizations
15. Be sure their child does not bring to school radios, telecommunication devices, or other inappropriate items that may interfere with the learning environment or violate the District's policies and Student Code of Conduct
16. Discuss report cards and school assignments with their child
17. Submit signed statements that they and their child have received agree to adhere to the responsibilities, expectations, and regulations outlined in both the Student Handbook and Student Code of Conduct
18. Implement effective parenting techniques that teach their child how to self-manage when possible and in developmentally appropriate ways. Under Family Code 41.001, a student's parent is legally liable for property damage proximately caused by a) the negligent conduct of the student, if such conduct is reasonably attributable to the negligent failure of the parent to exercise that duty, or b) the willful or malicious conduct of a student who is at least 12 but under 18 years of age.
19. Realize that a parent's permission for a student to violate the school's regulations, or his/her approval of the violation after it has been done does not legitimize the action
20. Use appropriate language when communicating with staff members on the school campus or during school related activities
21. Parents are expected to use appropriate behavior on school campuses and at school-related activities. Parents who violate the rights of others may be subject to action by Texans Can, which may include civil or criminal prosecution as outlined by law and/or Texans Can policies.



Parent Rights and Responsibilities

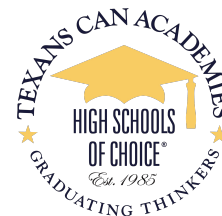
Title I Parent Rights/Request for Information on Teacher and Paraprofessional Qualifications

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 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:

1. Whether the teacher meets state qualifications and licensing criteria for the grades and subject he or she teaches
2. Whether the teacher is teaching under emergency or provisional status because of special circumstances
3. The teacher's college major, whether the teacher holds any advanced degrees, and the field of discipline of the certification or degree
4. 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.



Parent Rights and Responsibilities

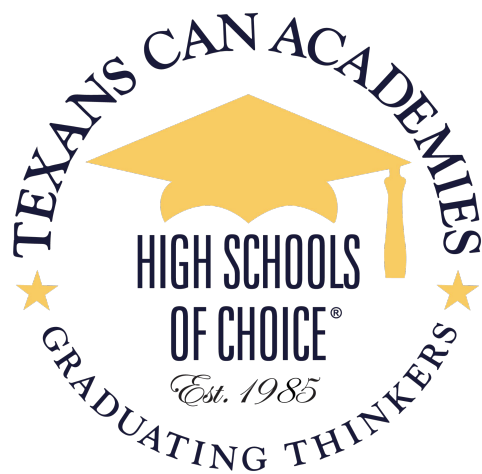
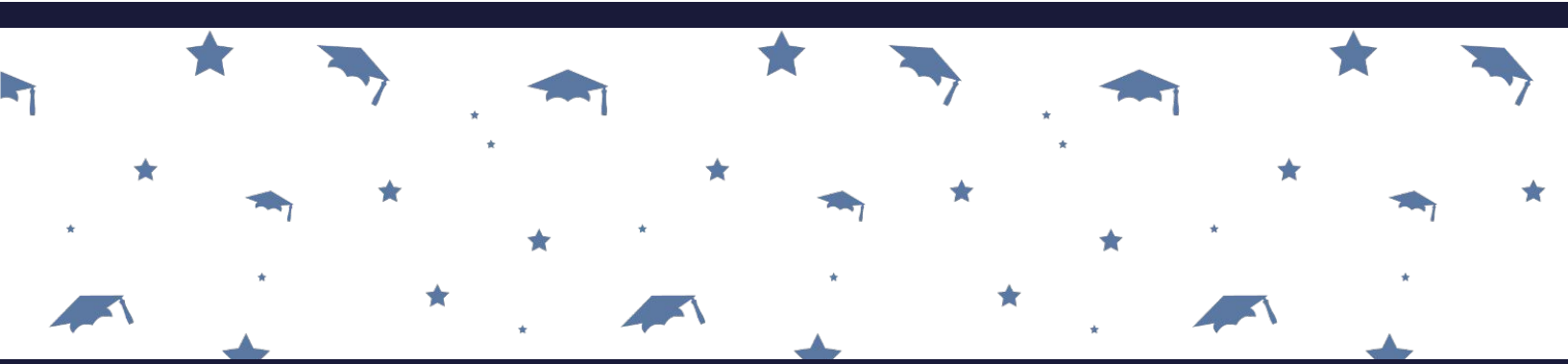
Parent-Teacher Conferences

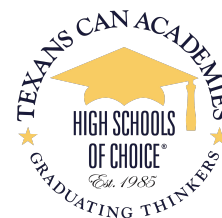
Parent-teacher conferences are encouraged. An appointment for a conference may be arranged with the teacher. To avoid conflicts, appointments should be made a day or two in advance. Teachers are directed not to interrupt their instructional time with phone or in person conferences, no matter how brief. A teacher or other school staff member may request a conference with a student's parent(s) whenever the teacher or staff member perceives the need for parental cooperation in enforcing the Student Code of Conduct.

Posting of Student Work

As part of the educational process at Texans Can, group or individual projects are used as a means of instruction and/or evaluation. These projects are often displayed within the classroom or around the school in accordance with the Family Educational Rights and Privacy Act (FERPA). Texans Can does not compromise the personal rights of the student. Parents are giving Texans Can permission to display your students' work when signing the receipt of this Student Handbook.

Student Rights and Responsibilities





Student Rights and Responsibilities

Each student is expected to respect the rights and privileges of members of their school community, which includes other students, teachers, administrators, and school and District staff. Students shall responsibly exercise their rights, in compliance with rules established for the safe, orderly operations of Texans Can's educational mission.

The Texans Can Student Handbook and Code of Conduct are established to achieve and maintain a healthy, safe school environment. Students who violate the rights of others or who violate Texans Can regulations, policies, and expectations shall be subject to disciplinary measures designed to correct the misconduct and to promote the healthy development of all students in the school community.

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

1. Attending all classes, daily and on time, except when ill or lawfully excused
2. Being prepared for each class with appropriate materials and assignments
3. Attending school tutorials when required or as the need arises
4. Dressing in accordance with the District's Dress Code Policy
5. Exhibiting respect toward individuals and property
6. Conducting themselves in a responsible manner
7. Refraining from violations of the Student Code of Conduct
8. Adhering to all school rules, including safety rules
9. Seeking changes in school policies and regulations in an orderly and responsible manner, through appropriate channels
10. Cooperating with staff in investigation of disciplinary cases and volunteering information relating to a serious offense
11. Submit signed statements that the student received and agrees to adhere to the responsibilities, expectations, and regulations outlined in both the Student Handbook and Student Code of Conduct



Student Organizations and Clubs

Student Organizations and Clubs

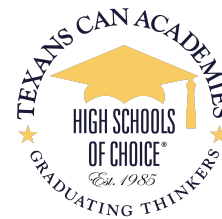
Texans Can encourages student participation in extracurricular activities and recognizes the right of students to form associations, organizations, clubs for the purpose of pursuing common interests.

Any student-initiated organization (e.g., 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 a 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 with the time(s) 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 or the Student Handbook.

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 charter school District, 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 promote the interests or teaching of any religious faith as a public school District.



Student Rights and Responsibilities

Pledge of Allegiance to US and Texas Flag

The Board of Trustees of each school District and the Governing Board of each open-enrollment charter school shall require students, once during each school day at each campus to recite:

1. The pledge of allegiance to the United States flag
2. The pledge of allegiance to the State flag
3. Observance of one minute of silence following recitation of pledges

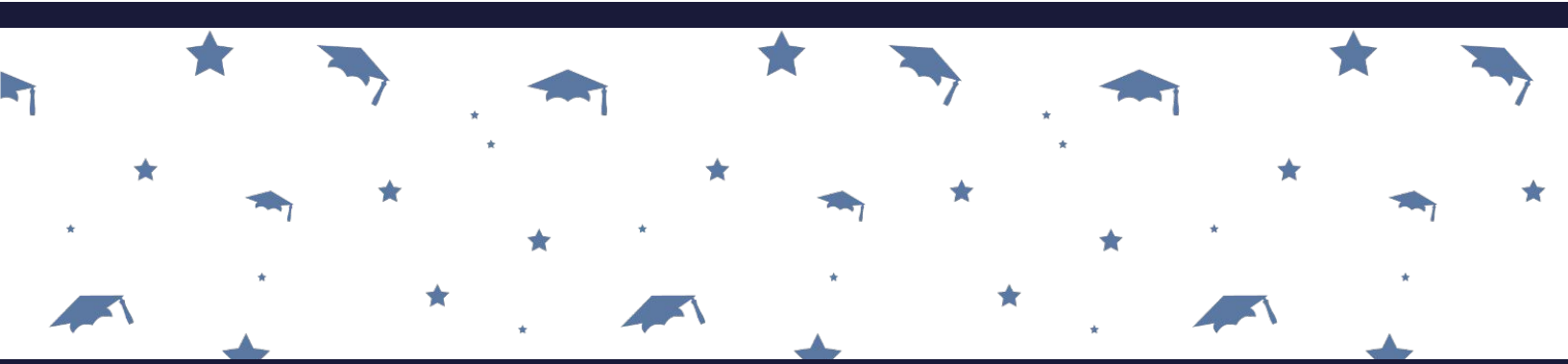
During the one-minute period, each student may, as the student chooses, reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Each teacher or other school employee in charge of students during that period shall ensure that each of those students remains silent and does not act in a manner that is likely to interfere with or distract another student. On written request from a student's parent or guardian, the open-enrollment charter school shall excuse the student from reciting a pledge of allegiance (TEC 25.082).

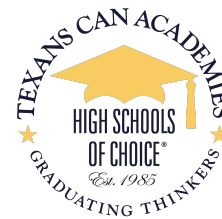
School Lunch Program

Texans Can participates in the National School Lunch Program and offers free and reduced-price lunches for students who meet the federal guidelines. Further information can be obtained from the food service office.

Every campus in the District shall be a closed campus. This means that students cannot leave campus to get lunch or have lunch delivered. Students who violate this District mandate or leave campus at any time without administrative approval shall be subject to disciplinary action in accordance with the Student Code of Conduct.

School Operations/ Safety and Security





School Operations/Safety and Security

The Texans Can School Safety and Security Committee provides central coordination of safety efforts and assists with drills and exercises, school safety and security audits, policy development, and training.

The committee is made up of school District and community partners that collaboratively provide recommendations to the District's Board of Trustees and District administrators. The purpose of this committee is specifically related to ensuring the safety and well-being of the students and staff within the District. Each District has their own committee so that they can provide feedback specific to the needs of their District.

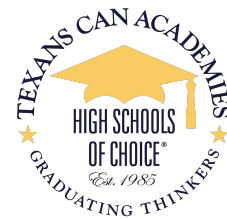
Who is on the Texans Can School Safety and Security Committee?

The committee, to the greatest extent practical, must include:

- One or more representatives of an office of emergency management of a county or city in which the District is located
- One or more representatives of the local police department or sheriff's office
- One or more representatives of the District's police department, if applicable
- The president of the District's Board of Trustees
- A member of the District's Board of Trustees, other than the president
- The District's superintendent
- One or more designees of the District's superintendent, one of whom must be a classroom teacher in the District
- A member of the open-enrollment charter school's governing body or a designee of the governing body (if the District partners with an open-enrollment charter school to provide instruction to students)
- Two parents or guardians of students enrolled in the District.

Collaborative partners to support the Committee may include, but are not limited to:

- Local emergency management
- First responders, law enforcement, fire, emergency medical services (EMS)
- Local, state, and federal officials
- Parent organizations
- Local health authority
- Community mental health organizations
- Building inspectors or public works



School Operations/Safety and Security

The size of the committee may be adjusted according to the size of the District. Collaborative partners are selected based on the knowledge and experience they possess related to the duties of the School Safety and Security Committee. This committee meets at least once during each academic semester and once during the summer.

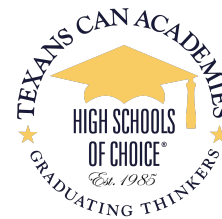
A committee established by a school District that operates schools on a year-round system, or in accordance with another alternative schedule, shall meet at least three (3) times during each calendar year with an interval of at least two months between each meeting.

Committee Responsibilities

- Participate in the development and implementation of the District's emergency plans by ensuring they are consistent with the District's EOP and reflect the specific campus, facility, or support service needs that exist.
- Provide, periodically to the Board of Trustees and District administration, recommendations to update the District's EOP according to the best practices identified by the Texas Education Agency, the Texas School Safety Center (TxSSC), or an individual in the TxSSC's Safety and Security Consultant Registry (a clearinghouse to track qualified third-party auditors for the state of Texas available to school Districts, open-enrollment charter schools, and junior colleges).
- Supply any campus, facility, or support services information required to the District for the completion of their safety and security audit, safety and security audit report, or any other report required to be submitted to the TxSSC.
- Review each report the District submits to the TxSSC to ensure it contains accurate and complete information regarding each campus, facility, or support service and follows the criteria established by the TxSSC.
- Consult with local law enforcement agencies on how to increase their presence near District campuses.

The Texas Education Code (TEC) 37.108 requires Districts develop and implement a multi-hazard Emergency Operations Plan (EOP). The District multi-hazard EOP provides a framework that outlines the District's response to managing an incident. The EOP addresses prevention, mitigation, preparedness, response and recovery.

Texans Can has developed a comprehensive Multi Hazard Emergency Operations Plan as defined by the Texas State School Safety Center (TxSSC) for the District and each campus location.



School Operations/Safety and Security

With the passage of Senate Bill 11, Texas now joins the short list of states in our country to have legislatively mandated the implementation of behavioral threat assessment teams in its Texas public school Districts and open-enrollment charter schools. Behavioral Threat Assessment provides a proactive, evidence-based approach for identifying individuals who may pose a threat and for providing interventions before a violent incident occurs.

The Texans Can Academies Board of Trustees has established a Safe and Supportive School Program Team that conducts behavioral threat assessments to serve at each campus of the District. The Board has also adopted policies and procedures for the teams that are consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC). In addition, each team is required to complete training provided by the TxSSC or a Regional Education Service Center on an annual basis

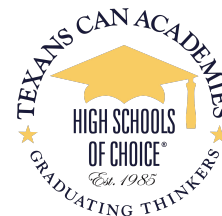
Campus Safety Coordinator Program

The Texans Can Campus Safety Program is a new initiative for the 2022-2023 school year, whereby Campus Safety Coordinators provide direct services to school campuses. Campus Safety Coordinators are school employees who are supervised by the principal to serve as a dedicated campus position as the safety representative, serving in the District wide Safety Coordinator Program.

Campus Safety Coordinators are highly skilled professionals committed to providing the necessary tools to successfully ensure student and staff health and safety at their campuses. They are trained to be in District policy, governing regulatory agencies, evidence-based behavioral interventions, trauma-informed practices, and safety standards or procedures. Throughout each school year, they are provided the most current District health and safety information through ongoing training, workshops, quarterly reviews, and periodic updates.

Campus Safety Coordinators are members of the campus behavior threat assessment team and partner with the Safety and Security Committee. Campus Safety Coordinators are also involved with the Campus Emergency Operations Plans and the Local Environmental/Health Services to further ensure that they are provided a wealth of information about school safety. To encourage even greater safety initiatives at each of our campuses, a special recognition will be given to campuses who go the extra mile to provide a safer educational and work environment, promote local safety training, and conduct other outstanding safety activities at their campuses.

Texans Can is fully committed to ensuring the safety and security of all students, staff, families, and visitors through the Campus Safety Coordinator Program.



School Operations/Safety and Security

School Visitor and Student Safety Protocols

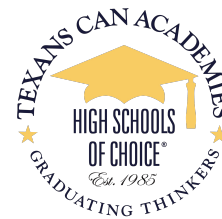
A school District has control over its own property. A school board holds all rights and titles to the real property of the school District. Texas Education Code § 11.151(c). Accordingly, a school District, through its school board, has the right to control its own property. In the words of the U.S. Supreme Court, “[t]he District, like the private owner of property, may legally preserve the property under its control for the use to which it is dedicated.”

A school District has the authority to control students and school personnel on school property. A District also has the authority and responsibility to ensure that parents and third parties conduct themselves appropriately while on school property. Texas law specifically authorizes checking photo identification and an electronic database. Under Texas Education Code section 38.022, a school District may require a person who enters a District campus to display the person’s driver’s license or another government-issued photo identification. A school District may also establish an electronic database for the purpose of storing information concerning visitors to District campuses. Information stored in the electronic database may be used only for the purpose of school District security and may not be sold or otherwise disseminated to a third party for any purpose. Using the database, school officials may verify whether a visitor to a District campus is a sex offender registered with the Department of Public Safety or other database accessible by the District

Visitors

Parents and immediate family are welcome to visit Texans Can. All visitors must first report to the reception area. Only authorized visitors are permitted on school property. An unauthorized person who trespasses on the grounds of any Texas school District commits a Class C misdemeanor offense (Texas Education Code § 37.107). Texans Can utilizes a state-approved Raptor screening system. Visitors will be required to scan their state identification in the Raptor system. Visitors must wear a badge featuring their name, photo, date and time, and destination for the duration of their 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.



School Operations/Safety and Security

Student Searches

School officials' authority to search a student's person or belongings is a necessary part of maintaining a safe learning environment. 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 ensuring that our school remains safe and drug-free and reserves the right to conduct random searches in conjunction with contracted security services. Drug detection dogs, used on school property, do not constitute a search under the Fourth Amendment (*Commonwealth v. Cass*, PA 1998, ruled "minimally intrusive invasion of the student's limited privacy interests in his locker").

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 a student's vehicle does constitute a search and requires individualized reasonable suspicion.



School Operations/Safety and Security

Student Screening and Identification

All Texans Can students are required to follow the District's screening processes for entry into the school buildings. **Enrolled students will be issued a picture identification school badge and lanyard and will be required to wear and display the badge each day and at all times.**

Upon entry to the school campus, students must follow the protocol for mandatory metal-detection screening and a responsible inspection of personal property, backpacks, etc. As an increased measure of safety, **students will receive and be required to wear a colored wristband on their wrist after the screening and throughout the school day.** A new wrist band of differing colors will be provided each day to students after entering the building and being screened. This wristband serves as an identifying safety measure, ensuring that all students have been properly vetted through our District safety and security guidelines for that day's entry.

Video Surveillance

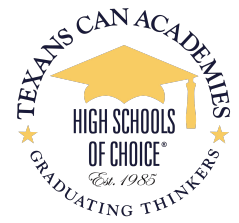
Campus

Each school facility employs video surveillance equipment for security purposes. This equipment may or may not be monitored or recorded at any time.

Video Surveillance of Special Education Settings Policy Notice

Texans Can Academies shall provide written notice to the campus staff and the parents of students assigned to a self-contained classroom or other special education setting that video and audio surveillance will be conducted in the classroom or setting. The District will do this by adding this information to the Student and Employee Handbook.

Texans Can Academies shall require that all campuses post a notice at the main school entrances in which video cameras are placed stating that video and audio surveillance will be conducted in the classrooms.



School Operations/Safety and Security

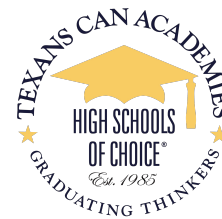
Use of Physical Restraint

School employees, volunteers, security officers or independent contractors are trained and authorized to use restraint in the event of an emergency and subjected to the following limitations:

- Only reasonable force, necessary to address the emergency, may be used.
- The restraint must be discontinued at the point at which the emergency no longer exists.
- The restraint must be implemented in such a way as to protect the health and safety of the student and others.
- The student may not be deprived of basic human necessities.

At no time may a student be placed in seclusion. A student with a disability may not be confined in a locked box, locked closet, or other specially designated locked space as either a discipline-management practice or a behavior-management technique.

Each campus has a core team of at least three members trained based on state guidelines related to de-escalation and restraint. Texas Can utilizes Crisis Prevention and Intervention techniques. Any faculty or staff member involved in a restraint will receive training as outlined by law. The campus will make every possible attempt to notify parents both verbally and in writing should their child be restrained (TEC 37.0021).



School Operations/Safety and Security

Transportation and Vehicles

With approval from the Texas Education Agency, all Texans Can schools provide home-to school or school-to-home transportation to students by providing bus passes/bus cards from the local metropolitan transit authority.

Students must report loss of a card to school administrators as soon as loss is realized so the school may remove funds from the card and cancel it. If a student loses a monthly bus pass, a replacement bus pass/voucher will not be issued by the District; the replacement bus pass/voucher will not be eligible for reimbursement. Students will be required to provide their own transportation for the remainder of the month.

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 responsibility for the security of their 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 their 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.

Special Populations Parent and Student Information

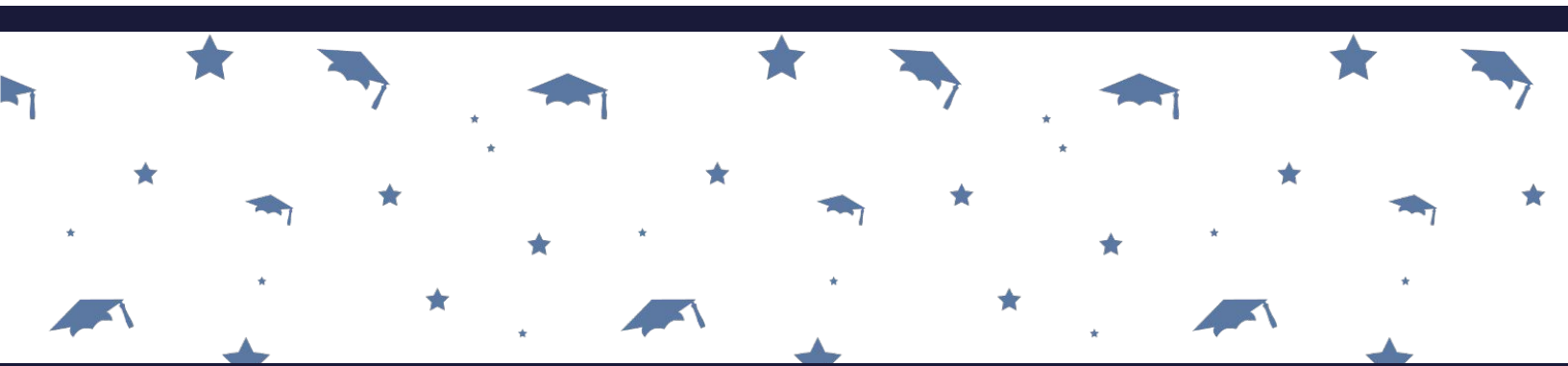




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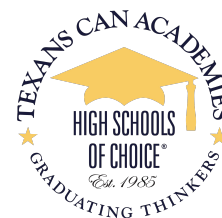


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Special Populations Parent and Student: Table of Contents

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Facilities

No person with disabilities 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 Section 504 Coordinator.

Special Populations Parent and Student: Information on 504



Notice Of Parent And Student Rights Under Section 504

THE REHABILITATION ACT OF 1973

The Rehabilitation Act of 1973, commonly referred to as “Section 504,” is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students.

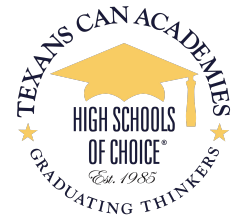
An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, reading, concentrating, thinking, communicating, caring for oneself, walking, standing, bending, lifting, seeing, hearing, eating, sleeping, speaking, breathing, working, performing manual tasks or the operation of a major bodily function. Texans Can Academies must provide appropriate services to identified students. Texans Can Academies may not discriminate against students with disabilities.

Dual Eligibility

Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA). Students who are eligible under the IDEA have many specific rights that are not available to students who are eligible solely under Section 504.

An Explanation of Rights and Procedural Safeguards (SPE 216E) prepared by the Texas Education Agency is available through Texans Can Academies Special Education Program and sets out the rights assured by the IDEA. It is the purpose of this Notice form to set out the rights assured by Section 504 to those disabled students who do not qualify under the IDEA. **Please keep in mind that Section 504 is not a program: it is an anti-discrimination law.**

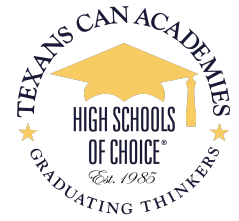
Special Populations Parent and Student: Information on 504



The enabling regulations for Section 504 as set out in 34 Code of Federal Regulations (CFR) Part 104 provide parents and/or students with the following rights:

1. You have a right to be informed by Texans Can Academies of your rights under Section 504. (The purpose of this Notice is to advise you of those rights.) (34 CFR 104.32)
2. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met (34 CFR 104.33).
3. Your child has the right to free educational services except for those fees imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student (34 CFR 104.33).
4. Your child has a right to placement in the least restrictive environment (34 CFR 104.34).
5. Your child has a right to facilities, services, and activities comparable to those provided for non-disabled students (34 CFR 104.34).
6. Your child has a right to an evaluation prior to an initial Section 504 accommodation plan and any subsequent significant change in plan (34 CFR 104.35).
7. Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. Texans Can Academies shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and TAKS scores (34 CFR 104.35).
8. Decisions must be made by a group of persons (i.e., the Section 504 Committee), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities (34 CFR 104.35).
9. If eligible under Section 504, your child has a right to periodic reevaluation, generally every three years (34 CFR 104.35).

Special Populations Parent and Student: Information on 504

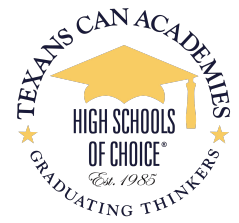


10. If eligible under Section 504, your child has a right to periodic reevaluation, generally every three years (34 CFR 104.35).
11. You have the right to notice prior to any action by Texans Can Academies in regard to the identification, evaluation, or accommodation plan of your child (34 CFR 104.36).
12. You have the right to examine relevant records (34 CFR 104.36).
13. You have the right to an impartial hearing with respect to Texans Can Academies' actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney, if desired.
14. If you have questions or concerns or wish to file a complaint regarding your child's identification, evaluation, or educational services, you may call Texans Can Academies' Section 504 Coordinator at (469) 302-6302. If you nevertheless wish to challenge the actions of Texans Can Academies' Section 504 Committee in regard to your child's identification, evaluation, or educational services, you should file a written Notice of Appeal with Texans Can Academies' 504 Coordinator:

Kim Chesney
kchesney@texanscan.org
(214) 944-1959
325 W. 12th Street
Dallas, Texas 75208

The written notice should be received within 30 calendar days from the time you received written notice of the Section 504 Committee's action(s). If you request an appeal hearing, a hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing.

15. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction (34 CFR 104.36).
16. You also have a right to file a complaint with the office of Civil Rights. The address of the Regional Office which covers Texas is:



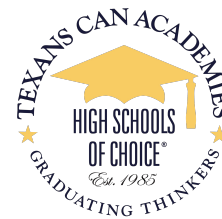
Special Populations Parent and Student: Information on 504

Dallas Office
Office of Civil Rights
U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, Texas 75201-6810
Telephone: (214) 661-9600
FAX: (214) 661-9587; TDD (877) 521-2172
Email: OCR.Dallas@ed.gov

For more information on 504

504 Resource Guide from the Texas Education Agency - [504 Resource Guide - TEA](#)

Section 504 - [Texas Education Agency](#)



Special Populations Parent and Student Dyslexia

Dyslexia

Important Changes for Dyslexia (English)

https://tea.texas.gov/sites/default/files/2021_dyslexia_handbook_important_changes_for_families.pdf

Important Changes for Dyslexia (Spanish)

https://tea.texas.gov/sites/default/files/2021_dyslexia_handbook_important_changes_for_families_spanish.pdf

Texas Education Code (TEC) §38.003 defines dyslexia and related disorders, mandates screening and testing students for dyslexia and the provision of instruction for students with dyslexia, and gives the State Board of Education (SBOE) authority to adopt rules and standards for screening, testing, and serving students with dyslexia. Texas Education Code §7.028(b) assigns the responsibility for school compliance with the requirements for state educational programs to the local District Board of Trustees. Title 19 of the Texas Administrative Code (TAC) §74.28 outlines the responsibilities of Districts and charter schools in the delivery of services to students with dyslexia. Finally, two federal laws, the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973, Section 504, establish assessment and evaluation standards and procedures for students (34 C.F.R. Part 300 (IDEA), Part 104 (Section 504)).

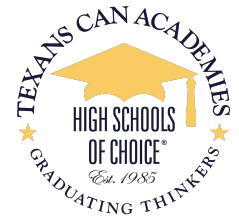
Characteristics of Dyslexia

Texas Education Code (TEC) §38.003 defines dyslexia and related disorders in the following way:

“Dyslexia” means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.

“Related disorders” include disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

Special Populations Parent and Student Dyslexia



TEC §38.003(d)(1)-(2) (1995)

<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.38.htm#38.003>

The International Dyslexia Association defines “dyslexia” as:

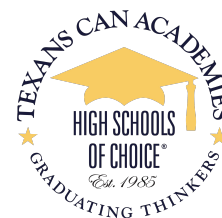
Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

Adopted by the International Dyslexia Association Board of Directors,
November 12, 2002

Students identified as having dyslexia typically experience primary difficulties in phonological awareness, including phonemic awareness and manipulation, single-word reading, reading fluency, and spelling. Consequences may include difficulties in reading comprehension and/or written expression. These difficulties in phonological awareness are unexpected for the student’s age and educational level and are not primarily the result of language difference factors. Additionally, there is often a family history of similar difficulties.

The following are the primary reading/spelling characteristics of dyslexia:

- Difficulty reading words in isolation
- Difficulty accurately decoding unfamiliar words
- Difficulty with oral reading (slow, inaccurate, or labored without prosody)
- Difficulty spelling



Special Populations Parent and Student Dyslexia

It is important to note that individuals demonstrate differences in degree of impairment and may not exhibit all the characteristics listed above.

The reading/spelling characteristics are most often associated with the following:

- Segmenting, blending, and manipulating sounds in words (phonemic awareness)
- Learning the names of letters and their associated sounds
- Holding information about sounds and words in memory (phonological memory)
- Rapidly recalling the names of familiar objects, colors, or letters of the alphabet (rapid naming)

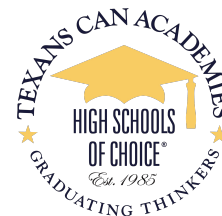
Consequences of dyslexia may include the following:

- Variable difficulty with aspects of reading comprehension
- Variable difficulty with aspects of written language
- Limited vocabulary growth due to reduced reading experiences

Dyslexia Services

For the student who has not benefited from the general English or reading instruction, additional focused intervention for the reading needs of students with dyslexia should be considered. Standard protocol dyslexia instruction provides research-based instruction for students with dyslexia. This instruction is designed for all students with dyslexia and will often take place in a small group setting.

Instructional decisions for a student with dyslexia must be made by a committee (Section 504 or ARD) that is knowledgeable about the instructional components and approaches for students with dyslexia. It is important to remember that while dyslexia instruction is most successful when provided as early as possible, older children with reading disabilities will also benefit from focused and intensive remedial instruction.



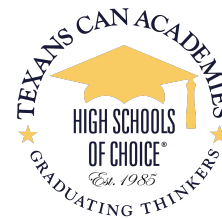
Special Populations Parent and Student Dyslexia

Requesting an Evaluation

If you suspect that your child has dyslexia or a related condition, please contact your campus Student Success Team. You may request a Full and Individual Initial Evaluation for dyslexia through special education by going to <https://www.texanscan.org/sped/> and completing the survey.

For more information about dyslexia or related disorders, contact the Director of Special Services:

Kim Chesney
kchesney@texanscan.org
(214) 944-1959
325 W. 12th Street
Dallas, Texas 75208



Special Populations Parent and Student Related Services

Special Education Overview

Texans Can provides a Special Education program as outlined by both federal and state law. Texans Can does not discriminate based on individual disabilities. Services are provided 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 Admission Review Dismissal (ARD) process.

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 ARD facilitator of Special Education or the Director of Special Services.

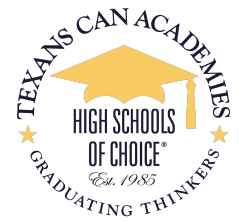
To find the TCA policies and operating procedures for special education, go to <https://framework.esc18.net/>

For general information about special education in Texas, please visit <https://www.spedtex.org/>

Identification: Child Find

Texans Can is responsible for providing a free appropriate public education (FAPE) to all individuals with disabilities from 3 years old through 21 years old 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 Centers. 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 29; Sec. 300.111 Child Find - Individuals with Disabilities Education Act.



Special Populations Parent and Student Related Services

Aiding Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services

For those students having difficulty in the regular classroom, all school Districts and open-enrollment charter schools must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of Districts and charter schools to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individual(s) listed below to learn about the school's overall general education referral or screening system for support services. This system links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine if the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.



Special Populations Parent and Student Related Services

Special Education Referrals

If a parent makes a written request for an initial evaluation for special education services to the director of special education services or an administrative employee of the school District or open enrollment charter school, the District or charter school must respond no later than 15 school days after receiving the request. At that time, the District or charter school must give the parent a prior written notice of whether it agrees to or refuses to evaluate the student, along with a copy of the Notice of Procedural Safeguards. If the school District or charter school agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

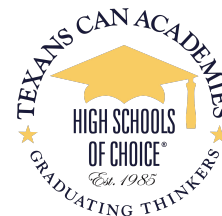
Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts and charter schools must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of being a child with a disability and in need of special education. However, a verbal request does not require the District or charter school to respond within the 15-school day timeline.

If the District or charter school decides to evaluate the student, it must complete the student's initial evaluation and evaluation report no later than 45 school days from the day it receives a parent's written consent to evaluate the student. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent. There is an exception to the 45 school-day timeline.

If a District or charter school receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

Upon completing the evaluation, the District or charter school must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the District or charter school in a companion document titled Parent's Guide to the Admission, Review, and Dismissal Process.



Special Populations Parent and Student Related Services

Contact Person for Special Education Referrals

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

Emmanuel Ibe
eibe@texanscan.org
(214) 875-4108
325 W. 12th Street
Dallas, Texas, 75208

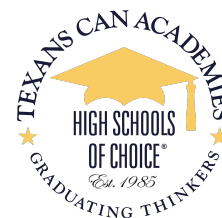
Section 504 Referrals

Each school District or charter school must have standards and procedures in place for the evaluation and placement of students in the District's or charter school's Section 504 program. Districts and charter schools must also implement a system of procedural safeguards that includes notice, an opportunity for a parent or guardian to examine relevant records, an impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

Contact Person for Section 504 Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is:

Kim Chesney
kchesney@texanscan.org
(214) 944-1959
325 W. 12th Street
Dallas, Texas 75208



Special Populations Parent and Student Related Services

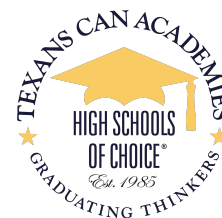
Child Find is a process designed to identify, locate, and evaluate individuals from birth through 21 years of age with known or suspected disabilities to determine whether a need for special education or related services exists. In accordance with the Individuals with Disabilities Education Improvement Act (IDEA); Texans Can Academies ensures that the Child Find processes are followed for the students within the Texans Can service area. Referrals are received by the Special Services Director and coordinated for review by the campus Special Education staff.

Process Referrals are part of a school's overall, general education referral or screening system and will follow the process outlined in board policy, special education procedures (see the Legal Framework), and local operational guidelines. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to scientific, research-based intervention; and other academic or behavior support services. Students referred for special education services should have been considered for support services available to all students prior to the referral. If the student continues to experience difficulty in the general classroom after the provision of support services, District personnel must refer the student for a full and individual initial evaluation (FIE).

According to 19 TAC §89.101, referral of students for a full individual and initial evaluation for possible special education services must be a part of the District's overall, general education referral or screening system. A referral for a special education evaluation may be initiated by any of the following:

- Parent or legal guardian
- Teacher, administrator, or school staff
- Healthcare officials
- Law enforcement officials
- An adult-aged student, aged 18 years or older

When any one of these individuals wishes to make a referral, they should follow the formal referral process by notifying the Special Education Director, in writing or verbally.



Special Populations Parent and Student Related Services

Requesting an Evaluation

If you suspect that your child has a disability and needs specially designed instruction, you may request a Full and Individual Initial Evaluation for special education and related services by going to <https://www.texanscan.org/sped/> and completing the survey.

Teachers or school personnel who suspect a student is a student with a disability will bring this information to the Student Success Team. The SST will collect the data necessary for the referral.

Continuum of Services

Texans Can Academy schools focus on providing quality instruction for all students in the general education setting to the greatest extent possible. For students who may require additional support TCA provides a full continuum of supports and services to ensure access to the general education curriculum.

Hospital/Homebound Services

Students who have a medical issue that will result in the need for the student to be out of school for four or more weeks must notify their student advocate 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. 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 the homebound period. For students with disabilities, an Admission, Review and Dismissal (ARD) committee must occur to initiate Hospital/Homebound Services, Statutory Authority: The Provision of Sec 89.63 issued under TEC Sec 42.151.



Special Populations Parent and Student Related Services

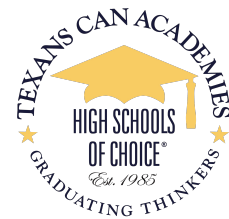
Students with Disabilities – Removal

A student with a disability may be removed for any acts of misconduct that would warrant expulsion of their same-age peers. Once the administration determines that a student served through Special Education has committed an act that will result in expulsion, they will notify one of the Special Education Coordinators. The school will hold a Manifestation Determination Review, or MDR, ARD meeting as outlined by the Individuals with Disabilities Education Act Reauthorization and Special Education Policy and Procedures.

The ARD committee through an MDR 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 in question or lack of programming is deemed the result of the student's disability, the ARD will conduct a Functional Behavior Assessment, or FBA, unless one has recently been conducted. If the behavior is not deemed the result of the disability and is not a direct result of the lack of IEP implementation, the student with a disability may be subject to the same removal as general education students.

Procedures regarding expulsion and the appeal of an expulsion shall be the same as those for general education students. The ARD 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 Committee can be appealed through the Special Education due process procedures. The student's placement during such an appeal is governed by the Individuals with Disabilities Education Act, which maintains the disciplinary placement during the appeal, unless the parties agree otherwise. Students who are being removed for any offense related to drugs, weapons, or serious bodily injury offense result in 45-day removal even if the determination is made that the behavior/action was a manifestation of the behavior or the programming. Expulsion of 504 students requires the same procedures.



Special Populations Parent and Student Related Services

Confidentiality

Texans Can Academies adheres to the confidentiality of information regulations set forth in Texas Education Code (TEC), the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), and the Individuals with Disabilities Education Act (IDEA 2004; 34 CFR 300.610-627), with its implementation of federal regulations.

The District provides written notice to inform parents about the confidentiality requirements including:

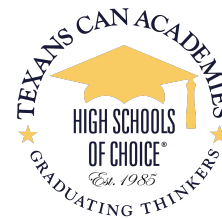
- Notice is provided in the native languages understandable to the general public and will be translated into the native language or other mode of communication
- A description of the children for whom personally identifiable information is maintained, the types of information sought, the methods the District intends to use in gathering the information (including the sources for the information is gathered), and how the information will be used
- A summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information and a description of all of the rights of parents and children regarding this information, including the rights under FERPA and IDEA and its regulations.

Access Rights and Fees

The District permits parents/guardians/adult students to inspect and review any education records relating to the student that is collected, maintained, or used by the District under 34 CFR Part 300. The District will comply with a request, without unnecessary delay, and within a reasonable timeframe, before any meeting regarding an IEP, or any hearing pursuant to IDEA and its regulations and in no case, more than 45 days after the request has been made.

Texans Can Academies will not charge a fee for copies of records.

The District maintains a record of parties obtaining access to education records collected, maintained, or used under Part B of IDEA (except access by parent/guardian/adult student and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. An access list of authorized employees will be posted in the location where the documents are housed.



Special Populations Parent and Student Related Services

Amendment of Records at Parent Request

If a parent/guardian/adult student believes that information in the education records collected, maintained, or used, is inaccurate or misleading or violates the privacy or other rights of the student, the parent/guardian/adult student may request that this information be amended. Texans Can will determine whether to amend the information in accordance with the request within a reasonable period of five (5) days of the request. If Texans Can decides not to amend the information in accordance with the request, it will inform the parent/guardian/adult student of the refusal and advise them of their right to a hearing (34 CFR §99.20(a)).

Maintenance and Archiving of Records

The District will ensure records are maintained and stored according to the provisions outlined in local, state, and federal guidelines procedures for maintaining and storing records. Files are kept by the District for five (5) years electronically and can be requested by the parent, adult student, or an approved designated proxy.

Destruction of Records

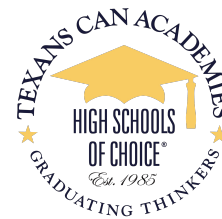
The District informs parents/guardians/adult students when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the student. However, a permanent record of a student's name, address, and phone number, grades, attendance record, classes attended, grade level completed, and year completed shall be maintained without time limitation.

Safeguards

The District must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. The campus ARD/IEP Facilitator must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policy and procedures under 34 CFR 300.123 and CFR part 99.

Student Rights

The District ensures the rights of privacy afforded to students are consistent with those afforded to parents and guardians taking into consideration the age of the student and type or severity of disability. The age of majority in the State of Texas is eighteen (18) years; thus parental rights regarding educational records in IDEA and FERPA transfer to students at age 18. Students are notified of this change by letter at age 17. (Notification of Transfer or Rights, and Transfer of Rights.)



Special Populations Parent and Student Related Services

Surrogate Parents

The District must make reasonable efforts to appoint a surrogate parent not more than 30 days after there is a determination that the child needs a surrogate parent unless the judge overseeing the child’s care appoints the surrogate parent.

The appointment of a surrogate parent applies to children with disabilities for whom:

- The Department of Family and Protective Services (DFPS) is appointed as the temporary or permanent managing conservator of the child; and
- The rights and duties of the DFPS to make decisions regarding education provided to the child have not been limited by court order.

Further information is available via SpedTEch website:

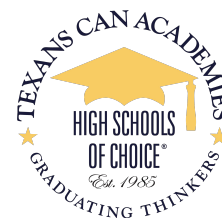
<https://www.spedtex.org/index.cfm/educators-corner/surrogate-parent-training1/>

Evaluations for Special Education

Initial Evaluation

A parent/guardian/adult student can request an evaluation at any time regardless of whether the student is receiving interventions through a MTSS/Response to Intervention (RTI) system. The Office of Special Education Programs (OSEP) has advised that unless the District believes there is no reason to suspect that a child has a disability and is in need of special education services, an evaluation must be conducted within the applicable timeline.

For students who are newly identified as needing special education services at Texans Can. An evaluation will be conducted within 45 school days of referral. For those students who are found to qualify as needing special education services, an IEP meeting will be convened to develop an IEP within 30 calendar days of the completion of the evaluation report. The parent/guardian/adult student will be provided with a 5-day *Notice of Meeting* unless the parent/guardian/adult student agrees to a shorter time frame.



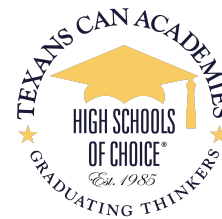
Special Populations Parent and Student Related Services

Three-year Full and Individual Evaluation (FIE)

A re-evaluation is conducted at least every three (3) years or as needed if another disability is suspected or warranted or if requested by the parent/guardian/adult student. The re-evaluation should determine:

1. Whether the child continues to have an identified disability
2. The student's present levels of academic achievement/functional performance and educational needs
3. Whether the student continues to meet eligibility requirements for special education and related services
4. Whether any additions or modifications to the related services are needed to enable the student to meet the goals and participate, to the extent appropriate, in the general education classroom

The assessment team will conduct the re-evaluation of a student receiving special education services. Upon completion of the re-evaluation, an ARD committee meeting will be convened to determine if the child continues to meet eligibility requirements and continues to have an educational need for special education and/or related services. If the IEP committee determines the child qualifies for services, an IEP meeting will be convened to review the results of the evaluation.



Special Populations Parent and Student Related Services

Individualized Education Plans (IEPs)

If the student meets eligibility requirements for special education and related services, the District is required to provide the student with a Free Appropriate Public Education (FAPE) in the least restrictive environment (LRE). This is accomplished through the ARD committee development of an IEP and the school's implementation of the IEP.

Required Notices

The District must provide parents with prior written notice of an ARD/IEP committee meeting at least five (5) school days before the meeting unless the parents agree to a shorter time frame. 19 Texas Administrative Code § 89.1050 under The Admission, Review, and Dismissal (ARD/IEP) Committee.

IEP Frequency

IEP meetings are held at least annually. They may be held more frequently if the student has a need for a revision to the IEP. Amendments to the IEP can be made throughout the year if the parent consents to the amendment.

For more information about special education, contact the Director of Special Services:

Kim Chesney
kchesney@texanscan.org
214-944-1959
325 W. 12th Street
Dallas, Texas 75208

Transition Services

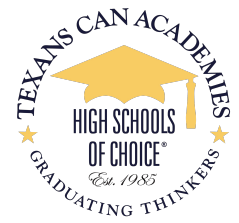
For more information about transition services through special education, contact the Transition and Employment Designee:

Stacey Carroll
scarroll@texanscan.org
469-350-7778
325 W. 12th Street
Dallas, Texas 75208

Additional resources:

<https://www.texastransition.org/apps/pages/texas-transition-and-employment-guide>

Special Populations Parent and Student English Learners



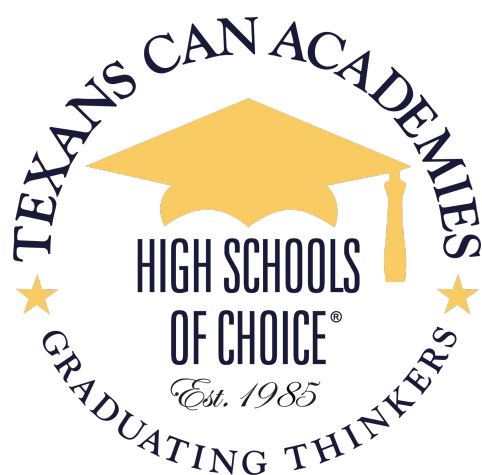
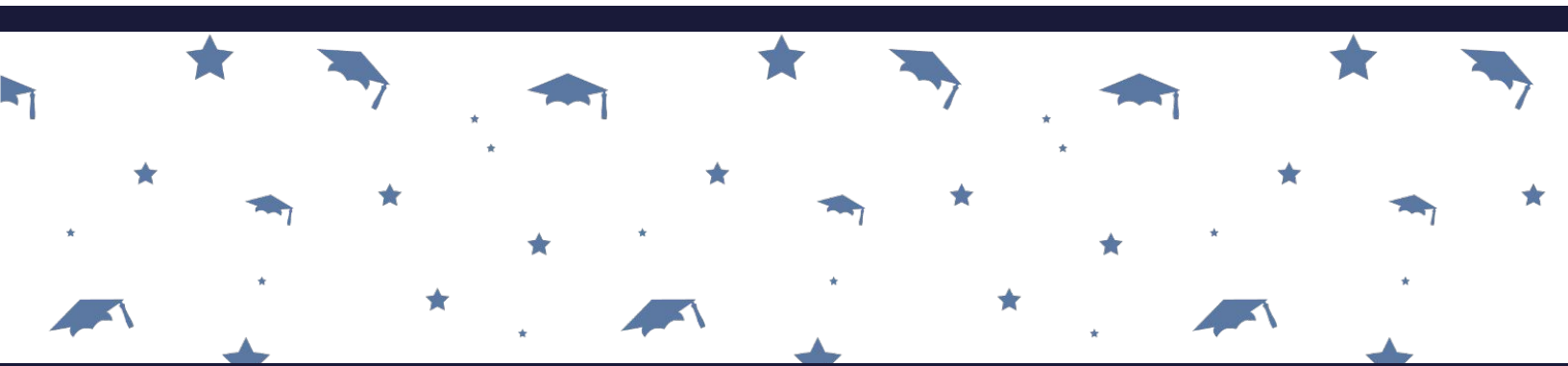
The goal of the English as a Second Language (ESL) program is to enable English learners to become high school graduates proficient in listening, speaking, reading, writing, and comprehension of the English language through the integrated use of the intensive instructional and sheltered instructional strategies. The Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS) serve as the foundation curriculum of the ESL program, which is designed to meet the affective, linguistic, and cognitive needs of all English learners.

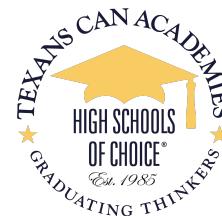
A student identified as an English learner is entitled to receive specialized language services from the District. The Language Proficiency Assessment Committee (LPAC) on each campus will follow state processes and procedures for identifying, placing, and serving the English Learner. Pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

The LPAC will determine instructional accommodations and/or additional special programs for which the student is eligible. The LPAC will also determine whether an English learner will receive designated supports on state mandated assessments. If a student is considered an English learner and receives special education services because of a qualifying disability, the student's ARD committee will make instructional and assessment decisions in conjunction with the LPAC.

English Learner – A student who is in the process of acquiring English and speaks another language as a home or primary language. The terms English language learner (ELL) and English learner (EL) are used interchangeably and are synonymous with limited English proficient (LEP) students.

Multi-Tiered Systems of Support



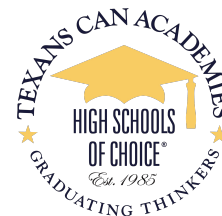


Multi-Tiered Systems of Support

The District's Multi-Tiered Systems of Support (MTSS) is a cohesive framework used to align resources & initiatives to meet the academic, social, emotional, and behavioral needs of all students. The systematic ways in which all students' needs are identified and all interventions and services are provided increases the school's opportunities to remove barriers to students' educational success as early as possible after enrollment.

The ultimate goal of a MTSS is to provide high-quality instruction and the degree of support each student needs to be successful. MTSS is not a special program, class, or intervention; rather, it is a way of organizing instruction and intervention to help all students and promote early identification of students needing additional academic or behavioral support to be successful. MTSS is also used to help identify students who may need special education. The key components of MTSS are:

- High quality, instruction in the general education classroom (Tier 1)
- Universal screening to identify students needing supplemental support (Tier 2 or Tier 3)
- Multiple tiers (levels) of intervention that become more intensive as the tier increases
- Evidence-based interventions matched to student need
- Ongoing progress monitoring of student performance (response to intervention)
- School, parent, & community partnerships



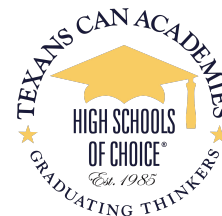
Multi-Tiered Systems of Support

3 Tiers of MTSS

Tier 1 (Universal) – At Tier 1, all students receive universal, high quality academic instruction and classroom management strategies. About 80% of all students should positively respond at the Tier 1 level and make adequate progress. Texans Can Tier 1 instruction will be provided by every general education teacher and consists of high quality, engaging instructional strategies, restorative practices, positive behavior interventions and supports, and the Student Assistance Program (SAP).

Tier 2 (Targeted) – At Tier 2, some students' data show academic and/or behavioral difficulties that require targeted intervention. Tier 2 interventions are delivered in a more targeted way to small groups of students in addition to core academic and behavior curriculum and instruction and include restorative practices, Tier 2 circles (conflict or accountability circles), behavior contracts, skill-building social/emotional groups (e.g., anger management, social skills, time management, character ed, grief/loss, parenting, and substance use), tutoring groups, counseling through community partners, social services, and attendance intervention plans for all students with 3 or more absences.

Tier 3 (Intensive) – At Tier 3, the fewest number of students, about 5%, may need the most intensive interventions and support. Tier 3 intensive interventions are most often provided on an individual basis to students with significant and persistent learning and/or behavior needs in addition to core and supplemental academic and behavior, curriculum, and instruction. Tier 3 intensive interventions include restorative practices, Tier 3 circles (reentry circles following a suspension, withdrawal, or expulsion), intensive individual skill-building lessons, counseling through community partners to address significant mental health need and/or traumatic experiences and chronic academic performance that is significantly below grade level in an EOC course.



Multi-Tiered Systems of Support

Here's what to expect from MTSS in each school. Shortly after a student starts at Texans Can, they will complete academic and emotional-behavioral screeners so that the student's incoming needs are well understood and addressed by the most appropriate evidence-based strategies. If a student shows a need for more support with academics and/or social, emotional, or behavioral challenges at school, then the student would be referred to the school's Student Support Team (SST), and the parent would be notified about the referral. A referral can be made to the SST by a teacher, administrator, parent, adult student, or support staff member.

The SST is responsible for reviewing all MTSS referrals and determining, based on all available data, the best way to help the student through tiered, evidence-based interventions and supports.

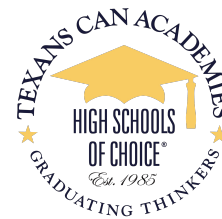
A student's participation in a tiered intervention may not be used to delay or deny an evaluation when that child is or should be suspected of having a disability and needing special education services.

What can Parents Expect With MTSS

- Information about your child's progress in meeting grade-level standards/expectations at Tier 1 (universal intervention and supports)
- Early identification of academic and/or behavioral concerns
- Instruction and intervention support that matched to a student's academic or behavioral needs
- Involvement in data-based, problem solving for the student
- Feedback on how the student is responding to Tier 2 (targeted) or Tier 3 (individual intensive) interventions

Student Support Teams (SST)

Student Support Teams (SST) are defined as a multidisciplinary, problem solving team of staff dedicated to addressing the needs of students who exhibit academic and/or behavioral needs. The SST oversees the Multi-Tiered Systems of Support on each campus and provides early, systematic, evidence-based, tiered interventions to students when their data shows the need. The SST Team consists of campus staff who are knowledgeable about the student, including an administrator, advocate, general and special education teachers, and a school counselor.



Multi-Tiered Systems of Support

Supportive Guidance

Texans Can staff will assist students with a wide range of concerns and needs through the Multi-Tiered Systems of Support (MTSS) process, including personal/social, family, emotional, or other behavioral needs. The student advocate may also provide information to students about social/emotional/behavioral wellness community resources to address some of these concerns. Parental informed consent must be provided for minor students prior to students accessing mental, medical, or behavioral health services by licensed providers. The advocate's primary responsibilities are to provide support services directly to students that engage students in instruction by collaborating with school staff and community partners to remove barriers to students' regular attendance and educational progress.

The advocate also works with students and other staff to help students complete state mandated graduation requirements mandated outside of the academic curricula requirements such as the CPR, career interest inventory, and others.

Student Assistance Program

The Student Assistance Program (SAP) provides confidential, off-campus student counseling at no cost, through an independent company, Student Assistance Programs & Training Services LLC. The program offers three (3) counseling appointments for each problem each year, provided by licensed local counselors. Students needing SAP support may be referred to the campus Student Support Team, which is part of the MTSS process.

Parental informed consent must be provided for minor students prior to students accessing mental, medical, or behavioral health services by licensed providers. Students may call (866) 849-1687, 24 hours and 7 days a week for emergencies and to schedule appointments. To access the program, students must have a completed and signed program referral and consent form. Minor students receive face-to-face counseling only. Adult students have the option of face-to-face counseling, telecounseling, or a mobile app service.

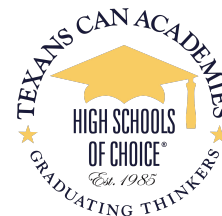


Multi-Tiered Systems of Support

Crisis Intervention

Unexpected life challenges and traumas are a part of the human experience. Change brought about by crisis and loss is important to normal social and emotional growth. Anyone in the Texans Can school communities, including students and staff, may experience or have experienced a significant loss of a loved one, a life-sustaining job, permanent housing, or a needed social service that overwhelms their ability or capacity to cope in a typical way without getting help. Texans Can helpful resources or psychological first aid that students and their families can use to cope with a crisis.

The goal of crisis management at Texans Can is to provide supportive guidance to an individual during a vulnerable period that will enable a person to make a healthy adjustment and to function on their own again as soon as possible. Parents, students, and staff are to immediately contact the campus administrators when a student experiences an emergency situation or suicidal ideation.



Multi-Tiered Systems of Support

Per the Texas Family Code (Family Code 32.004), a teacher, school administrator, 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.

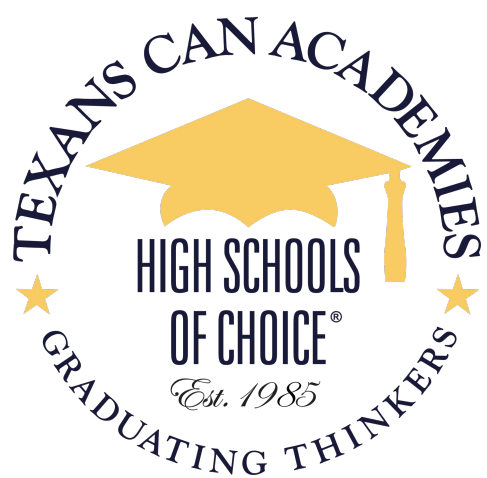
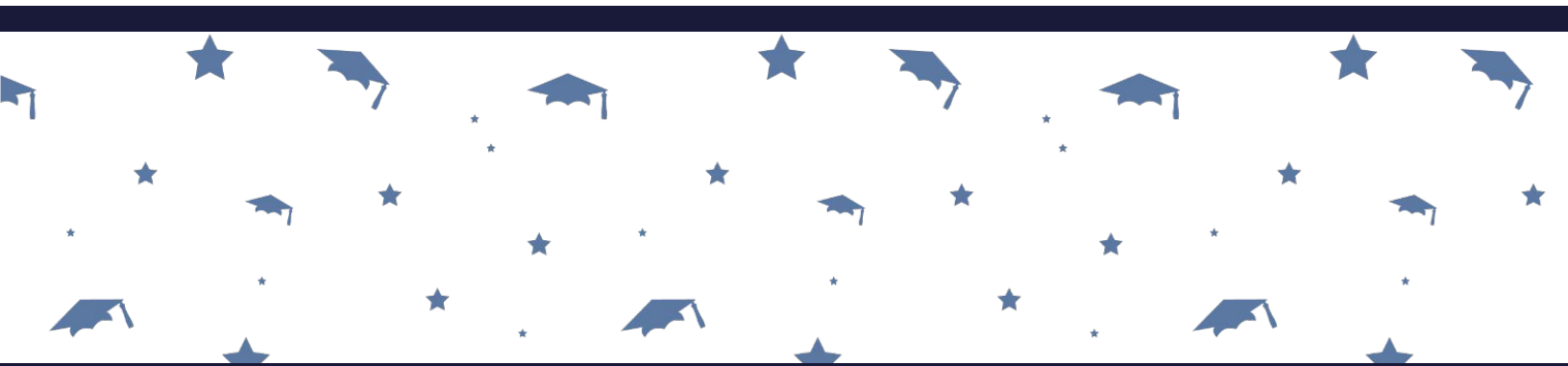
Exception: Court Order

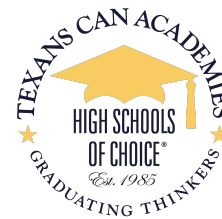
The physician, psychologist, counselor, or social worker may not counsel a child if consent is prohibited by a court order, unless consent is obtained as otherwise allowed by law, Family Code 32.004(b), (c).

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).

Student Records





Student Records

Certain officials from various governmental agencies may have limited access to the student's records. Texans Can forwards requests 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 student 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 postsecondary 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.

Certain information about students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent 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.

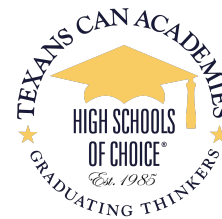


Student Records

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 need not be made available to the parents or student.

Physical Fitness Assessment

Annually, the District will conduct a physical fitness assessment of students in grades 9–12 for students enrolled in physical education or a physical education substitute. At the end of the school year, a parent may submit a written request to the school's counselor to obtain the results of his or her child's physical fitness assessment conducted during the school year.



Family Education Rights and Privacy (FERPA)

Family Educational Rights and Privacy Act (FERPA)

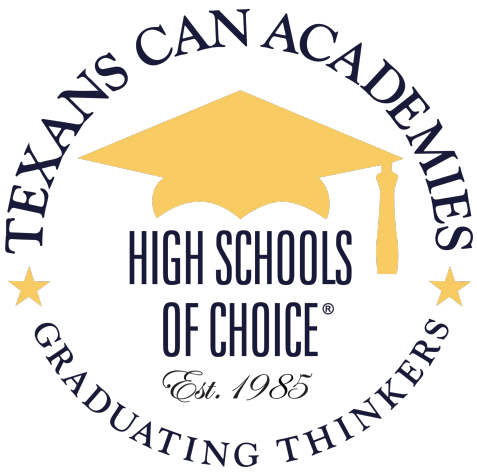
The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (adult students) certain rights with respect to the student's education records. A student's educational records are confidential and are protected from unauthorized inspection or use. A cumulative 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 themselves have access to the student's record who is under 18 years old or a dependent for income 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.

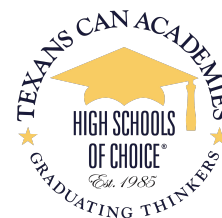
The principal is custodian of all records for currently enrolled students at the assigned school. Additionally, the principal is also custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours upon completion of the written request form. The principal 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 younger), 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 (20 U.S.C. Sec 1232g; CFR Part 99) include 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 the Individuals with Disabilities Education Act (IDEA) or an individually designed program for a student with disabilities under the IDEA or individually designed program for a student with disabilities under Section 504
3. Compiling statistical data
4. Investigating or evaluating programs

School Safety and Transfers





School Safety Transfers

A parent of a student who becomes a victim of a violent criminal offense, as defined below, or who is assigned to a campus assigned by the Texas Education Agency (TEA) as persistently dangerous shall be offered an opportunity to transfer to a safe public or charter school within Texans Can Academies as required by the Every Student Succeeds Act (ESSA) Section 8532, TEA Unsafe School Choice Option Guidance Handbook.

For each school safety transfer request, Texans Can Academies shall explore appropriate transfer options. These options may include a transfer agreement with or enrollment in a neighboring school District or, if Texans Can Academies operates more than one campus, a transfer to another Texans Can campus or school that serves the appropriate grade level.

Transfers for Victims of Violent Criminal Offenses

For purposes of this District policy, a student is considered to be a victim of a violent criminal offense if the student is a victim of one of the following Penal Code offenses while on the premises of a Texans Can school or while attending a school-sponsored or school-related activity on or off school property:

- a) Aggravated assault on someone other than a District employee or volunteer;
- b) Aggravated kidnapping;
- c) Aggravated robbery;
- d) Attempted murder;
- e) Continuous sexual abuse of young child or children occurring on school property or while attending a school-sponsored or school-related activity on or off school property;
- f) Indecency with a child; or
- g) Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer.

Within 14 calendar days after a violent criminal offense occurs in or on the grounds of the school the student attends, Texans Can Academies will notify the parent of the student victim of the parent's right to request a transfer. The parent must then submit a written application for transfer to the Superintendent or designee. The Superintendent or designee will approve or disapprove the request within 14 calendar days after receipt.



School Safety Transfers

A transfer arranged for any student who is the victim of a violent criminal offense will be renewed for as long as the threat to the student exists at the campus from which the student transferred.

For each violent criminal offense, Texans Can Academies assures that it shall maintain, for at least five (5) years, documentation reflecting information about the nature of the offense (for example, incident date, incident number, and identity of perpetrator, if known), notice provided to the parent concerning the transfer option, any submitted transfer application, action taken in response to a transfer application, and other relevant information concerning the offense.

Transfers from a Persistently Dangerous School

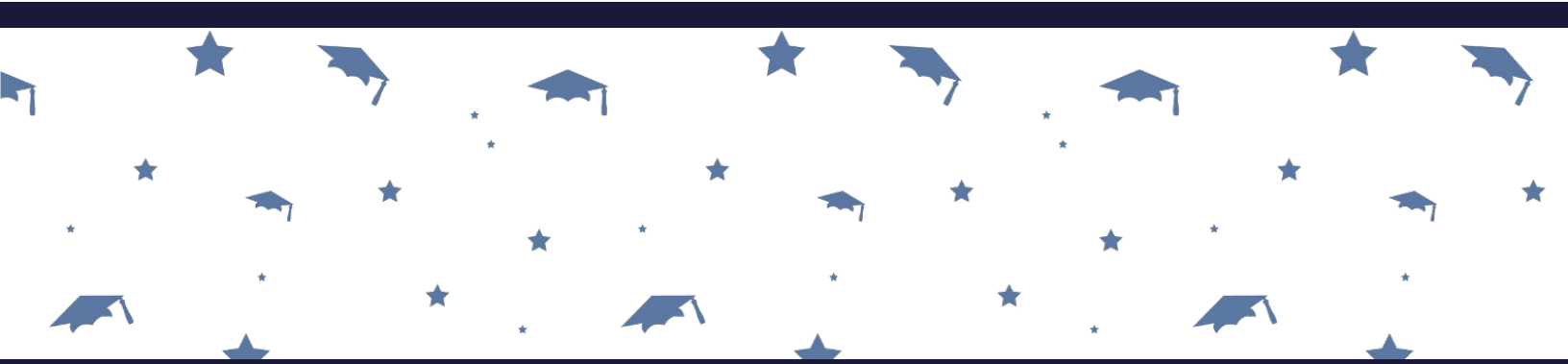
A parent of a student attending a school identified by TEA as persistently dangerous shall be notified of the parent's right to request a transfer. Such notice shall be provided at least 14 calendar days prior to the start of the school year or, if a student enrolls after the school year begins, upon the student's enrollment.

In order to request a transfer for safety reasons, a parent must submit a written transfer application to the Superintendent or designee. The Superintendent or designee will complete the transfer prior to the start of the school year or, if applicable, within 14 calendar days of the request for a student who enrolls after the school year begins.

A transfer arrangement for a student from a campus identified by the TEA as persistently dangerous will be renewed so long as the campus from which the student transferred remains identified by the TEA as persistently dangerous.

Texans Can assures that it shall maintain, in accordance with its adopted record retention schedule and/or the state's record retention schedule for school records, documentation of notice to parents of the transfer options, transfer applications submitted, and actions taken that include when a transfer was requested and completed in response to transfer applications as required by TEA ESSA Unsafe School Choice Option LEA Requirements (August 22, 2019).

Student Code of Conduct





Acknowledgement of Regulations

Student Signature

This is to certify that I have read and have understood the regulations and policies as outlined in this *Student Handbook* and *Student Code of Conduct*. I agree that I, as an enrolled student of Texans Can Academies, shall abide by these regulations and policies. I understand that these regulations and policies are for everyone's safety and security and to ensure a smooth educational experience for all students.

Name of Student: _____
Signature: _____ Date: _____

Parent/Guardian Signature

This is to certify that I have read and have understood the regulations and policies as outlined in this *Student Handbook* and *Student Code of Conduct*. I agree that my child, as an enrolled student of Texans Can Academies, shall abide by these regulations and policies. I understand that these regulations and policies are for everyone's safety and security and to ensure a smooth educational experience for all students.

Name of Parent/Guardian: _____
Signature: _____ Date: _____



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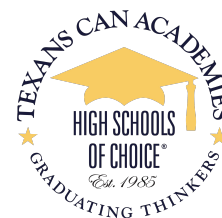


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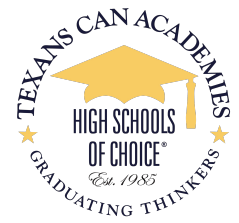


Overview and Purpose

Texans Can Academies has adopted this Student Code of Conduct (Code) in accordance with Section 12.131 of the Texas Education Code, in order to clearly communicate standards for expected student conduct, the disciplinary consequences which may be applied to students who violate those standards, and the applicable procedures for the implementation of disciplinary consequences. All students must comply with the Code. Definitions of words and phrases used throughout this Code are provided at the end of the Code.

Parents and students are encouraged to contact a school administrator with any questions or concerns regarding the requirements and provisions of the Code. Parents and students are expected to review and be familiar with the provisions of the Code. Lack of knowledge or awareness about any school rules, including this Code, will not excuse Code violations. Parents and students will be required to sign a statement acknowledging receipt and understanding of the Code. A copy of this Code is available on the school's website and in the campus office.

The school has the authority to create and enforce rules related to student conduct and behavior while on school property or traveling to or in attendance at a school-sponsored or school-related event or activity whether on or off campus. The school has the authority to issue disciplinary consequences for certain other student conduct that relates to, affects, or connects to the school, its students, or its employees regardless of when or where the conduct occurs. The school may also issue discipline based on a student's use of electronic media, whether on or off campus.

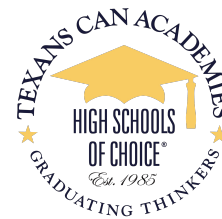


Overview and Purpose

Other school rules, codes or policies may apply to a student’s misconduct, and may result in multiple disciplinary consequences issued for the same conduct. In considering a student’s request for admission, Texans Can Academies may exclude from admission a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter (TEC § 12.111(a)(6)(A)).

A Campus Safety Coordinator will be designated to serve each campus as the “campus behavior coordinator” and will be primarily responsible for multiple student services, including maintaining the provisions of the Student Handbook and the Student Code of Conduct regarding discipline protocols on the campus. More specifically, the Campus Safety Coordinator focuses on preventing safety threats by implementing school-wide systems and District training that promotes and maintains a positive, safe school culture and learning environment. The Campus Safety Coordinator teams with the administrators and all campus staff to support students’ success, while the principal and assistant principal are directly responsible for assigning all students’ disciplinary actions, particularly discipline removals.

Every campus in the District shall be a closed campus. This means that students cannot leave campus to get lunch or have lunch delivered. Students who violate this District mandate or leave campus at any time without administrative approval shall be subject to disciplinary action in accordance with the Student Code of Conduct.



Overview and Purpose

Student Misconduct

The following is a description of a broad range of behavior considered to be student misconduct. The behavior described should be viewed as representative of the misconduct that most frequently causes a disruption to the orderly educational process. The acts of misconduct listed in Levels I, II, III, and IV are not inclusive. The student who commits an act of misconduct that may be classified into any of the four levels will be subject to restorative practices by the classroom teacher and/or disciplinary action by the assistant principal and/or principal.

When and Where These Rules Apply

The policies and administrative procedures concerning student conduct apply to actions of students on school property, school buses, and, in some cases, for conduct occurring off school property during a school-sponsored activity. Under state law, a student may be expelled by Texans Can Academies for Level IV and V misconduct that occurs on the property of another school District within Texas. Additionally, the rules apply to actions of students at all school-sponsored or school related activities or events such as field trips, sporting events, assemblies, fairs, or evening school-related activities.

Students should be aware that the commission of any felony offense, whether at school or away from school, may result in placement of the student in a Juvenile Justice Alternative Education Program (JJAEP) or in expulsion. Finally, students should be aware that administrators who are made aware of criminal activity whether on or off campus will make a report to appropriate law-enforcement agencies and that, in addition to these administrative rules, students may be subject to criminal charges for violations of the law.

The Texas legislature has designated certain areas as “drug-free zones” to prevent minors from being exposed to drugs. These are places children under 18 years of age typically congregate in high numbers.



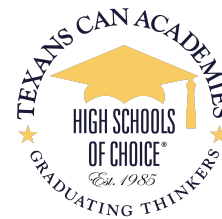
Overview and Purpose

Under Texas Health and Safety Code 481.134, Drug-Free Zones include

- **Areas within 1,000 feet of:**
 - Higher education institutions, including but not limited to public or private technical institutes, junior colleges, senior colleges or universities, medical or dental units
 - Public or private elementary and secondary schools
 - Public or private youth centers, which are defined as facilities that provide activities for people 17 years of age or younger
 - Playgrounds, which are public areas not on school grounds that contain play stations for children

- **Areas within 300 feet of:**
 - Public swimming pools
 - Video arcade facilities
 - School buses

Drug-Free Zones are significant because the charges and penalties for certain controlled substances offenses are enhanced when they're committed in these areas.



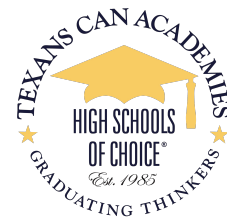
Overview and Purpose

Gang-Free School Zone

In addition to regular discipline, students should be aware that Texans Can Academies is a “gang-free school zone.” HB 2086 of the 81st Legislature established gang-free school zones and provides for enhanced punishment for gang-related criminal activity occurring in, on, or within 1,000 feet of any real property that is owned, rented, or leased by a school or school board. Under the statute, the punishment for certain offenses is increased to the punishment prescribed for the next-highest category of offense if the actor is 17 years of age or older, and it is shown beyond a reasonable doubt after the trial of the offense that the actor committed the offense at a location that was owned, rented, or leased by a school or school board.

Gun-Free School Zone

Texans Can Academies is a Gun-Free Zone in accordance with the Gun-Free School Act. Absent written regulations or written authorization from the school District, the Texas Penal Code prohibits citizens, including handgun license holders, from carrying firearms (or other prohibited weapons) on the physical premises of a school or educational institution, any grounds or building where a school activity is taking place, or on a bus or other passenger vehicle of a school. A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm . . . on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution. Tex. Penal Code § 46.03(a)(1).

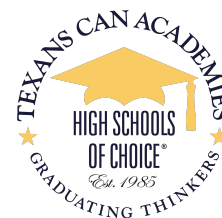


General Discipline Guidelines

Texans Can Academies District does not include a Disciplinary Alternative Education Program (DAEP). A Disciplinary Alternative Education Program (DAEP) is an alternative education program for students who violate a District's Student Code of Conduct or certain other offenses such as a felony offense. Additionally, Texans Can Academies District does not include a Juvenile Justice Alternative Education Program (JJAEP), which is a placement for students who have been expelled from school for certain misconduct, such as bringing a firearm to school and other Title 5 felonies. If a student is placed in a DAEP or JJAEP by another school District or charter school, the student must serve all days of that placement prior to enrolling in Texans Can Academies.

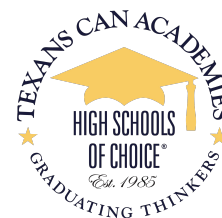
When administering discipline, Texans Can Academies District administrators shall adhere to the following general guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Administrators should use caution and should ordinarily consider appropriate evidence based interventions prior to exclusionary discipline consequences unless the student's conduct mandates an exclusionary discipline consequence by law or District LOCAL policy. Exclusionary consequences, such as out-of-school suspension (OSS), referral to a JJAEP, and expulsion should be used only after alternative, evidence-based behavioral interventions and supports have been exhausted. To the greatest extent possible, and except in situations where safety or the targeted students' issues dictate otherwise, administrators should work to keep students in school and provide them with the necessary behavioral supports and interventions. When using OSS or a JJAEP referral, the length of removal should start with the minimum (e.g., partial-day suspension) in order to minimize any adverse impact it may have on the student's academic success.



General Discipline Guidelines

3. Factors that must be considered in each decision concerning suspension, placement in a JJAEP, or expulsion, regardless of whether the decision concerns a mandatory or discretionary action, include such factors as
 - a. seriousness of the offense
 - b. student's age and intent or lack of intent at the time the student engaged in the conduct
 - c. student's disciplinary history
 - d. student's attitude
 - e. potential effect of the misconduct on the school environment
 - f. state law requirements for certain disciplinary consequences
 - g. whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment
 - h. whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct
 - i. a student's status in the conservatorship of the Department of Family and Protective Services
 - j. a student's status as McKinney Vento or unhoused as defined by 42 U.S.C. Section 11434a
4. Serious offenses are those that substantially disrupt or materially interfere with the orderly process in the classroom, the school, or any school-related activity and may include persistent misconduct or Level II or higher misconduct. "Persistent" shall be defined as more than 3 instances of Level II or higher misconduct within a 4 week period.
5. A finding that a student has engaged in any misconduct listed as an misconduct under Level IV or Level V constitutes a finding that the student has engaged in serious misconduct.



Procedures for Teacher Removal of Students

The Texas Education Code provides teachers with three (3) ways to maintain discipline by removing unruly or disruptive students from the classroom. Each alternative for removal of students carries different disciplinary and administrative consequences. This section sets forth the three different alternatives.

Reasons for Teacher Removal of Students

Alternative I

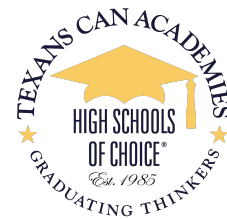
- A teacher may send a student to the administrators' or Campus Safety Coordinator's office to maintain effective discipline in the classroom as stated under Levels I and II.

Disciplinary Options Under Alternative I

If the student is removed to maintain effective discipline as stated under Alternative I, the principal or Campus Safety Coordinator is free to employ any disciplinary management technique or option authorized by the Student Code of Conduct as determined by the level of the offense and the seriousness of the misconduct. The student removed under this provision may be returned to the teacher's class. This alternative corresponds to Levels I and II.

Alternative II

- A teacher may remove a student from class who has been documented by the teacher to interfere repeatedly with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Documentation should ordinarily be through a written factual account of the behavior that is occurring in the classroom.
- A teacher may remove a student from class whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.



Procedures for Teach Removal of Students

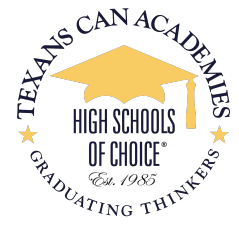
Disciplinary Options Under Alternative II

If the student is removed by the teacher under Alternative II, and the teacher has appropriately documented the reasons for the removal, the student may not be returned to the teacher's class without the teacher's consent. Subject to the review procedures outlined in this section, the disciplinary options available to the principal include:

- Placement in another appropriate classroom or designated deescalation space on campus
- Placement in out-of-school suspension

Review for Students Removed Under Alternative II

- Not later than the third class day after the day on which a student is removed under this section, the school principal shall first schedule a restorative reentry conference and then a reentry circle with the parent of the student, the teacher removing the student from the class, and the student.
- While waiting for the conference, the student may not be returned to the regular classroom without the teacher's consent. Pending the conference, the principal may place the student in another class of the same subject
- At the conference, the student is entitled to written notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.
- Following the conference and whether or not each requested person is in attendance after valid attempts to obtain the person's attendance, the principal may place the student in another class or may return the student to the class of the teacher who removed the student, unless the teacher objects to the student's return. If the teacher objects, the principal may refer to the Chief of Education Leadership and/or Executive Director for Student Services. The teacher may not be coerced to accept the student without a determination by the Chief of Education Leadership and/or Executive Director for Student Services. The Chief of Education Leadership and/or Executive Director for Student Services will make a determination as to whether the student may be returned to the removing teacher's class when such placement is the best or only placement available. If the teacher removed the student from class for engaging in assault, aggravated assault, sexual assault, aggravated sexual assault, or assault against the teacher, the student may not be returned to the teacher's class without the teacher's consent.



Procedures for Teacher Removal of Students

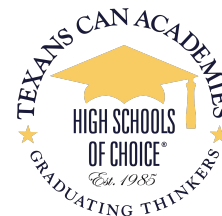
In accordance with federal law and in the case of students receiving Special Education services, the placement decision may be made only by a duly constituted Admission, Review, and Dismissal Committee (ARD).

Alternative III

- A teacher is required to remove from class and send to the principal for any student who engages in Level IV or Level V misconduct.

Disciplinary Options Under Alternative III

If the student is removed under Alternative III for engaging in Level IV or Level V misconduct, then the student may be removed to a JJAEP or expelled as appropriate or as required by state law. Procedures for removal to a JJAEP or for expulsion shall be followed (see p. 151).



Levels of Student Misconduct Options: Level I

The District's Student Code of Conduct categorizes these infractions as Level I, II, III, IV, and V offenses.

LEVEL I

Each teacher or staff member establishes the rules for the classroom and for school-related activities. Much behavior can be managed by the classroom teacher. The teacher may use any of the disciplinary options listed below in maintaining classroom discipline. Level I violations of classroom rules are addressed by evidenced based interventions at the Tier 1 or 2 level of the District's Multi-Tiered Systems of Support (MTSS), including restorative practices, Positive Behavior Intervention Supports (PBIS), and/or trauma-informed practices.

Level I Misconduct

- Violations of rules or procedures established by the teacher
- Failure to participate in classroom activities
- Unexcused tardiness to class
- Failure to bring required classroom materials or assigned work to class
- General misbehavior such as eating in class, horseplay, making excessive noise, or violating campus Dress Code (see pp. 61-63)
- Cafeteria disturbance
- Any other act that momentarily disrupts the classroom or interrupts the operation of the class and is not an established persistent behavior (occurs no more than twice)
- Failure to deliver or return written communications between home and school
- Disclosure or sharing of individual computer-account passwords



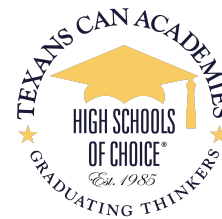
Levels of Student Misconduct Options: Level I

Disciplinary Options/Responses

- Oral correction
- Redirection
- Proximity
- Planned feedback
- Pre-correction
- Opportunities to practice expected behavior and receive descriptive feedback
- Other appropriate in-class disciplinary actions (e.g., failure to earn classroom reinforcement or a loss of classroom privilege while engaging in misconduct)
- Teacher–student conference
- Parent contact: note or telephone call to parent
- Student conference with Student Advocate, Campus Safety Coordinator, or School Counselor
- Referral to character education or skills building group with ACE (sessions take place before or after scheduled classes)
- Restriction of school-bus privileges

Procedures

1. An electronic record of the offenses and disciplinary actions should be created within 24 hours of the time the conduct occurred and maintained by the teacher or staff member on the appropriate form, using the District’s student information system.
2. The teacher and/or Student Support Team should hold a restorative circle with those impacted by the misconduct and the responsible student who engaged in the misconduct following a planned restorative conference with the student and their parent about a particular concern or behavior and develop a plan of evidence-based interventions (restorative circle, PBIS, and/or trauma informed practices) for resolving or changing it.
3. The teacher will discuss the misconduct with the parent, Student Advocate, Campus Safety Coordinator, or School Counselor
4. Address as Level II misconduct any Level I misconduct of a similar type that proves to be “persistent” by occurring more than three (3) times within a four-(4) week period



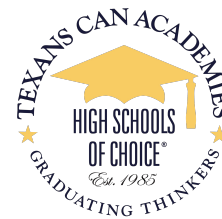
Levels of Student Misconduct Options: Level II

LEVEL II

Some infractions will result in a referral to an administrator. The disciplinary response depends on the misconduct, previous conduct, and the seriousness of the misconduct. Level II misconduct includes those student acts that persistently interfere with the orderly educational process in the school and are addressed by evidenced-based interventions at the Tier 2 or 3 level of the District's Multi-Tiered Systems of Support (MTSS), including restorative conferences and restorative conflict circles. A teacher who observes a student engaged in Level II or higher misconduct will document a discipline/referral form for the principal or assistant principal. The principal or assistant principal will forward a written report to the parents.

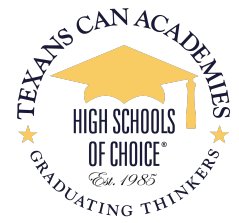
Level II Misconduct

- Repeated violation of classroom rules under Level I
- Cheating, plagiarism, or copying the work of other students, which includes failure to comply with test security procedures and use of cell phones, smart watches, and electronic devices during testing
- Leaving the classroom or school grounds without the permission of school personnel
- Leaving class/school without permission (e.g., "skipping school")
- Possession of matches or other flammable materials
- Posting or distributing unauthorized materials on school grounds
- Failure to abide by rules and regulations at extracurricular activities or at co-curricular activities such as field trips
- Failure to comply with reasonable directive by school personnel and/or defiance of the authority of school personnel. Failure to comply in general means a failure, refusal, or neglect to obey a directive from school personnel
- Loitering in unauthorized areas



Levels of Student Misconduct Options: Level II

- Violation of the acceptable cell phone privilege:
- Use or operation of cell phones, paging/beepers devices, smart watches, or any other type of personal device with wi-fi or carrier-based Internet connectivity on school campuses or at functions during school hours is a privilege, not a right. Such devices may be used at a time and place as determined by the individual campus administrator. Campus administrators shall have the discretion to determine the appropriate use of cell phones or any other type of personal device during the instructional day and for students participating in extracurricular activities while on school property or while attending school-sponsored or school-related activities on or off school property. However, all cell phones or other types of personal devices must be turned off during normal instructional time, and students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students are not permitted to use staff phones unless it is an emergency and the student is given permission by a staff member. The District is not liable for lost or stolen cell phones or other personal devices. All confiscated phones must be turned in to the principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated. All staff members must place confiscated cell phones in a secure location. Once the cell phone has been confiscated, the following procedure will be used to return the device:
 1. The first time a cell phone is confiscated, the student may pick it up at the end of the class period.
 2. The second time a cell phone is confiscated, the parent may pick it up at the end of the school day.
 3. The third time a cell phone is confiscated, the student will lose the privilege of having a cell phone on campus for a period of time determined by the campus administrator.
- Any student refusing to give the device to school personnel will be subject to disciplinary intervention. **Violations of the user agreement may result in withdrawal of privileges and other disciplinary intervention. In limited circumstances and in accordance with the law, a student's personal telecommunications device may be searched by law enforcement when the principal has reason to call law enforcement.**
- Possession of iPods, MP3 players, personal radios, or personal music devices at school, with final determination of appropriate use by the campus administrator

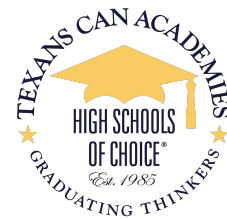


Levels of Student Misconduct Options: Level II

- Accessing materials and sites on the Internet that are deemed to be inappropriate by Texans Can Academies Acceptable Use Policy
- Sending or forwarding inappropriate electronic communications, including emails containing offensive language, untruthful statements, junk emails, chain letters, or jokes using Texans Can Academies technology resources or the Texans Can Academies network and on personal devices/accounts, if it is determined that the communications have a material and substantial interference with school activities or with the rights of students
- Profanity, vulgar language, or obscene gestures
- Violation of the District's Dress Code Policy (see pp. 61-63)
- Disruptive behavior at a bus stop on school property
- Possession of pepper spray or mace

Disciplinary Options/Responses

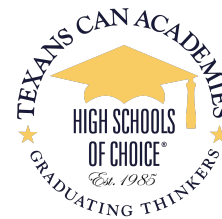
- Restorative conferences that include the student's parent, administrator, Student Advocate, Campus Safety Coordinator, or School Counselor and restorative conflict circle(s)
- Referral to the campus Student Support Team
- Teaching student expected behavior with practice opportunities
- Data collection, by student or teacher, on the misconduct and determining the function (underlying purpose) of the misconduct
- Loss of classroom/school privileges
- Goal setting by student that to include the use of replacement behavior(s) in coordination with their parent and teacher(s)
- Referral to character education group with ACE (sessions take place before or after scheduled classes)
- Restriction of school-bus privileges by the bus operator
- Out-of-school suspension of no more than one (1) full day, which should be used only after behavior interventions and supports have been exhausted.
- Exclusion from extracurricular activities, such as field trips and commencement exercises/award ceremonies
- "Behavior," "behavioral," and/or "conduct" contracts



Levels of Student Misconduct Options: Level II

Procedures

1. Referral to administrator by way of discipline referral. An electronic record of the offenses and disciplinary actions should be created within 24 hours of the time the conduct occurred and maintained by the teacher or staff member on the appropriate form, using the District's student information system
2. Administrator holds conference with student and/or teacher to establish appropriate action.
3. The teacher and/or Student Support Team should hold a restorative circle with those impacted by the misconduct and the responsible student who engaged in the misconduct following a planned restorative conference with the student and their parent about a particular concern or behavior and develop a plan of evidence based interventions (restorative circle, PBIS, and/or trauma informed practices) for resolving or changing it.
4. Teacher or administrator notifies the parent of the discipline action taken.
NOTE: Only an administrator will assign out-of-school suspension
5. Discipline referral with the official discipline action is retained by the administrator in the District's student information system.
6. Address as Level III misconduct any Level II misconduct of a similar type that proves to be "persistent" by occurring more than 3 times within a 4 week period.



Levels of Student Misconduct Options: Level III

LEVEL III

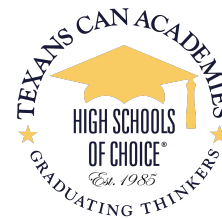
Level III acts of misconduct should result in a restorative conference, conflict/accountability circle, and/or a restorative reentry circle, following either of the continuum of disciplinary removal options that range from out-of-school suspension to a discretionary placement at a JJAEP. Prior to the implementation of any exclusionary consequence (e.g., out-of-school suspension and discretionary expulsion, including to JJAEP) and pursuant to Texas Education Code (TEC) Chapter 37.001 (a)(4), an administrator must consider the specific factors (described in the **General Discipline** section of this Code).

When using out-of-school suspension, the length of removal should start with the minimum for the first serious offense (e.g., partial-day suspension) and may not exceed three (3) consecutive days for any act of misconduct in order to minimize any adverse impact this exclusionary consequence may have on the student's academic success.

The campus administrator must ensure that the parent/guardian is informed of any disciplinary concern and/or consequence. TEC 37.005(d): A school District may not place a student who is unhousted in out-of-school suspension unless the student engages in conduct described by subsections (c)(1)-(3) while on school property or while attending a school-sponsored or school-related activity on or off school property.

1. Conduct that contains the elements of an offense related to weapons under Penal Code 46.02 or 46.05;
2. Conduct that contains the elements of a violent offense under Penal Code 22.01, 22.011, 22.02, or 22.021; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - a. Marijuana or a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 USC 801;
 - b. A dangerous drug, as defined by Health and Safety Code Chapter 483; or
 - c. An alcoholic beverage, as defined by Alcoholic Beverage Code 1.04.

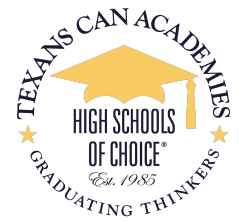
The campus administrator or designee (e.g., campus safety coordinator) may coordinate with the school District's McKinney Vento liaison to identify appropriate alternatives to out-of-school suspension for a student who is unhousted. In this subsection, "student who is homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.



Levels of Student Misconduct Options: Level III

Level III Misconduct

- Mutual combat (fighting)
- Gambling
- Possession of drug paraphernalia
- Misdemeanor stealing/theft of property, including computers and related equipment, in an amount under \$750. This can include use of another student's identification or identification number to access services
- Chronic skipping class or school (more than three (3) instances within a three-(3) week period)
- Persistent disruptive behavior on a school bus
- Selling or soliciting for sale any merchandise on school campus without the authorization of the building principal
- Aggressive behavior (i.e., inflicting physical harm or damage on another person or property, inciting a riot that substantially disrupts or materially interferes with school activities or impedes others' ability to safely move throughout the school and/or school property)
- Failure to adhere to terms of behavior contracts
- Knowingly making a false report against a staff member that is later determined to be unsubstantiated at the conclusion of any investigation initiated as a result of the report
- Changing/and or falsifying school records or documents or signing a parent, teacher, or administrator's name on school documents



Levels of Student Misconduct Options: Level III

- Visual display of gang-related signs or symbols on the body, clothing, accessories, or personal property of the student (e.g., notebooks, book covers, journals). Gang-related associations may be referred to the Police Department for appropriate documentation
- Failure or refusal to cover up while on campus or at a school-related activity any tattoo that is gang-related
- Possession or use of fireworks, “poppers,” smoke or stink bombs, or any other pyrotechnic device that may be used to disrupt the educational process
- Possession of laser pens or laser pointers
- Possession of live ammunition or bullets
- Misdemeanor criminal mischief (i.e., vandalism) resulting in the destruction or defacing of any property, including computers and related equipment, in an amount greater than \$20 but less than \$1,500. This includes rendering computers or related equipment inoperable or damaging them by erasing data with magnets; intentionally introducing viruses, worms, or Trojans; or tampering with programs or data without authority.
- Use of the school computer network for soliciting or purchasing commercial materials and/or services of any kind
- Use of school computers, facsimile equipment, or other electronic devices, including cell phones or digital cameras, to transmit, receive, view, or display obscene, vulgar, sexually explicit, or racist media or to display information that advocates unlawful activities or provides guidance on the construction or production of weapons, illegal devices, or controlled substances.
- Logging on to a computer, sending email, or accessing the Internet or the District’s intranet using a name or password other than the student’s own
- Posting unauthorized web pages, graphic images, or offensive language or comments on a school/District server, webpage, or guest book
- Altering the software configuration or imaging or disabling security features on a TCA-provided computer or computing device. Students found to have disabled security features or altered the software image on more than one occasion may forfeit their privilege to use District-provided computers and devices
- Use of the school computer network to engage in participation in hate groups
- Use of any computer to compromise or infiltrate systems via the network with the intent to make a machine or network resource unavailable to its intended users by temporarily or indefinitely disrupting services of a host connected to the network or the Internet by denial of service attacks. This includes network vulnerability tests, port scanners, network probes, “sniffers,” traffic monitoring, broadcast attacks, and “denial of service” attacks



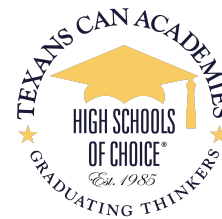
Levels of Student Misconduct Options: Level III

- Any other violation of the Texans Can Academies Acceptable Use Policy related to the use of Texans Can Academies information technology resources
- Use of the school-computer network with the intent to incite violence or aggressive and/or disruptive action on the part of the student body, use of slanderous language, or use of language that promotes racial disorder or sexual harassment and is disruptive to the school environment
- Possession or use of any prescription or nonprescription drug, medicine, vitamins, or other chemical in violation of the Guidelines for Dispensing Medications at School
- Refusal to cooperate in, or interference with, a random metal-detector safety search
- Smoking, vaping, using, or possessing tobacco, tobacco products, smokeless cigarettes, e-cigarettes, any other nicotine delivery device, or any substance for consumption containing nicotine
- Assisting directly or indirectly with the promotion of any behavior prohibited by this Student Code of Conduct

Level III Elevated Misconduct

For misconduct that represent an elevated safety risk to the campus, a combination of the interventions and/or consequences listed below should be considered to ensure the safety and well-being of students and others:

- Repeated possession of ammunition or bullets
- Possession of electric stun guns or other protective devices designed to administer an electric shock
- Possessing a knife, which may include a switchblade knife, razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut
- Possessing brass knuckles or weapon-like club
- Hazing, which means any intentional, knowing, or reckless act 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 being initiated into, affiliating with, holding office in, or maintaining membership in any organization or general classification of students whose members are or include other students
- Misdemeanor extortion, which is defined as obtaining money or information from another by coercion or intimidation of a value less than \$1,500
- Bribery or attempted bribery as defined by Section 36.02 of the Texas Penal Code
- Engaging in assault not involving bodily injury, which is defined as intentionally or knowingly threatening another with imminent bodily injury (Section 22.01 (a)(2), Penal Code)



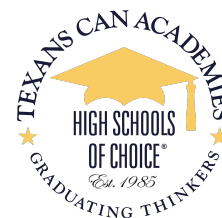
Levels of Student Misconduct Options: Level III

Disciplinary Options/Response

- Individualized functional behavior assessment (FBA)
- Individualized behavior-intervention plan based on FBA data
- Tier 2 or 3 mental health support as determined by the Student Support Team referral process
- Community service that is age-appropriate, adult-supervised, and with parental consent
- Required restorative conflict/accountability/reentry administrator/student/parent conference and circle
- In-kind restitution that allows the student (not the parent) to restore the school environment by addressing the problem that directly caused the damage (e.g., vandalism to property).
- Exclusion from extracurricular activities such as field trips and commencement exercises/award ceremonies
- Out-of-school suspension for up to three (3) school days per occurrence (starting with the minimum number of days needed to address the misconduct)
- Restriction or removal of computer-use privileges for up to one year (not to interfere with computer-driven instruction)
- Teacher removal of the student from the classroom (following procedures as outlined beginning on pp. 137-39.)

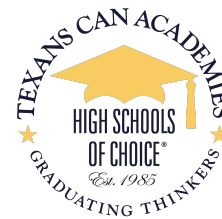
Procedures

1. Referral to administrator by way of discipline report with communication also sent to the parent. Out-of-school suspension occurs when a student is sent home during any part of the regular school day because of a disciplinary concern. **NOTE:** "Informal" suspensions (i.e., telling a parent to take the student home because of misconduct or due to safety concerns but not giving the parent a suspension letter) are prohibited by **District discipline guidelines**, and there is no authority under state law for removal of a student from school without documentation of the removal. All suspensions are to be documented in the Texans Can Academies student information system.



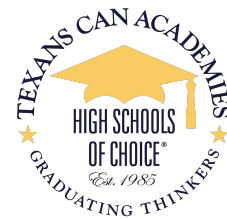
Levels of Student Misconduct Options: Level III

- Bullying as defined by a single significant act or pattern of acts by one or more students against another student that exploits an imbalance of power and involves engaging in expression (written, verbal, or electronic) or physical conduct that:
 1. Physically harms a student, damages a student's property, or places a student in reasonable fear of harm to the student's person or of damage to the student's property;
 2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
 3. Materially and substantially disrupts the educational process or the orderly operation of a school or classroom; or
 4. Infringes on the rights of the targeted student at school. Bullying includes "cyberbullying," which includes any bullying done through the use of any electronic communication device, including cameras, social-media applications, Internet websites, and any other Internet-based communication tool, in addition to more traditional devices, such as phones, email, and instant or text messaging.
- Bullying and cyberbullying occurs when acts or communications:
 1. are delivered to school property or the site of a school-related activity;
 2. occur on a publicly or privately owned school bus or vehicle being used to transport students to or from school or a school-related activity; or
 3. occur off school property or outside of school-related events but the conduct interferes with a student's educational opportunities or substantially disrupts operations of a school, classroom, or a school-related activity. This may include, but is not limited to, continuing to send emails to someone who has said he or she wants no further contact with the sender; sending or posting threats, sexual remarks, or pejorative labels (i.e., hate speech); ganging up on targeted students by making them the subject of ridicule in electronic forums and posting false statements as fact intended to humiliate another student; disclosure of personal data such as another student's real name, address, or school on websites or forums to embarrass or harass; posing as another student for the purpose of publishing material in his or her name that defames or ridicules him or her; sending threatening and harassing texts, instant messages, or emails to another; and posting or sending rumors or gossip to incite others to dislike and/or gang up on the targeted student.
- Participation in activities by groups such as gangs and cults



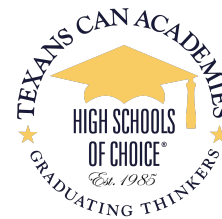
Levels of Student Misconduct Options: Level III

2. Prior to considering out-of-school suspension or a JJAEP referral, administrators shall assure consideration and implementation of the following guidelines:
 - a. To the greatest extent possible, and except in situations where safety or the targeted students' issues dictate otherwise, administrators should work to keep students in school and provide them with the necessary behavioral supports and evidence based interventions. Exclusionary consequences (i.e., OSS or JJAEP) should be used only after behavior interventions and supports have been exhausted.
 - b. After considering the factors that may contribute to the problem, a first offense that warrants a suspension would range from a partial day to one (1) day; a second offense that warrants a suspension would range from a partial day to two (2) days; a third offense that warrants a suspension would range from a partial day to three (3) and days.
3. A restorative conference shall be held, including the administrator, student, and parent about the misconduct. The responsible (offending) student is given an opportunity to explain the incident. The administrator determines misconduct and consequences after consideration of all factors, including self-defense, intent or lack of intent, student's disciplinary history, the student's capacity to appreciate the wrongfulness of the conduct, status with Family and Child Protect Services, and McKinney Vento or unhoused status. An administrator shall consider the following mitigating factors when making decisions about suspension and/ or removal to a JJAEP regardless of whether the decision concerns a mandatory or discretionary action: seriousness of the offense; student's age, intent or lack of intent at the time the student engaged in the conduct; student's disciplinary history; student's attitude; potential effect of the misconduct on the school environment; state law requirements for certain disciplinary consequences.
4. If the misconduct may result in removal to a JJAEP, the administrator will schedule a conference with the student and parent/guardian within three (3) school days of the reported infraction. The administrator must provide the parent/guardian with written notice regarding the discipline consequence within seven (7) school days from the date the infraction was reported to the administrator. The date for the conference may be deferred beyond seven (7) school days with the mutual agreement of the parties; however, the student may not be placed in an unsupervised setting beyond suspension for three (3) days while awaiting the conference and final decision.



Levels of Student Misconduct Options: Level III

5. At the discipline conference, the administrator will present the facts as reported, and the student will be given an opportunity to explain the incident. Written notice of the offenses and the action taken are given to the parent and teacher at the conclusion of the conference. If the student is referred to a JJAEP, the parent will be provided a letter stating the reasons for the removal and setting the term of placement. This placement letter should state the term of placement in a specific number of days of successful attendance in the JJAEP.
6. If the referral to a JJAEP extends beyond the end of the next term or the end of the school year, the long-term removal to a JJAEP shall be reviewed by the Student Support Team, including a representative of the JJAEP.
7. The campus administrator must schedule a transitional meeting in accordance with the procedures specified in this Code: "Procedures for Students Transitioning to a Regular Classroom from a Juvenile Justice Facility/Program or a Disciplinary Alternative Education Program."



Levels of Student Misconduct Options: Level IV

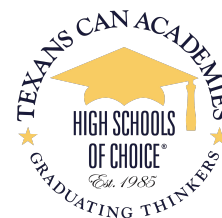
Level IV

Level IV misconduct generally will have some level of police involvement and a filed report. A student who engages in Level IV misconduct may be expelled to a JJAEP in the county of the Texans Can Academies campus if there is an executed MOU between the District and that JJAEP. If there is not an executed MOU, then the student may still be expelled.

Level IV acts of misconduct should result in a restorative conference, conflict/accountability circle, and/or a restorative reentry circle. Restorative practices may occur in conjunction with a discretionary expulsion when appropriate. An expulsion to a JJAEP placement may not generally exceed one year, unless after District review, it is determined that the student is a substantial and real threat to the safety of other students or a real and substantial threat to District employees, and it is determined that placement is in the best interest of the student.

Prior to the implementation of a discretionary expulsion and pursuant to Texas Education Code (TEC) Chapter 37.001 (a)(4), an administrator must consider the specific factors (described in the **General Discipline** section of this Code). The campus administrator must ensure that the parent/guardian is informed of any disciplinary concern and/or consequence.

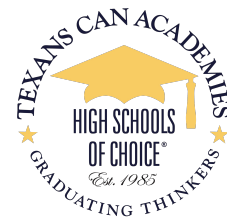
TEC 37.005(d): A school District may not place a student who is unhoused in out-of-school suspension unless the student engages in conduct described by subsections (c)(1)-(3) while on school property or while attending a school-sponsored or school-related activity on or off school property. The campus administrator may coordinate with the school District's McKinney Vento liaison to identify appropriate alternatives to out-of-school suspension for a student who is unhoused. In this subsection, 'student who is homeless' has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.



Levels of Student Misconduct Options: Level IV

Level IV Misconduct

- Engaging in any conduct punishable as a felony on campus, at a school-related function or activity, or within 300 feet of the school property line.
- While enrolled in the Texans Can Academies and regardless of the location of the offense, receiving deferred prosecution or a finding by a court or jury of delinquent conduct under the Family Code, or the reasonable belief by the principal that the student has committed a felony under Title 5 of the Penal Code, which includes murder, capital murder, manslaughter, criminally negligent homicide, false imprisonment, kidnapping, aggravated kidnapping trafficking of persons, indecency with a child, improper photography or visual recording, assault of a public servant, assault of a security officer, assault of an emergency-services person, assault of a correctional officer, sexual assault, aggravated assault, aggravated sexual assault, injury to a child, elderly, or disabled individual, abandoning or endangering a child, deadly conduct, terroristic threat, aiding suicide, tampering with a consumer product, or the felony offense of aggravated robbery under Section 29.03, Penal Code, regardless of where the offense occurs.
- Engaging in any conduct punishable as a felony other than one defined in Title 5 of the Penal Code that occurs more than 300 feet from the campus, as measured from any point on the school's real property boundary line, and is not related to a school-based activity or function, if the principal reasonably believes that the student has engaged in such felony, and the principal also determines that the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.
- Engaging in assault, which is defined as intentionally, knowingly, or recklessly causing bodily injury to another and which may include causing bodily injury by recklessly or intentionally pointing a laser pointer or laser pen at another student or staff member (Section 22.01(a)(1) and Section 1.07(a)(8), Penal Code).
- Possessing, selling, giving, or delivering an alcoholic beverage to another person.
- Committing a serious act or offense while under the influence of alcohol.



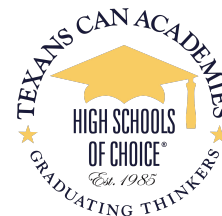
Levels of Student Misconduct Options: Level IV

- Engaging in conduct that contains the elements of an offense relating to an abusable volatile chemical or delivery to a minor or possession of paraphernalia used with volatile chemicals (Sections 485.031 through 485.034, Health and Safety Code).
- Possessing, selling, giving, delivering, using, or being under the influence of designer drugs, synthetic marijuana, synthetic cannabinoids (e.g., "K2" and "Spice"), stimulants (e.g. "bath salts"), or analogs of any controlled substance, regardless of whether currently scheduled or classified as an illegal drug under state or federal law and regardless of whether the substance is legally sold or marketed for another purpose, such as "herbal incense" or "bath salts," and is labeled "not for human consumption."
- First instances of using or being under the influence of marijuana, a controlled drug, a dangerous drug, an alcoholic beverage, an abusable volatile chemical or possession of inhalant paraphernalia, designer drugs, synthetic marijuana, synthetic cannabinoids, stimulants (e.g., "bath salts"), or analogs of any controlled substance shall result in referral, screening, and appropriate intervention through the Texans Can Academies' Student Support Team (MTSS).
- Burglary of a Texans Can Academies facility.
- Defacing of school property with graffiti or other means that results in a loss or destruction to property in an amount less than \$20,000 (Section 28.08, Penal Code).
- Engaging in conduct that contains elements of the offense of public lewdness or indecent exposure, defined to include offenses against chastity, common decency, morals, and the like (Sections 21.07 and 21.08, Penal Code).
- Felony stealing/theft of computer equipment or any other property in an amount greater than \$750.
- "Hacking" or other use of computers to gain unauthorized access to Texans Can Academies or other databases, including student, faculty, or District data files, without permission. In addition to any criminal penalties, students may have their computer privileges suspended (Sections 33.02 Penal Code).
- Use of computers or any other means to access and tamper with the Texans Can Academies records, which includes grade books or any other public-school records or any other records of a school-related activity maintained by the District (Sec. 33.02 Penal Code).



Levels of Student Misconduct Options: Level IV

- Selling, giving, delivering to another person or possessing, using, or being under the influence of marijuana, a controlled drug, or other controlled substances (Chapter 481, Health and Safety Code, or 21 U.S.C. Section 801 et seq.).
- Selling, giving, delivering to another person or possessing, using, or being under the influence of a dangerous drug (Chapter 483, Health and Safety Code).
- Selling, giving, delivering to another person or possessing, using, or being under the influence of an alcoholic beverage as defined by Section 1.04, Alcoholic Beverage Code.
- Engaging in conduct that contains the elements of an offense relating to an abusable volatile chemical or delivery to a minor or possession of inhalant paraphernalia (Sections 485.031 through 485.034, Health and Safety Code)
- Using or being under the influence of marijuana, a controlled drug, a dangerous drug (Chapter 483, Health and Safety Code), an alcoholic beverage as defined by Section 1.04, Alcoholic Beverage Code, an abusable volatile chemical or offenses that include those which a student may be expelled under state law TEC 37.007.
- Engaging in assault not involving bodily injury, which is defined as intentionally or knowingly causing physical contact with another, when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative (Section 22.01 (a)(3), Penal Code).
- Possession of BB guns, pellet guns, or air rifles.
- Discharging or spraying mace or pepper spray, which results in a school disturbance.
- Possessing a knife, which may include a switchblade knife, razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut and that are reasonably determined, by a police investigation, under the circumstances to have been possessed by the student for use as a weapon.
- Possessing brass knuckles that are reasonably determined, by a police investigation, under the circumstances to have been possessed by the student for use as a weapon.
- Uses, exhibits, or possesses a club, which is an instrument that is specially designed to inflict serious bodily injury or death when a person is struck with the instrument and includes a blackjack, nightstick, mace, or tomahawk (Section 46.01 (1), Penal Code).

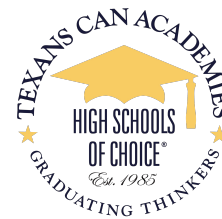


Levels of Student Misconduct Options: Level IV

- Possession of replicas of guns that are sufficiently similar in appearance to a real gun such that, if pointed at or shown to another person, a reasonable person may believe the student to be in possession of a firearm.
- Possession of electric stun guns or other protective devices designed to administer an electric shock with intent to do harm.
- Participation in an illegal organization such as a fraternity, sorority, secret society, gang, cult, or other criminal combination prohibited by law that is defined as an organization composed at least in part of students and that seeks to perpetuate itself by recruiting members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fulfill the special aims of the organization (Section 37.121, Texas Education Code). Participation includes indirect participation, such as recruiting and indirect guidance or leadership of the activities of gangs, cults, secret societies, and fraternities and sororities. An offense under this section is a Class C misdemeanor Tex. Educ. Code 37.121(c).

Disciplinary Options/Response

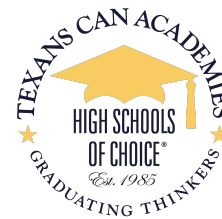
- Individualized behavior-intervention plan
- Counseling
- Community services that is age-appropriate, adult-supervised, and with parental consent
- Required administrator/student/parent conference
- Restorative practices, as applicable. Administrators should consider in-kind restitution that allows the student (not the parent) to restore the school environment by addressing the problem caused directly (e.g. vandalism to property). Restoration refers to (re)building relationships, which is an adult-mediated process
- Exclusion from extracurricular activities such as field trips and commencement exercises/award ceremonies
- Placement of the student in in-school suspension (after implementation and consideration of Procedures Suspension for up to three school days per occurrence (starting with the minimum)
- Removal of transportation services for up to one year
- Restriction or removal of computer-use privileges for up to one year (not to interfere with computer driven instruction)



Levels of Student Misconduct Options: Level IV

Procedures

1. Referral to administrator by way of written report not to exceed one page in length, with report sent to the parent. A police report is required if the student's conduct is a criminal offense. If the student is transported by the police, the parent should ordinarily be notified within one hour.
2. The administrator will schedule a conference with the student and parent/guardian within three (3) school days of the reported infraction. The administrator shall make reasonable efforts to invite the parent or guardian to the conference. If, after reasonable efforts to include the parent or guardian have been made, he or she is unable to attend, the administrator may proceed with the conference in his or her absence. The administrator must provide the parent/guardian with written notice regarding the discipline consequence within seven (7) school days from the date the infraction was reported to the administrator. The date for the conference may be deferred beyond seven (7) school days with the mutual agreement of the parties; however, the student may not be placed in an unsupervised setting beyond suspension for three days while awaiting the conference and final decision.
3. Before ordering the expulsion, or removal to a JJAEP, the administrator must consider the following: seriousness of the offense; student's age; intent or lack of intent at the time the student engaged in the conduct; student's disciplinary history; student's attitude; potential effect of the misconduct on the school environment; state law requirements for certain disciplinary consequences; whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment; whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; a student's status in the conservatorship of the Department of Family and Protective Services; or a student's status as McKinney Vento or unhoused.



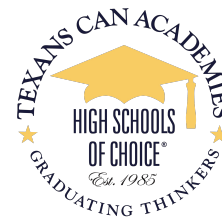
Levels of Student Misconduct Options: Level V

Level V – Violations of school rules or state and/or federal laws that are addressed by using restorative reentry circles, following a mandatory disciplinary removal using expulsion:

REQUIRED EXPULSION

A student shall be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off school property, whether in Texans Can Academies or on the property of another school District in Texas:

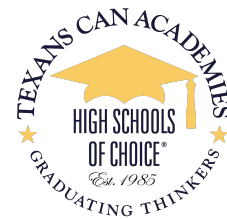
- Uses, exhibits, or possesses** a firearm, which is defined as any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use as defined in (Section 46.01(3), Penal Code) or (18 U.S.C. Section 921).***
- Uses, exhibits, or possesses** a location restricted knife, which is defined under state law (Section 46.01(6), Penal Code) as a knife with a blade over five-and-a-half inches and also includes hand instruments designed to cut or stab by being thrown (martial-arts stars), a dagger, a stiletto, a bowie knife, a sword, or a spear.
- Uses, exhibits, or possesses** a weapon listed as a prohibited weapon under Section 46.05, Penal Code. Prohibited weapons are an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, armor-piercing ammunition, a chemical dispensing device, or a zip gun.



Levels of Student Misconduct Options: Level V

- Engages in Criminal Mischief under section 28.03 penal code that contains the elements of the offense of:
 1. Aggravated assault, which includes causing serious bodily injury to another during the commission of an assault or using or exhibiting a deadly weapon during the commission of an assault (Section 22.02, Penal Code) and which may include damage to a person's eye caused by pointing a laser pen or laser device at another
 2. Sexual assault (Section 22.011, Penal Code)
 3. Aggravated sexual assault, which includes causing or threatening to cause serious bodily injury to another during the commission of a sexual assault or using or exhibiting a deadly weapon during the commission of a sexual assault (Section 22.021, Penal Code)
 4. Arson (Section 28.02, Penal Code)
 5. Murder (Section 19.02, Penal Code)
 6. Capital murder (Section 19.03, Penal Code) or criminal attempt to commit murder or capital murder (Section 15.01, Penal Code)
 7. Indecency with a child (Section 21.11, Penal Code)
 8. Aggravated kidnapping (Section 20.04, Penal Code)
 9. Aggravated robbery (Section 29.03, Penal Code)
 10. Manslaughter (Section 19.04, Penal Code)
 11. Criminally negligent homicide (Section 19.05, Penal Code)
 12. Continued sexual abuse of a child or children (Section 21.02, Penal Code)
 13. Possessing,** using, selling, giving, delivering, or being under the influence of marijuana, a controlled substance, or a dangerous drug, or committing a serious act or offense while being under the influence of an alcoholic beverage, but only if the conduct is punishable as a felony.

*** Brings to school a firearm as defined by 18 U.S.C. Section 921, which includes any weapon, including a starter pistol, that will or is designed to be converted or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device.



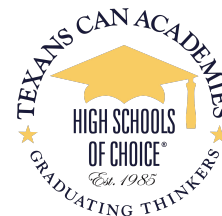
Levels of Student Misconduct Options: Level V

Students violating this section shall be expelled for at least one (1) year except that:

1. The superintendent of schools may modify the length of the expulsion in the case of an individual student.
2. The District shall expel the student for one (1) year but may modify the expulsion in order to provide educational services to the expelled student in a JJAEP, if there is an executed MOU between the District and that JJAEP.
3. Federal law requires the expulsion of any student who brings a firearm to school for a minimum term of one year.
 - Additionally, a student shall be expelled for engaging in any conduct containing the elements of an offense for which expulsion is required while retaliating against a District employee as a result of the employee's employment with the District, whether it occurs on or off of school property or at a school related function.

** Possession means actual care, custody, control, or management. A student shall be considered to be in possession of any substance or object prohibited or regulated by this Code of Student Conduct if the substance or object is:

1. On the student's person or in the student's personal property, such as the student's clothing, purse, book bag, or briefcase;
2. In any private vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or
3. In any school property used by the student, such as a locker or desk.



Level V Disciplinary Options and Procedures

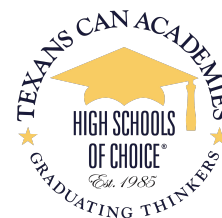
The terms of an expulsion under this section prohibit the student from attending or participating in any school activities.

Disciplinary options/responses under optional expulsion:

- Notification and investigation by the Police Department is required. If a decision is made by the Police Department to transport the student, the administrator should normally contact the parents within one (1) hour.
- Required administrator/parent/student conferences
- Exclusion from extracurricular activities, including field trips and commencement exercises/award ceremonies
- Restitution or restoration as applicable
- Referral to appropriate agencies
- Referral to juvenile court for legal action
- Suspension for up to three (3) consecutive days per occurrence
- Referral to a JJAEP, if there is an executed MOU between the District and that JJAEP
- Expulsion (more than three consecutive school days per occurrence, but not longer than one (1) year). In cases of a student who engages in sexual assault or aggravated sexual assault against another student, there is no limitation on the length of the expulsion or the length of the placement in a JJAEP.

Procedures:

1. The administrator investigates the Level V school infraction and/or illegal act, confers with the student and contacts law enforcement. If the student is arrested, the parents should be notified within one (1) hour. Any expulsion must include an official police or law-enforcement investigation. However, it is not necessary to await the results of the investigation before proceeding to an expulsion hearing.
2. The investigating campus administrator notifies the student and parents or guardians in writing of the reasons for the proposed expulsion and of the disciplinary response to the conduct. If the student withdraws from the Texans Can Academies prior to the imposition of an expulsion, the administrator may proceed with determining an appropriate consequence for the offense. If the student enrolls in Texans Can Academies during the same year or the following school year, the Texans Can Academies may order the enforcement of the order expelling the student at that time except for any period of the placement that has been served by the student in Texans Can Academies or in another school District. In addition, prior to the possible enforcement of a delayed JJAEP enrollment, the administrator shall carefully review the student's academic and behavioral history while absent from Texans Can Academies.

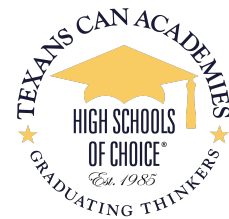


Level V Disciplinary Procedures

3. A school administrator who is an impartial hearing officer will conduct a full hearing before a decision to expel a student is made unless the parent or guardian waives the hearing. Before ordering the suspension, expulsion, or removal to a JJAEP, the administrator must consider the following:
 - a. Seriousness of the offense;
 - b. Student's age;
 - c. Intent or lack of intent at the time the student engaged in the conduct;
 - d. Student's disciplinary history;
 - e. Student's attitude;
 - f. Potential effect of the misconduct on the school environment;
 - g. State law requirements for certain disciplinary consequences;
 - h. Whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment;
 - i. Whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
 - j. A student's status in the conservatorship of the Department of Family and Protective Services;
 - k. Student's McKinney Vento or unhoused status

The hearing shall be scheduled within three (3) school days and conducted within seven (7) school days of the date of the offense. The date for the hearing may be deferred beyond seven school days with the mutual agreement of the parties or in cases of students with disabilities who are required to have a manifestation determination review; however, the student may not be placed in an unsupervised setting beyond suspension for three days while awaiting the hearing. Finally, the hearing may be deferred in situations involving adult students who are unable to participate in their hearings due to incarceration; however, the hearing must be held as soon as they are able to participate

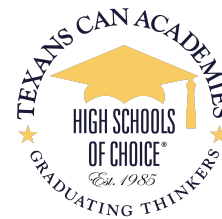
4. A parent may appeal the expulsion decision as provided in this Code in the section on expulsion procedures (see p. 179 and following). A student may be placed in the JJAEP pending results of appeal procedures at the discretion of the campus administrator based on what is in the best interest of the student and/or the campus community. The student may not be prohibited from attending school pending the results of any disciplinary appeal.
5. The District shall inform the student's teacher(s) of the conduct of a student who has engaged in any violation listed in this section. The teacher shall keep this information confidential. Any teacher who intentionally violates this confidentiality is subject to having his or her certification suspended or revoked.



Level V Disciplinary Procedures

6. Within two (2) business days after the date a hearing is held, in which a student is expelled, the principal shall send a copy of the order placing the student in the JJAEP, along with any information required by Section 52.04, Family Code, including a copy of the police report, to the parent and to school administration, who shall forward the information to the authorized officer of the juvenile court.
7. Students expelled from Texans Can Academies are entitled to receive educational services but are not entitled to participate in any regular or extracurricular programs during the period of the expulsion. When Texans Can Academies has a Memorandum of Understanding (MOU) between Texans Can and the JJAEP, students who are expelled may be placed in the JJAEP for a minimum of 45 days and a maximum of 180 days, unless other statute and/or court restrictions apply.
8. Expelled students who are charged but found not delinquent (not guilty) by a juvenile court shall be readmitted to the District. Students who are adjudicated of (who plead to) a lesser offense or whom the District Attorney decides not to prosecute may be readmitted at the discretion of the District. If readmitted, the District may place the student in an JJAEP, when there is an executed MOU between the District and that JJAEP. Students who are not readmitted have the option to continue their educational services at the JJAEP.
9. A campus administrator or an administrative designee (e.g., Campus Safety Coordinator) will schedule a transitional meeting in accordance with the procedures specified in this Code: "Procedures for Students Transitioning to a Regular Classroom from a Juvenile Justice Facility/Program."
10. ***Parties shall consult the Procedures section of this Code or Board Policy for complete procedures for expulsion and appeal of expulsion.

Students with an Individualized Education Program/Plan (IEP) or a Section 504 plan may be expelled to the JJAEP strictly in accordance with the procedures for discipline of students with disabilities. Students with an IEP or a Section 504 plan may not be placed in the JJAEP unless the Admission, Review, and Dismissal (ARD) or 504 Committee determines that it is educationally appropriate and that the student has engaged in conduct for which referral to a JJAEP is authorized.



Referral to Law Enforcement

Referral to Law Enforcement Authorities

The Texans Can Academies Board of Education, in accordance with its major system priorities, believes in a safe school environment for all students free of disruptions that interfere with the educational process. In cases where students in high school engage in conduct that contains the elements of an offense in violation of the Penal Code or criminal provisions of the Education Code, the school District will report the offense to law enforcement officials to determine whether the District Attorney will pursue charges for the offense. Parents and students should be aware that police officers are peace officers commissioned by the State of Texas and are authorized to enforce all laws or take any action to enforce the law whether on campus or away from campus.

The principal has an obligation under the law to notify the local police department if the principal has reasonable grounds to believe that a student has engaged in any criminal offense in school, on school property, or at a school sponsored or school-related activity on or off school property. The principal or other administrator who notifies local law enforcement of these offenses shall notify each instructional or support-staff member who has regular contact with the student who has committed an expellable offense.

Court Involvement

If a student is found to have committed an offense under Level IV or V of this Code, and the student is placed in a JJAEP, within two (2) business days the principal must send a copy of the order placing the student in a JJAEP to the administrator in charge of the JJAEP, who shall notify the county juvenile authorities. The county may decide whether the student is in need of supervision, whether the student has engaged in delinquent conduct, or whether the student should be referred to an appropriate state agency. Additionally, students and parents should be aware that students who commit felonies away from school may be ordered by the juvenile court to attend school at the Juvenile Justice Alternative Education Program.



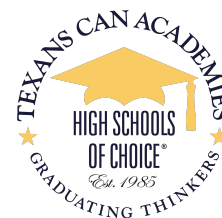
Emergency Discipline Placements

Emergency Placement in a Disciplinary Alternative Education Program (DAEP), Suspension, or Immediate Expulsion

A principal or a principal's designee may order the immediate placement of a student in a JJAEP, when there is an executed MOU between the District and that JJAEP and when it is determined the student's behavior is so unruly, disruptive, or abusive that it:

- seriously interferes with a teacher's ability to communicate effectively with the students in a class;
- seriously interferes with the ability of the student's classmates to learn;
- seriously interferes with the operation of school or a school-sponsored activity

A principal or a principal's designee may order the immediate expulsion of a student from the school for any reason for which expulsion would be authorized on a non-emergency basis. At the time of the emergency placement or emergency expulsion, the student shall be given oral notice of the reason for which placement in a JJAEP or expulsion would be authorized. Within a reasonable time, but not later than the tenth (10th) school day after the date of the placement or expulsion, the student shall be accorded the appropriate due process. Students with disabilities must be treated in accordance with federal and state regulations applicable to students with disabilities, and the emergency placement or expulsion must be consistent with the consequences that would apply to a student without a disability.



Prohibited Sexual Harassment by Students

Students' Rights and Responsibilities: Title IX, Sexual Harassment/Sexual Abuse/Dating Violence:

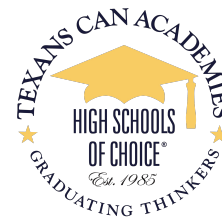
Title IX of the Education Amendments of 1972 protects people from sex discrimination in educational programs and activities at institutions that receive federal financial assistance. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence such as rape, sexual assault, sexual battery, and sexual coercion. Texans Can Academies does not discriminate on the basis of sex in education programs and/or District activities, and any member of the TCA community should promptly report any instances of harassment or violence. Questions regarding Title IX may be referred to Texans Can Academies Title IX Coordinator, Mia Stroy, 325 W 12th Street, Dallas TX 75208, (972) 677-4070, TitleIX@texanscan.org.

Sexual Harassment by Students

Students shall not engage in sexual harassment toward another student or a District employee. A substantiated charge of sexual harassment against a student shall result in disciplinary action. Sexual harassment by a student includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors.

Sexual Harassment/Abuse by Employees

District employees are prohibited from sexually harassing or sexually abusing students. Romantic relationships between students and employees are prohibited.



Prohibited Sexual Harassment by Students

Reports to Lawful Authorities

Any District employee who receives information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall make the report to appropriate authorities, as required by law. Texans Can Academies shall notify the parents of all students involved in sexual harassment by a student or students. Texans Can shall notify parents of all incidents of sexual harassment or sexual abuse by an employee.

Investigations

All reports of sexual harassment shall be referred to the Title IX coordinator. Oral complaints shall be reduced to writing to assist in the investigation. Copies of any complaints made to the school shall be sent to the Title IX coordinator, regardless of whether the matter is being investigated by the Police Department. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

Protection From Retaliation

Texans Can Academies prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation. Examples of retaliation may include threats, rumor-spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances. A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with an investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.