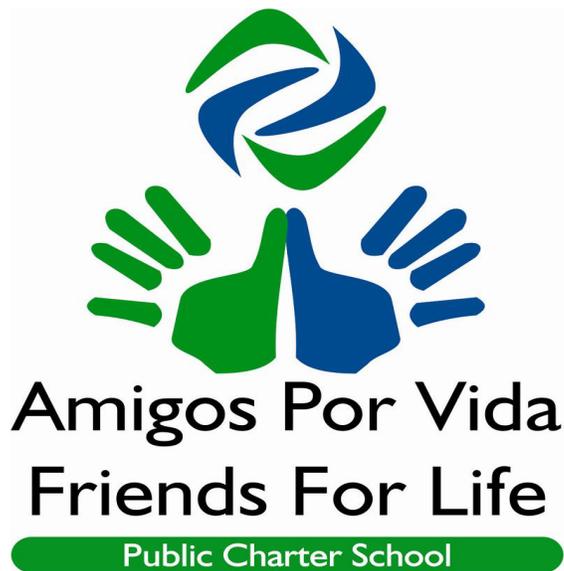


# Amigos Por Vida-Friends for Life Public Charter School

An Amigos Por Vida-Friends for Life Housing & Education Corporation School

2016 - 2017

## Code of Student Conduct and Parent Handbook



*Neither the Code of Student Conduct and Parent Handbook nor any provision therein creates an obligation on the part of Amigos Por Vida - Friends for Life Public Charter School (APV-FFL), any contractual relationship between the School and employee.*

*Because no Code of Student Conduct and Parent Handbook can anticipate every circumstance that may arise in the employment context, the School reserves the right to revise, supplement, or rescind any provisions and policies contained in the handbook.*

*APV-FFL is an equal opportunity employer and considers all applicants on the basis of qualifications without regard to race, color, sex, religion, age or national origin.*

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## **FOREWORD**

Students and parents are expected to become familiar with the requirements of the district wide Code of Student Conduct and Parent Handbook and the rules and guidelines adopted and implemented by their individual schools based upon their School-Based Discipline

Management System. Students are also expected to abide by the policies set forth in the Code so that they can truly get the most out of their years in school.

The School Board of “**APV – FFL**” has adopted this Code of Student Conduct and Parent Handbook (the “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 campus administration 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 violations of the Code. Parents and students will be required to sign a statement acknowledging receipt and understanding of the Code. A copy of this Code is available at the front office and at [www.amigosporvida.com](http://www.amigosporvida.com).

## **SCHOOL MISSION**

Our mission at APV-FFL is to empower our students to become life-long learners and achieve academic and personal success, by providing an excellent education in a safe environment.

## **SCHOOL VISION**

It is our desire that every program, event, and resource point toward the development of a Community of Learners. We will endeavor to connect the daily operations of our school to successful student learning outcomes. The following standards will be used for the purpose of developing APV students as integral stakeholders, actively contributing toward the global community of learning.

## **THE LEARNER'S CREED**

I believe in myself and our ability to do our best at all times. Today, we will be Responsible, Respectful, and Ready.

## **TRANSFERS/ACCEPTANCE TO APV**

In considering a student's request for admission, APV may consider the student's history of a criminal offense(s), juvenile court adjudication(s), or disciplinary problems under subchapter A, Chapter 37 of the Education Code, as evidenced by records received from schools previously attended by the student, law enforcement, or any other relevant documentation, and may exclude the student from admission on this basis.

If a student who would otherwise be ineligible for admission to the School provides false information on an admissions application or other enrollment document and as a result of the false information is admitted to the School, the student shall be immediately withdrawn from enrollment from the School upon discovery of the falsification. Falsification of information for the purpose of gaining enrollment in a public school is a criminal offense under § 37.10 of the Texas Penal Code. APV may elect to report the falsification to law enforcement or take any other action permitted by law.

- Students must complete APV enrollment process to include: complete report card and/or current progress report, previous year's STAAR and/or state assessments, file, immunization records, proof of residence with parent/guardian's name, birth certificate, social security card, and/or any other special program information. This information must be submitted at the time of enrollment. If not, any missing school records must be submitted within 3 school days from original enrollment date.
- Students must be in good standing in conduct from previous school (i.e. no suspensions, expulsions, no dues owed to previous school, etc.).
- Students must be in good standing with attendance/tardies.
- Applications will not be processed if it is not filled out in it's entirety.

## **STUDENT EXPECTATIONS**

Students and parents are expected to become familiar with the requirements of the Code of Student Conduct and Parent Handbook and the rules and guidelines adopted and implemented. Students are also expected to abide by the policies set forth in the Code so that they can truly get the most out of their years in school.

## **COMMITMENT CONTRACT**

The purpose of this contract is to establish school, student, and parent/guardian expectations which will ensure that every student has the opportunity to have a successful school year.

### APV-FFL Commitment:

- Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards as follows:
  - *All classroom teacher are highly qualified, they are either certified in their content area or on a certification plan.*

- *All teachers teach the Texas Essential Knowledge Skills (TEKS).*
  - *Teachers follow the TEKS Resource System Curriculum.*
  - *Teachers implement the Math TEKS approved by TEA.*
  - *Teachers use best practices and higher order questioning skills to increase rigor in the classroom.*
- Hold parent-teacher conferences during the first nine weeks of school in which this contract will be discussed as it relates to the individual child's achievement.
    - *Parents may request to schedule appointments with teachers during their conference periods.*
    - *Appointment requests may be made with the receptionist.*
    - *Teachers may request parent-teacher conferences to discuss academic progress.*
- Provide parents with frequent reports on their children's progress. Specifically, the school will provide reports as follows:

*Pre-K3, Pre-K4, and Kindergarten:*

- *Progress Reports will be sent home every 6 weeks.*
- *Report Cards will be sent home every 12 weeks.*

*First through Eighth grade:*

- *Progress Reports will be sent home every 4 weeks.*
- *Report Cards will be sent home every 9 weeks.*

- Provide parents reasonable access to staff. Specifically, staff will be available for consultation with parents as follows:
  - *Staff member are available after dismissal as well as during their conference period (appointment necessary).*
- Provide parents opportunities to volunteer and participate in their child's class and to observe classroom activities, as follows:
  - *Volunteers may coordinate their volunteering time via the Volunteer Coordinator*

**PARENTS'/GUARDIANS' COMMITMENT:**

We fully commit to APV-FFL in the following ways; we will:

- ensure our child arrives at APV every day by 7:45 a.m. and is picked up from the school no later than 3:15 p.m. (Mon. - Fri.)

- ensure our child is at school every day.
- ensure our child arrives at school on time every day.
- make arrangements for our child to come to APV on Saturdays, if required by administration.
- ensure that our child attends APV summer school if required by the school administration.
- help our child in the best way we know how and do whatever it takes for him/her to learn.
- check our child's homework every night and have them read 20 minutes every night.
- send our child to school with the necessary school supplies so that he/she may be successful in school.
- make ourselves available to our children, teacher, and school personnel.
- notify the school as soon as I decide that my child will be absent
- read carefully all the papers that the school sends home to us.
- allow our child to go on APV field trips.
- ensure our child follows the APV dress code.
- parents or legal guardians will not use a cellphone or any electronic device while driving a vehicle in a school zone. According to the law, driving in a school zone while operating an electronic is prohibited. Violators are subject to be ticketed.

We understand that our child must follow the APV rules so as to protect the safety, interests, and rights of all individuals in the classroom. We, not the school, are responsible for the behavior and actions of our child.

*Failure to adhere to these commitments can cause my child to lose various APV privileges and can lead to my child returning to his/her home school.*

### **STUDENT'S COMMITMENT:**

I fully commit to APV in the following ways; I will:

- arrive at APV every day by 7:45 A.M. or 7:15 if eating breakfast (Mon. - Fri.).
- maintain an average of 70 or above in all my classes.
- come to Saturday tutorials if required by the administration.
- attend summer school if required by the administration.
- work, think, and behave in the best way I know how and I will do whatever it takes for me and my fellow students to learn.
- complete all my homework every night.
- come to school by 7:30 a.m. to speak with my teachers if I have a problem with the homework.
- raise my hand and ask questions in class if I do not understand something.
- tell the truth to my teachers and accept responsibility for my actions.
- follow the APV student code of conduct, the academic code of honesty, and the acceptable use policy.

- respect all school property.
- be ready for school with all necessary supplies.
- follow the APV dress code.
- be responsible for my own behavior and I will follow the teachers' directions.

*Failure to adhere to these commitments can cause me to lose various APV privileges and can lead to returning to my home school.*

Overwhelming evidence shows that when YOU are involved and engaged in the education of your child and give him/her the support necessary to make good decisions about progress made at school, he/she will become successful, perform better on test, and go on to high education. WE NEED YOUR HELP TO EDUCATE YOUR CHILD.

## **REQUIREMENTS FOR PROVIDING ASSISTANCE TO STUDENTS WITH LEARNING DIFFICULTIES OR MAY NEED SPECIAL EDUCATION**

- If a child is experiencing learning difficulties, the parent may contact the student's teacher to learn about the overall general-education referral or screening system for support services. This system links students to a variety of support options, including referral for a Special Education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, and other academic or behavioral support services that are available to all students.
- At any time, a parent is entitled to request an evaluation for Special Education services. APV will respond within 15 school days after the request is received.

## **STUDENT ARRIVAL AND DISMISSAL PROCEDURES**

APV-FFL is committed to providing a safe and enjoyable learning environment. The information provided highlights policies and procedures that will allow us to provide maximum safety for students as they arrive to and leave from school daily. Major changes are reflected in procedures for student arrival and dismissal. Of most significance is the change indicating that the school hours have changed to 8:00 a.m. – 3:15 p.m. for all students. Breakfast will be from 7:15-7:45 a.m. Students arriving after 8:01 a.m. will be considered tardy and must enter through the front door and obtain a tardy pass from the front office before reporting to class. Dismissal will be at 3:15 p.m. Parents must pick-up on time in picking up their children after school. Late pick-up will result in a \$5.00 fee for every 15 minutes after 3:20 p.m. Beginning the 2016-2017 school year, APV-FFL will charge a \$5.00 for every time a student arrives tardy. The fee will be charged per student not per family. We

recognize the importance of the school and community working together and request that you read this information carefully and follow the policies and procedures outlined.

### **Morning Arrival**

Students may enter the building beginning at 7:15 a.m. Parents who arrive earlier are asked to remain with their child/children. Staff is not on duty before 7:15 a.m. to supervise students. All students will use the cafeteria doors to enter the building. Students should exit the car on the passenger side only. Parents are asked to remain in their cars and be prepared to move quickly when students exit the car. There is only one car rider line and students should never exit their cars in the parking area to walk through car rider traffic without a parent. Students will not be able to enter the school using the front entrance unless accompanied by a parent who is coming to the office, there is a scheduled parent/teacher conference or if the student is tardy. Parents must be sure to sign in at the office and obtain a visitor's badge. Keep in mind that students will not be allowed to go to any classroom until 7:45 a.m. Please remember that students should be seated in the classrooms and ready to start the day by 8:00 a.m., so it is important that they arrive on time. If students are late to school, parents/ guardians must sign them in at the office. Students should not be sent to the office alone to sign in. Parents/guardians will be contacted immediately to return to school to sign in late students who are sent into the building alone.

### **Afternoon Dismissal**

- In order to maximize instructional time and maintain an orderly school environment and safe dismissal, no student may be checked out of the office between 2:00 p.m. and 3:15 p.m. Your cooperation is appreciated.
- To ensure the safety of students during dismissal time, parents must wait outside of the building near the concrete benches to pick up their children or in the car rider line if they are car riders. A line will be formed to the left facing the front entrance of the school for parents who park their cars and walk to the entrance to pick up car riders. All families will be issued a car sign with the student's name to place inside the front window, which will help us with an efficient dismissal and ensure that we do not release students to anyone without a car rider sign. Designated older brothers and sisters may not come into the building to get their siblings and must also remain outside and wait for their younger siblings. Parents may not wait in front of the doors; this blocks students from coming out quickly and being picked up by their family members. Parents should only come into the building if they are signing their child out of school early (before 2:00 p.m.) or if they have a scheduled parent/teacher conference. Due to dismissal responsibilities, teachers will not be available for conference until this time unless previous arrangements have been made. Teachers may not interrupt instruction or the supervision of students to speak

with parents. Parents must request a conference time or leave a message. Teachers must respond to parent phone calls and/or parent letters within 24-hours or 1 school day.

- Pre-K3- Kinder will exit the side doors closest to the cafeteria. 1st -3<sup>rd</sup> grade students will exit through the front office doors. 4<sup>th</sup>- 8<sup>th</sup> grade students will exit the side doors on the East wing. Bus riders and car riders for all grade levels will be picked up at 3:15 and taken to their respective waiting spots.
- At 3:25 p.m. all students who have not been picked up should be brought to the office until they are picked up.
- Students who are assigned administrative detention afterschool must stay until 4:30 p.m. unless specific permission to stay later has been granted by administration.

## **ATTENDANCE POLICY**

- APV has adopted an attendance policy, which is in compliance with the state guidelines for compulsory attendance found in Chapter 25 of the Texas Education Code.
- Regular attendance and punctuality shall be required of every student.
- Students have the responsibility to take advantage of their educational opportunity by attending all classes daily and on time unless circumstances prevent them from doing so.
- Unless specifically exempted by TEC 25.086, a child who is at least six years of age or who is younger than six years of age and has had previously been enrolled in first grade, and who has not yet reached the child's 19<sup>th</sup> birthday must attend school. (TEC 25.085(b)).
- On enrollment in prekindergarten or kindergarten, a child must attend school. (TEC 25.085(c)).

### **APV's attendance policy is as follows:**

- School Hours: Monday-Friday 8:00 a.m. - 3:15 p.m.
- Afterschool tutorials (by invitation only) and other extracurricular activities (based on parents and student's selection during registration) from 3:15 p.m. – 4:15 p.m.
- Administrative detention will be between 3:15 p.m. to 4:30 p.m.
- Students who arrive after 8:01 a.m. will be marked tardy.
- Absences will be considered excused for the following reasons if a written excuse is provided:
  - Illness
  - Death in the family
  - Doctor/dentist/court appointments (afternoon appointments are strongly encouraged)
  - Please pick up students after 10:00 a.m. to ensure they are marked present for the day.
  - Student must bring documentation excusing absence.

- Students who are absent three or more consecutive days must bring formal doctor's documentation excusing the absence. (not parent's note).
- Religious holidays as allowed by law.

Absences will be considered unexcused for the following reasons:

- Illness in household other than student
- Waking up late
- Transportation problems which are chronic or show a pattern of occurrence
- Family vacations or out-of-town situations which do not include activities described above as excused absences
- Other excuses deemed by the campus administrator.

Students are expected to make up work missed for all absences. With respect to family emergencies or prearranged absences, the parent or guardian must request homework assignments in advance.

*Students may not exceed 6 absences or 5 tardies per semester.*

- 2 absences or 3 tardies in the same semester (Action: Teacher will call Parent and e-mail Attendance Clerk)
- 4 absences or 4 tardies in the same semester. (Action: Parent conference and student is placed on attendance contract).
- 6 absences or 5 tardies in the same semester. (Action: Student may be withdrawn and sent back to his/her home school).

According to Texas law, a student is committing a Class C misdemeanor punishable by a fine not to exceed \$500.00 per complaint plus applicable court costs if the student: fails to attend school ten or more days within a six-month period in the same school year, or the student is absent three or more days within a four-week period (TEC 25.094(a)). Each day the child remains out of school may constitute a separate offense.

## **PROMOTION STANDARDS**

- Students shall be evaluated on a continuous basis in the most effective manner to determine the extent of their progress.
- Promotion expectations of APV are those that include attendance, tardy, minimum of 70 in all cores subjects, meeting minimum standard on all state and local assessments.
- Students have the responsibility to maintain reasonable standards of academic performance appropriate with their ability.
- Please see the attached addendum for promotion standards by grade level.

## STUDENT DRESS CODE AND PERSONAL GROOMING

The APV (School) dress code is established to teach grooming and hygiene, instill discipline, prevent disruptive behavior, avoid safety hazards and teach respect for authority.

Appropriate student dress and grooming are important factors in the safe and orderly operation of the School. Each student's appearance should reflect a positive image of the school and contribute to a distraction-free learning environment. Our School values and needs the support of parents in upholding the campus dress and grooming guidelines.

All students are required to adhere to the School dress and grooming guidelines. Parents are expected to be knowledgeable and supportive of the dress and grooming guidelines.

- Students must wear the school uniform.

PK3-2 <sup>nd</sup> grade	Khaki pants and forest (dark green) collared shirt.
3rd-8 <sup>th</sup> grade	Khaki pants and navy blue collared shirt

- Khakis must be sized to fit (no baggy pants) and worn at the waist.
- Fitted, tight, or skinny pants including leggings are not permitted. (Only black or brown footed tights are permitted)
- Only straight fit uniform pants will be permitted.
- Shirts must be long enough to be tucked in and not expose the back or stomach.
- There should be no lace, ruffles, zippers, emblems, or designs of any kind visible on the polo shirts.
- Students are not permitted to wear strapless or spaghetti strap shirts or dresses.
- Students are not allowed to wear khaki jeans, blue jeans, black jeans or jeans of any other color.
- Pants must have belt loops and be worn with a black or brown belt. Belts must be worn daily and shirts tucked in. Belts may not have any letters or designs. Large belt buckles are not permitted
- Khaki shorts are not allowed. Skirts must be knee length with shorts underneath.
- Students must wear appropriate underclothing.
- Students cannot wear garments with visual or written messages that are likely to cause a material or substantial disruption to the school environment. Examples of such prohibited visual or written messages include, but are not limited to: drugs, alcohol, tobacco, weapons, violence, vulgar or obscene language or images, and/or insults to race, religion, gender, or ethnicity.
- A student is prohibited from wearing any form of dress or accessories identifying him or her with a gang or cult or symbolizing the beliefs of such a group.

- Students participating in school-related activities, such as extracurricular or UIL activities or other special functions, may have a different dress or grooming code required by the sponsor, coach, or administration.
- Students who receive a free dress pass still must comply with the dress code.
- Backpacks with wheels are prohibited.
- Fridays will be “Spirit Day”. Students must wear khaki uniform pants with their APV shirt.
- Wednesdays is “College Shirt Day” and will be worn with the uniform pants for students.
- Shoes: sneakers, penny loafers, or saddle oxfords (no sandals, heels, etc.) – must be worn with socks. All sneakers and shoes must have shoelaces, which must be tied at all times. P.K and kinder may wear shoes with Velcro. Students must wear sneakers for dance, P.E. and structured recess.
- Male students are forbidden to wear earrings, loops, studs, and/or any other ornament jewelry on the ears. By the same token, both genders are forbidden to wear any visible body piercing ornaments including jewelry on the nose, eyebrows, lips and/or tongue or any other body part.
- Hair shall be kept clean and well groomed. A male’s hair shall not exceed below the eyebrow, bottom of the ear lobes or touch the shirt collar.
- “mohawks” and haircuts with symbols and designs are considered disruptive and are not permitted.
- The student's hair style/color and makeup must not distract from or interfere with the learning and school environment. Colored hair other than the student’s natural hair color is prohibited. Hair must be kept well groomed, neat, and clean at all times.
- No type of head covering is to be worn. Exceptions would be a cap or hat that is part of a uniform worn at a school activity or a head covering worn for religious or medical purposes. Examples of prohibited head covering according to the guidelines include, but are not limited to: scarves, hats, caps, sweatbands and bandanas.
- Male students may not have any facial hair.
- Bib overalls or similar clothing are not allowed.
- No garment with hoods are allowed
- From August to November no winter clothes are allowed, unless specific permission is granted by a school administrator.
- Clothing cannot be tied around the waist.
- Noisy, distracting, flashy, or excessive jewelry or accessories, including wallet chains, are prohibited. Examples include, but are not limited to: medallions, big chains or ropes with emblems attached, long chain that extend below the mid-section of the body, etc.).
- Earrings in pierced ears are allowed for girls only, and limited to a maximum of one earring per ear. All other body piercing jewelry is strictly prohibited.
- Body tattoos of any kind are prohibited. Glitter on any part of the body is also not permitted.
- Girls are not allowed to wear fake/false nails or nail tips, make-up (foundation, blush, eye shadow, eyeliner, lip liner, lipstick, mascara, etc.), or lip-gloss with glitter and/or color appearance.

- Perfume or cologne is permitted provided it is used at a minimum and does not cause a distraction to students (physically or medically) or the education process.
- School I.Ds are required for middle school students. The cost to replace a student I.D. is \$5.
- Students who are withdrawing must turn in their school I.D
- Any other dress deemed inappropriate by a school administrator that may be offensive, vulgar, unsafe, disruptive, or distracting in the school’s learning environment will not be permitted while on campus or when attending school related events.

Any student not in compliance with the dress code will have the chance to call home to get suitable clothing. When no replacements are available, the student may be sent home for the day or be assigned after school detention. Students who are sent home will be marked as an unexcused absence. School officials may use other appropriate consequences as designated in the Code of Conduct. Students or parents who have a question about the appropriateness of an item should discuss the specific issue with the appropriate staff member before wearing the item.

Compliance with these guidelines is expected every day, including the first day of school. Students who are new to the campus, or students with extenuating circumstances, will be expected to be in compliance after a reasonable grace period, provided the grace period is approved by the Principal. Students are expected to follow the appropriate district dress and grooming guidelines. No Exceptions!

## **PARENT DRESS CODE**

Parents are a child’s first role model. The employees of APV also serve as role models for each and every student. When attending a conference, meeting, school event or chaperoning a field trip we ask that parents and volunteers please follow the dress code guidelines below:

- No pajamas
- No house shoes or flip flops
- Proper undergarments must be worn and should not be exposed.
- No sheer or “see through” clothing

## **VOLUNTEER GUIDELINES**

- Sign in and out every time you are on campus volunteering so we may capture all the hours donated to the school.
- If you are doing volunteer work at home, there is also a sign-in sheet to capture your hours
- When on campus wear the volunteer badge

- If you need a place to do your volunteer work, there is a PARENT ROOM located on the first floor for your use
- Report only to your assigned area. Do not go to the classrooms without prior approval.
- Please adhere to the Parent Dress Code while on campus and any time you are representing APV-FFL

## **STUDENT RESPONSIBILITIES FOR USING NETWORK RESOURCES**

The use of APV computers, computer systems, computer networks, software, and Internet is to support research and education in and among academic institutions by providing access to unique resources and the opportunity for collaborative work. The use of APV computers, computer systems, computer networks, software, and Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system and building administrators will deem what is inappropriate use, and their decision and the consequences are final.

### **Network Standards**

- Using the network resources in such a way that would disrupt the use of the network is prohibited. (Social media, non-instructional web browsing, online gaming or P2P downloads).
- Follow teacher guidelines and instructions on appropriate use of network resources.
- Using inappropriate language such as swearing or vulgarity, or ethnic or racial slurs, or obscene pictures is prohibited.
- Typing messages in all capital letters is the computer equivalent of shouting and is considered rude.
- Revealing personal information of yourself or others is prohibited.
- All, but not limited to, external media storage devices such as USB drives, flash/jump drives, CD-R/RW, and storage cards must be scanned by IT school personnel for viruses.
- Always log off of a website that requires your personal log in information when your session is completed.
- Sharing your issued username and password for any website is prohibited.
- Individuals using the APV computer system and network, with or without authorization are subject to, and consent, to having their activities monitored and recorded by authorized system personnel.

### **Internet Acceptable Use**

- Obtain permission from your teacher before e-mailing, accessing, downloading or printing from network resources.
- Follow teacher guidelines and instructions on appropriate use of the Internet.
- Access only course related materials for educational purposes.

- Credit all resources appropriately when utilizing information accessed (observe copyright guidelines).
- Refrain from using Peer Edited Resources as Wikipedia

### **Use of Data**

- Protect confidentiality and act responsibly when accessing data or resources required for schoolwork.
- Use strong passwords and follow network etiquette to secure sensitive data.
- Do not grant access to confidential information to others by placing sensitive data/schoolwork in “open” network resources.
- Do not misrepresent or falsely manipulate/alter data.
- It is a violation to knowingly attempt to access resources that you do not have permission to utilize or should not have access to as required for schoolwork.
- It is your responsibility to report to your instructors instances where you have access to data/resources that are not part of your schoolwork.
- “Hacking”, unauthorized use, or attempts to circumvent or bypass the security mechanisms of an information system or network of any kind are deemed inappropriate use.
- All data contained in the APV computer system may be monitored, intercepted, recorded, read, copied, or captured and disclosed in any manner by authorized personnel.

### **Restrictions**

- Installing any programs to the District’s network system is prohibited.
- Copying and distribution of unauthorized materials such as but not limited to video, audio, and image files is prohibited.
- Use of district equipment for personal financial gain is strictly prohibited.
- Accessing the district network using any non-district devices is prohibited. (example – a personal wireless laptop)
- Damaging and vandalizing computers, computer systems or computer networks is prohibited.
- Printing non-course related materials is strictly prohibited.
- Accessing and using non-district provided email is strictly prohibited.

### **Copyright of Print/Non-Print Materials**

- Use of printed copies either from books or downloaded from electronic sources must be properly cited.
- Copies may not be substituted in part or whole for an original work.
- Copying software is illegal.

## **Disclaimers**

Please note that since the Internet provides access to computers and people all over the world there is a possibility that students may encounter areas of adult content and objectionable material. While the district will take reasonable steps through training to preclude access to such material and does not encourage such access, it not possible to absolutely prevent such access.

APV makes no warranties of any kind, either expressed or implied, for the provided access.

- The staff, faculty, and school are not responsible for any damages incurred, including but not limited to, loss of data resulting from delays or interruption of service, for the loss of data stored on APV resources.
- The staff, faculty, and school are not responsible for information obtained through district network resources resulting in criminal or terrorist activities.
- Parents who do not wish for their children to have individual access to the Internet must submit to the campus principal a written letter expressing their desire for their child to be exempt from individual Internet access

Anyone using the APV computing system and network expressly consents to aforementioned monitoring and is such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence to law enforcement officials and could result in fine, imprisonment, or both. Unauthorized access or use of the APV computing system and network may result in disciplinary action up to and including termination, and may lead to potential criminal or civil administrative action.

## **CELL PHONES AND PAGING DEVICES**

A “paging device” is a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. *Education Code 37.082* (PDAs and palm pilots with the capability of receiving messages and cellular phones are included in this definition. The term “cell phone” will be used for the remainder of this topic since it is the more commonly used device.)

Elementary students shall not possess a cell phone during the instructional day (7:15 am to 3:15 pm), while riding to/from school on District transportation, or while participating in a school-sponsored extracurricular activity on or off school property. For example, an elementary student performing at a parent meeting or on a field trip to the zoo may not be in possession of a cell phone; however, an elementary student could possess a cell phone at an event open to the public (in which the student is not performing) such as at a carnival or a sporting event. [See “Noncompliance” (later in this topic) regarding consequences that apply to Elementary students who are in possession of a cell phone at school.]

In response to parental safety concerns, APV will allow elementary and middle school students to possess cell phones (including PDAs, palm pilots, and blackberries) with certain restrictions. While most students are respectful of the rules related to cell phones in the school setting, campus administrators still report many problems associated with the misuse of cell phones. These problems will continue to rise as technology advances and the devices get smaller. Administrators report that cell phones ring during class causing disruptions, students are distracted from instruction because they are sending/receiving text messages, and the devices are used to cheat on tests and other classroom work. Students are also using cell phone technology to take inappropriate photos/videos, scan tests and other classroom work, etc. In order to allow cell phones on campus during the school day, the following guidelines will be required of middle school students who choose to bring these devices to school:

- Cell phones must be turned off and must not be visible during the instructional day and/or at any time on District transportation. An exception will be made if a middle school student is in attendance in the capacity of an active member of a volunteer firefighting organization or a volunteer emergency medical service organization. A cell phone that rings or vibrates IS NOT turned off. If a parent needs to get a message to their child, a cell phone turned off can still receive voicemail messages that can be retrieved after school hours. Cell phones should not be used to keep track of the time because cell phones must be off and not visible (i.e. cell phones become visible when pulled out of a purse or backpack). Cell phones should be completely out of sight (including cell phone holders).
- Students must keep cell phones in a purse, backpack, or locker -- the cell phones may not be on a student's person.
- Instructional day defined. For cell phone purposes, the instructional day is as follows: Elementary and Middle School - 7:15 am to 3:15 pm unless the student is in afterschool classroom activities (such as tutorials, fine arts rehearsals, athletic practices/competitions, club meetings, etc.) or detentions when the length of the instructional day is extended until the end of these programs. These timeframe restrictions apply to school-related meetings/practices before school and to high school students on work release as well.
- Afterschool use. When attending afterschool activities, cell phones must be in the "silent" mode inside the venue of an afterschool activity held indoors (i.e. basketball game, choir or band concert, carnival, etc.). Students must go into a foyer or outside prior to using a cell phone at an indoor afterschool event.
- Responsibility. If a student brings a cell phone to school, it is the student's responsibility to keep the item secure. The school will not be responsible for cell phones that are damaged, lost or stolen; however, as with other personal property brought to school, administrators will conduct investigations as time permits, in an effort to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate.
- School Emergencies and Safety Restrictions. Ensuring that school officials, law enforcement officers and other emergency agencies will have adequate means of communication during an emergency is of utmost importance to the safety of all students. Therefore, students are asked to not turn cell phones on to make phone calls or send/receive text messages during an emergency situation that occurs at school until the crisis stage is over unless they are instructed to do so by a staff member or an emergency responder. Students will participate in emergency

drills to prepare for these situations. (Parents are asked to refrain from making calls to the school since there are only a few phone lines into the school, and these phone lines are strategic in communicating with emergency responders. In addition, parents are asked to refrain from calling cell phones or sending text messages to keep the airwave frequencies open for emergency responders. As soon as feasible, school personnel will allow students to make phone calls to parents.)

**Noncompliance.** The following will occur when a student is not in compliance with the guidelines:

- The cell phone will be confiscated.
- The student who violates the cell phone guidelines will be assessed a disciplinary consequence at Level II for first and second offense(s) and at Level III for third and subsequent offense(s) as outlined in the *Discipline Management Plan and Student Handbook*. (Note: Participation in many extracurricular organizations is impacted by Level II and Level III offenses. Please review organizational guidelines and understand the ramifications that may occur due to noncompliance.)
- The parent or guardian of the student will be allowed to reclaim the confiscated paging device, from the campus where the confiscation occurred, by paying an administrative fee of fifteen dollars [(\$15) by cash or money order] as allowed by *Texas Education Code 37.082*. Fees collected will be designated for use toward school activities.
- Unclaimed Cell Phones. If a cell phone is not reclaimed by the parent/guardian within 30 days of the date of notification or the end of the school year (whichever is later), the equipment will be disposed of by the school as allowed by State law.

An employee who discovers a student in possession of a cell phone/paging device in violation of this policy shall confiscate the cell phone/paging device and report the violation to the Principal or his/her designee.

Under no circumstances should cell phones be used to take pictures in the school facility. This is especially important because of privacy issues related to the Family Educational Rights and Privacy Act (FERPA), the federal law that protects student privacy. Confiscated cell phones that have the capacity to take photographs will have photos reviewed in the presence of the student prior to being claimed by a parent/guardian to ensure that no photos were taken during the school day that violate FERPA laws or school rules. Students will be required to delete school-related photos that were not taken at an event open to the public. Additionally, police will be contacted if an administrator has reason to believe that a photo might be a violation of law.

## **RIGHT TO INFORMATION AND PRIVACY OF RECORDS**

- Students are assured the right to information and privacy of their records in accordance with the Texas Public Information 5 Act and the Family Educational Rights and Privacy Act of 1974.

- Parents or eligible students have the responsibility to release information to those individuals or agencies that are working actively and constructively for the benefit of the student, including, for example, teachers, administrators, school nurses, etc.

## **NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Education Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records.

They are:

- The right to inspect and review the student's education records within 45 days of the day the school district receives a request for access. Parents or eligible students should submit to the school principal or designee a written request that identifies the record(s) they wish to inspect. The principal or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the APV-FFL to amend a record that they believe is inaccurate or misleading. They should write the school principal or designee, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the open public charter school decides not to amend the record as requested by the parent or eligible student, the open public school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate education interests. A school official is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request,

the open public charter school discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

## **DIRECTORY INFORMATION NOTICE**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that APV-FFL, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, APV-FFL may disclose appropriately designated "directory information" without written consent, unless you have advised the open-enrollment public charter to the contrary in accordance with charter school procedures. The primary purpose of directory information is to allow APV-FFL to include this type of information from your child's education records in certain school publications.

Examples include:

- A playbill, showing your student's role in a drama or dance production;
- The school newsletter;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets or t-shirts, such as for soccer, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that print t-shirts or awards. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act* of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want APV-FFL to disclose directory information from your child's education records without your prior written consent, you must notify the open-enrollment charter school in within 15 days of enrollment. APV-FFL has designated the following information as directory information:

- Student's name
- Participation in officially recognized activities and sports
- Address
- Enrollment Period
- Telephone number
- Weight and height of members of athletic teams
- Electronic mail address
- Honors and awards
- Photograph
- Grade level
- Date and place of birth

#### **MEDIA RELEASE**

Students may participate and appear in video or audio recordings, films, photographs, written articles, or on websites and social media sites. This consent includes the use and editing of a student's image, voice and name in media projects by APV-FFL to print, broadcast or Internet media outlets, such as newspapers, radio and television stations and news websites. If you DO NOT wish for your child to participate in any of these activities the PEIMS Coordinator must be notified in writing otherwise it will be understood APV-FFL, including its employees and contractors, will be released from all claims resulting from the use and editing of my child's

#### **Parent-signed media releases are NOT needed when:**

- Photographing or videotaping anonymous students engaged in normal classroom/school activities.
- Photographing, videotaping or interviewing students at events that are open to the public, such as music, theater or athletic events.

#### **Parent-signed media releases are ALWAYS needed when:**

- Students are interviewed or will be identified by name in a photograph/news article.
- An individual student(s) is the focus of the story.

- Photographing, videotaping or interviewing students who are in special education classes/ services or certain specialized programs (drug/alcohol, detention/work detail, etc.).
- You feel the photograph, videotape or interview may be used in a negative way.

## **INVESTIGATION OF DISCIPLINE ISSUES**

In order to determine whether a violation of the Code has occurred, campus administrators or other authorized individuals may conduct an investigation. Investigations of student misconduct may involve, but are not limited to, interviews of other students, employees and adults, review of school surveillance footage, review of relevant documents, review of information on School-owned computers, verification of tips received from other individuals, gathering of physical evidence, contact of or cooperation with law enforcement agencies and officials. Law enforcement may be contacted and informed of student conduct which may constitute a criminal offense.

Students should have no expectation of privacy with respect to School-owned property. Lockers, desks, and other items provided for student use remain School property, and students do not have a reasonable expectation of privacy in School property or in personal items placed inside School property. School administrators or other authorized personnel may monitor and search student desks and lockers for any reason. School officials may search any School property, including School property that is within a student's possession or otherwise being used by a student, at any time, with or without notice to the student and without consent. School officials may confiscate any items found during a search, including prohibited items, dangerous items or other items that violate School policy.

A student's person or property may be searched by authorized school officials if the official has a reasonable belief that the search will result in the discovery of evidence of a violation of the Code or of the law. Any personal property which is brought onto school property or to a school-sponsored or school-related activity or event, on or off school property, may be subject to search (*e.g.*, student cell phone, backpack, personal computer, purse, car, etc.).

### **Education during Suspension**

- Student absences while suspended shall be considered as excused absences.
- Students have the responsibility to make up all work missed while suspended within five school days after their return to school from suspension in order to receive credit for the work.

## **STUDENT MISCONDUCT**

- The Code of Student Conduct and Parent Handbook provide 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, IV, and V are not inclusive. The student who commits an act of misconduct that may be classified into any of the five levels will be subject to disciplinary action by the classroom teacher, Assistant Principal, and/or Principal.

### **When and Where These Rules Apply**

- The policies and administrative procedures concerning Code of Student Conduct and Parent Handbook apply to actions of students on school property, school buses, and designated bus stops and, in some cases, for conduct occurring off of school property. Under state law, a student may be expelled by APV for Level 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, stadium 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 an APV in expulsion. Finally, students should be aware that administrators who are made aware of criminal activity whether on or off of 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.

### **Gang-Free School Zone**

- In addition to regular discipline, students should be aware that APV is a “gang-free school zone.” HB 2086 of the 81st Legislature established gang-free school zones and provides 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.

## **DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS**

Students eligible for services under the Individuals with Disabilities in Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504) are subject to discipline under those laws and in accordance with the provisions of this Code.

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability under Section 504 who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the School would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to disciplinary action for the use or possession of illegal drugs or alcohol. However, a student who is eligible for special education under the IDEA should have a manifestation determination review conducted to address any use or possession of illegal drugs or alcohol if such conduct could result in a change of placement.

Any disciplinary action that would constitute a “change in the placement” of a student receiving special education services may be taken only after the student’s Admission, Review, and Dismissal (ARD) committee conducts a Manifestation Determination Review (MDR) in order to determine whether the student’s conduct was a manifestation of his or her disability.

A change in placement occurs if a student is:

- Removed from the student’s current educational placement for more than ten consecutive school days; or
- Subjected to a series of removals that constitute a pattern because:
  - The series of removals total more than ten school days in a school year;
  - The student’s behavior is substantially similar to the student’s behavior in the previous incidents that resulted in the series of removals; and
  - Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The School will determine, on a case-by-case basis, whether a pattern of removals constitutes a change in placement.

A student who has not been determined eligible for special education services and who has engaged in behavior that violates the Code is entitled to the protections under the IDEA regarding discipline of a student with special needs described above if the school has knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. If the school does not have knowledge that a student is a student with a disability prior to taking disciplinary action, the student may be subject to the disciplinary actions applied to students without disabilities. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary action, the evaluation shall be conducted in an expedited manner.

## **GENERAL DISCIPLINE GUIDELINES FOR ASSESSING PENALTIES**

One or more of these disciplinary consequences may be issued to a student found to have violated the Code. If the Code does not specify the appropriate disciplinary consequence for a particular type of student conduct, the School may issue whatever disciplinary consequence is deemed reasonable and appropriate, with the exception of expulsion. A teacher may have additional rules and consequences for student conduct in the classroom which may result in discipline under this Code or may be enforced in addition to any discipline issued under this Code.

If a student withdraws from the School before completing assigned In-School Suspension, Out-of-School Suspension, or Expulsion, the School shall send documentation of the discipline to the next school that enrolls the student. If a student withdraws from the School before the expulsion process is completed, the School may choose to complete the expulsion process and send documentation of the expulsion decision to the next school that enrolls the student. If the student returns to enroll in the School at a later date and has not been required to complete the disciplinary consequences previously required, the School may require the student to complete the discipline upon return.

The Code shall be applied and enforced consistently and equitably among students, with the understanding that every disciplinary situation will differ and decisions will be made based on the individual facts and circumstances of a given situation.

Depending on the nature and severity of the offense, discipline may be issued by the student's classroom teacher, campus administrator, or administrator's designee, in accordance with this Code. In order to make a determination of misconduct or issue disciplinary consequences under this Code, the authorized School employee must have a reasonable belief that the student engaged in the suspected conduct. The employee's conclusion may be based on any relevant evidence including, but not limited to, observation, other personal knowledge, verbal or written witness statements, other forms of documentation, or information received from law enforcement.

### **When administering discipline, district personnel shall adhere to the following general guidelines:**

- Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
- 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 developmentally appropriate interventions for very young children who engage in misconduct. Factors that must be considered in each decision concerning suspension, removal to a disciplinary alternative education program,

expulsion, or placement in a juvenile justice alternative education program, regardless of whether the decision concerns a mandatory or discretionary action, include such factors as:

- Student intent;
- The nature and severity of the alleged conduct;
- Whether the student has previously engaged in similar conduct;
- The severity of the effect or harm of the conduct on other persons or property;
- The frequency of the conduct.
- seriousness of the offense
- student's age and 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 substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct
- 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 misbehavior or Level II or higher misconduct. Persistent shall be defined as more than one instance of Level II or higher misconduct. An administrator may find, on the basis of the facts and circumstances of the case, that a Level III offense constitutes a serious offense. Finally, a finding that a student has engaged in any offense listed as an offense under Level IV or Level V constitutes a finding that the student has engaged in serious misbehavior.
- One or more of these disciplinary consequences may be issued to a student found to have violated the Code. If the Code does not specify the appropriate disciplinary consequence for a particular type of student conduct, the School may issue whatever disciplinary consequence is deemed reasonable and appropriate, with the exception of expulsion. A teacher may have additional rules and consequences for student conduct in the classroom, which may result in discipline under this Code or may be enforced in addition to any discipline issued under this Code.
- The School may issue discipline based on a determination that a student has engaged in conduct, which meets the elements of a criminal offense. The School has the authority to make such a determination without regard for whether the student is arrested, charged, or otherwise processed by the criminal justice system for the criminal offense. The School may consider information received from law

enforcement or other entities within the criminal justice system in issuing discipline under this Code.

- Actions will not be based on a student's race, ethnicity, national origin, gender, sex, religion, disability, or any other unlawful consideration.

## **GENERAL PROCEDURES FOR RESOLVING SCHOOL PROBLEMS**

- General Procedures for Resolving School Problems School problems can best be resolved at the campus level, where problems start. In order to resolve problems, parents, guardians, and/or students can meet with a teacher at appropriate times to discuss existing problems. If parents, guardians, or students are dissatisfied with the teacher's decision or explanation, they can meet with the building administrator to review the area of concern.

## **LEVEL OF STUDENT MISCONDUCT AND DISCIPLINARY OPTIONS**

### **LEVEL I: VIOLATION OF CLASSROOM OR TRANSPORTATION RULES**

- 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 Acts of Misconduct May Include Such as Behavior as:**

- Violation of rules or procedures established by the teacher
- Failure to participate in classroom activities
- Unexcused tardiness to class
- Failure to bring required materials or assigned work to class
- General misbehavior, such as eating in class, horseplay, making excessive noise, or violating campus dress codes
- Any other act that disrupts the classrooms or interrupts the operation of the class
- Failure to deliver or return written communication between home and school
- Disruptive or noncompliance behavior on a school bus or at bus stop
- Failure to protect individual computer-account passwords from disclosure

#### **Disciplinary Options/Responses**

- Oral correction
- Other appropriate in-class disciplinary actions
- Teacher-student conference
- Parent contact: note or telephone call to parent

- Student-counselor conference
- Detention (maintained by teacher) before or after school
- Restriction of school-bus privileges by the bus operator
- Community Services

**Procedures:**

- Any staff member who observes a student violating class rules may correct the student.
- A record of the offenses and disciplinary actions should be maintained by the teacher or staff member on the appropriate form.
- The teacher should discuss the misbehavior with the parent, an administrator, or support personnel.
- Level I behavior violations and discipline options/responses are not limited to those provided. Serious or repeated violations may result in a more severe or referral to Level II.

**LEVEL II: ADMINISTRATOR INTERVENTION**

- Some infractions will result in a referral to an administrator. The disciplinary response depends on the offense, previous actions, and the seriousness of the misbehavior. Level II acts of misconduct include those student acts that interfere with orderly educational process in the classroom or in the school. A teacher who observes a student engaged in Level II or higher misconduct will fill out a discipline referral form for the Principal or other appropriate administrator. The Principal will forward an oral or written report to the parents.

Level II Administrative Referral Such Behavior as:

- Repeated violation of classroom or transportation rules Level I
- Failure to comply with the Student Handbook, or other school or campus rules;
- Leaving the classroom, school building, mandatory school activities or events, or adult supervision without permission;
- Skipping class period or other mandatory activity, in whole or in part, without permission;
- Violation of school or campus policies or rules related to the use of electronic media, including personal or school-owned electronic devices (e.g., cell phones, tablets, game systems, computers, cameras), or the school’s network or internet connection;
- Truancy or other failure to attend school without excuse;
- Defacing, destroying or otherwise modifying school property without authorization;
- Taking photographs or making videos or audio recordings of students, employees, or other persons without the consent of the other person;

- Soliciting or attempting to solicit another student to violate the Code, school policies and rules, or the law;
- Taking steps toward violation of the Code even if the act is not completed, as determined by appropriate school administrator;
- Failing to follow school directives and classroom rules and expectations;
- Disobeying rules and expectations regarding school transportation;
- Inappropriate or unauthorized use of school property, including posting disturbing literature or materials without school authorization;
- Cheating, plagiarism, or copying the work of other students
- Leaving the classroom or school grounds without the permission of school personnel
- Cutting class or skipping school
- Possession of matches or other flammable materials
- Inappropriate display of affection
- 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
- Loitering in unauthorized areas
- Cheating, plagiarism, or copying the work of other students on a classwork, homework, or class test (not benchmark test).
- Use or operation of cell phones, tablets, iPad, or any other type of electronic communication system, on school campuses at functions during school hours. Such devices may be used at time and place as determined by the individual campus in coordination with the campus Share-Decision Making Committee (SDMC). A \$15.00 administrative fee payable to APV will be charged every time any technological device is collected. Paging devices not claimed will be sent to Property Management for disposal.
- Possession of iPods, Mp3 players, personal radios, or personal music devices at school, with final determination of the limits made at the individual campus level
- Cafeteria disturbance
- Violation of a school's mandatory school-uniform policy
- Disruptive behavior on a school bus or at a school bus stop
- Any other acts that interfere with the orderly educational process in the classroom or the school
- Accessing materials and sites on the Internet that are deemed to be inappropriate by APV
- Sending or forwarding inappropriate e-mail, including e-mail containing offensive language, untruthful statements, junk e-mail, chain letters, or jokes
- Community Services

#### **Disciplinary Options/Responses:**

- Parental contact by phone and written or oral notification to parent or guardian

- Required administrator/student/parent conference
- Detention or placement in in-school suspension
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- “Behavior,” “behavioral,” and/or “conduct” contracts
- Teacher removal of the student from the classroom
- Suspension of transportation privileges
- Removal of school transportation privileges
- Any other appropriate disciplinary actions determined by the administration
- Community Service

**Procedures:**

1. Referral to administrator by way of written report not to exceed one page in length.
2. Administrator confers with student and/or teacher to establish appropriate action.
3. Written or oral notification of action is sent to parent.
4. Notification is sent to the teacher indicating action taken.
5. Discipline Referral Form is retained by the administrator.
6. Level II behavior violations and discipline options/responses are not limited to those provided.
7. Repeated violations shall result in a more severe response and/or referral to level III.

**LEVEL III: MISCONDUCT RESULTING IN SUSPENSION/REMOVAL FROM CLASSROOM**

- Level III acts include misconduct for which an administrator may suspend the student, place the student in in-school suspension, or, if the administrator finds the Level III misconduct to be serious or persistent as defined in this Code, refer the student for possible expulsion from campus. The Principal or other appropriate administrator makes the disciplinary determination on the basis of the severity of the misconduct. The period of the suspension is limited to three days per occurrence.

**LEVEL IV AND LEVEL V- EXPULSION FOR SERIOUS OFFENSES:**

- Offenses that include those for which a student may or shall be expelled under state law.
- Offenses that include those for which a student may or shall be expelled under state law. They include continued serious or persistent misbehavior that violates the district’s Code of Student Conduct and Parent Handbook by a student while placed in probation. A finding that a student engaged in an offense listed under Level V constitutes a finding that the student has engaged in serious misbehavior. Staff members will use their professional judgment to determine the most effective way to correct student misconduct.

Disciplinary actions apply equally to all students, except as provided under Administrative Regulations related to disabled students.

### **Suspension/Probation and/or Optional Removal from Campus**

In addition, a student may be suspended, placed in in school suspension, or if serious or persistent behavior occurs, removed from the regular classroom and expelled for engaging in the following conduct at school or at a school-related event:

- Possession of prohibited items; (e.g., knife, gun, etc.);
- Conduct which meets the elements of a criminal offense, as determined by the school;
- Physical, verbal or sexual harassment of others;
- Inappropriate physical or sexual behavior, including jokes, comments, gestures, or unwelcome physical conduct or contact;
- False statements or false accusations
- Hazing or initiations;
- Participation in a gang, soliciting or attempt to solicit participation in a gang;
- Possessing, distributing, using or being under the influence of tobacco products, electronic cigarettes, drugs, alcohol, or controlled substances, including prescription drugs if the student has not been prescribed the drugs or is taking the drugs in excess of the dosage specified by the prescription;
- Possessing drug paraphernalia;
- Stealing, lying, cheating, or copying the work of another without authorization (plagiarism);
- Deliberately, and without school authorization, accessing, damaging, or altering school data and records, including but not limited to confidential records, electronic data, networks or systems;
- Violence of any kind, including dating violence;
- Fighting;
- Gambling;
- Setting or attempting to set a fire;
- Inappropriate or indecent exposure of body parts;
- Retaliation of any form against other students or school personnel;
- Conduct which requires the student's registration as a sex offender;
- Possession or distribution of pictures, text messages, electronic messages or other material of a sexual or obscene nature;
- Endangering the health or safety of others;
- Other conduct as identified within this code;

## **DETENTION / IN-SCHOOL SUSPENSION**

A student may be assigned to one or more sessions of detention or placed in in-school suspension for engaging in prohibited conduct under this Code. The student's parent or guardian will be notified by phone and in writing of the student's conduct and assignment to detention or in-school suspension. Detention will be held outside of the instructional day, either before or after school, during lunch period, or during recess. In-school suspension will require the student to report to the Principal or assistant Principal to receive further instructions. While in in-school suspension, the student will be provided the appropriate class assignments and will be expected to complete those assignments as if the student were in the regular classroom.

## **OUT-OF-SCHOOL SUSPENSION**

A student may be suspended for one or more school days for engaging in prohibited conduct under this Code. The student's parent or guardian will be notified by phone and in writing of the student's conduct and the length of the period of suspension. A student may not be suspended for more than three consecutive school days. During a period of suspension, the suspended student may not enter onto school property or participate in or attend school-sponsored or school-related events or activities. The student's teachers will provide assignments that the student will be expected to complete during the period of suspension. Student assignments or other class work completed during a period of suspension will be accepted for grading if completed in a timely fashion.

## **REASONS FOR EXPULSION**

A student [may/must] be expelled from the School if he or she is found to have committed any of the acts listed below.

**Weapons.** The student used, exhibited, or possessed any of the following while on school property or while attending a school-sponsored or school-related activity on or off school property:

- A firearm;
- An illegal knife;
- A club;
- A prohibited weapon.
- Illegal drugs

**Violent Conduct.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code, regardless of location:

- Aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, criminally negligent homicide, or continuous sexual abuse of a child or children;
- Assault against another student, an employee, or a volunteer of the School;
- Deadly conduct;
- A Title V felony under the Penal Code.

**Disruptions.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code, regardless of location:

- False alarm or report or terroristic threat involving a public school;
- An offense related to an abusable volatile chemical;
- Breach of computer security if the conduct involves accessing a computer network, or computer system owned by or operated on behalf of a public school and the student knowingly alters, damages, or deletes school district property or information or commits a breach of any other computer, computer network, or computer system;
- Criminal mischief if the conduct is punishable as a felony;
- Public lewdness or indecent exposure.

**Drugs and Alcohol.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code:

- On school property, at school-sponsored or school-related event, or within 300 feet of school property:
  - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of marijuana, dangerous drug, or alcoholic beverage.
- Regardless of location:
  - Sells, gives, delivers to another person or possesses or uses or is under the influence of marijuana or a dangerous drug, as defined by the Health and Safety Code, if the conduct is punishable as a felony.

- Sells, gives, delivers to another person an alcoholic beverage, as defined by the Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol or possesses, uses, or is under the influence of an alcoholic beverage, and the conduct is punishable as a felony.

**Other.** The student, while on campus or at a school-sponsored or school-related event, on or off campus:

- Engages in conduct that constitutes a felony;
- Commits an assault;
- Commits frequent violations of this Code that cause significant disruption to the School environment or substantial interference with the instructional process.

## **EXPULSION PROCESS**

If the school administrator or administrator's designee determines that the student's conduct warrants expulsion, the administrator shall provide written notice to the parent, guardian, or adult student of the proposed expulsion of the student. The written notice shall also include the reason(s) for the proposed expulsion and the date, time, location and procedure for the expulsion hearing. The student is entitled to a hearing with the campus administrator during which the student and/or the student's representative (*e.g.*, parent, guardian, attorney, other) will have the opportunity to review and present evidence and information. The campus administrator may place reasonable restrictions on the conduct of the hearing, including the length of the presentations. At the end of the hearing, the campus administrator may issue a decision immediately or may wait until a later date to communicate a decision. The administrator shall send written communication of the decision to the parent, guardian or adult student. If the administrator determines that expulsion is appropriate, the written decision ("Expulsion Order") shall include the length of the term of expulsion.

The parent, guardian or adult student may choose to **voluntarily** waive the right to an expulsion hearing by signing a hearing waiver form provided with the notice of proposed expulsion. If the hearing is waived, the administrator will review the relevant evidence and issue a written decision to the parent as described above.

The School will notify the independent school district in which the student resides of the student's expulsion within three business days of the Expulsion Order.

## **TERMS OF SUSPENSION AND EXPULSION**

The period of SUSPENSION may be determined by the severity of the conduct and the existence of a continuing risk of harm to other students and employees if the student were allowed to return. A suspension may range from 1 to 3 day and may be served either out of school or in school depending on the offense. A student expelled from the school will be denied future admission. The Expulsion Order must explain the circumstances which justify the expulsion.

## **RANDOM SEARCHES**

Amigos Por Vida Public Charter School (APV) reserves the right to randomly search students, backpacks, lockers, and any personal property of the students. APV will also use trained search dogs to maintain the school free of drugs, weapons and paraphernalia associated with such.

## **DISCIPLINE APPEAL PROCESS**

With the exception of expulsions, student discipline decisions at the campus level are final and not appealable. A parent, legal guardian, or adult student may appeal an expulsion decision by filing a written appeal with the Principal within 5 business days of the date of the Expulsion Order. The Principal or Principal's designee will review the record of the expulsion proceedings at the campus level, along with any other relevant information, and will issue a written decision to the appealing party within 10 business days of receiving the request for review.

If the appealing party is not satisfied with the decision of the Principal or Principal's designee, he or she may appeal that decision to the School Board of APV by filing a request for review with the Principal's office within 5 business days of the date of the decision. The Principal shall notify the School Board of APV and arrange for the School Board of APV to hear the complaints of the appealing party at the next available board meeting. The Principal shall notify the appealing party of the location, date and time of the hearing in front of the School Board of APV. The decision of the School Board of "APV" is final and not appealable. An expulsion action will not be delayed during the appeal process.

### **Provision for Appeal –**

- The appeal process for excessive absences starts with the parent/student and his or her Principal. The appeal may go to the Attendance Review Board made up of teachers, counselor, and administrators.
- Parents or guardians are not allowed to pick up students between 2:00 p.m. and regular dismissal time.
- If a parent picks up their child late from school, the parent must pay a fee of \$5.00 for every fifteen minutes they are late.

## **PARENT ATTENDANCE GUIDELINES**

- Annual Warning Notice: In this section “parent” includes a person standing in a parental relationship. (TEC 25.095(d))
- At the beginning of the school year, a school district shall notify the parent in writing if the student is absent from school on 10 or more days or parts of days the parent is subject to prosecution for “parent contributing to non-attendance” and the student is subject to prosecution for “failure to attend school”. (TEC 25.095(a)).
- Partial day absences include, but are not limited to arriving ten or more minutes late to school, arriving ten or more minutes to class, skipping class and early pick-ups before school is over.
- When a student has been absent from school, without excuse, for three days or parts of days, the school shall notify the parent.
- Inform the parent that it is the parent’s duty to monitor the student’s attendance and require the student to attend school;
- Inform the parent that the parent is subject to prosecution, and
- Request a conference between school officials and the parent. (TEC 25.095(b)).
- Parent Contributing to Non-Attendance: If a warning notice is issued as required by TEC 25.095(a)), the parent, with criminal negligence, fails to require the child to attend school as required by law, and the child has absences for the amount of time specified under TEC 250094, the parent commits an offense. (TEC 25.093(a))

## **ZERO TOLERANCE/PURSUIT OF CRIMINAL CHARGES**

- The APV School, Board, in accordance with its major system priorities, believes the school environment should be safe for all students and free of disruptions that interfere with the educational process. In response to this belief, the School Board has developed a policy of zero tolerance. This policy shall apply to elementary-, middle-, and high-school students. In cases where students in elementary, middle, or high school engage in conduct that contains the elements of an offense in violation of the Penal Code or the Education Code, the school district will pursue arrest, charges, and probationary contracts, juvenile detention facility, or county jail. Parents and students should be aware that Houston Police Department 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.

## **REPORTS TO LOCAL LAW ENFORCEMENT**

- The Principal has an obligation under the law to notify the Houston Police Department if he or she 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.

## **CORPORAL PUNISHMENT**

- School Board prohibits corporal punishment as a disciplinary method within the “APV-FFL” school.

## **STUDENTS REQUIRED TO REGISTER AS SEX OFFENDERS**

Any student who is required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure and who is under any form of court supervision, including probation, community supervision, or parole, shall be removed from APV for at least one semester. If a student is required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure and is not under any form of court supervision, APV may expel the student or elect to leave the student in the regular classroom. The district may not leave the student in the regular classroom if the School Board’s designee determines that the student’s presence in the regular classroom:

- threatens the safety of other students or teachers;
- will be detrimental to the educational process; or
- is not in the best interests of the district’s students.

A student or the student’s parent or guardian may appeal the decision to place the student in the DAEP by requesting a conference among the School Board’s designee, the student’s parent or guardian, and the student. The conference is limited to the factual question of whether the student is required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure. If the School Board’s designee determines at the conclusion of the conference that the student is required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure, the student shall be expelled. The decision of the School Board’s designee is final and may not be appealed.

## **PROCEDURES FOR TEACHER REMOVAL OF STUDENTS**

The Texas Education Code provides teachers with three ways to maintain discipline by removing unruly or disruptive students from the classroom. Each alternative for removal of students carries different disciplinary alternatives.

### **Reasons for Teacher Removal of Students**

### **Alternative I**

- A teacher may send a student to the Principal's office to maintain effective discipline in the classroom as stated in Level II after other alternatives have been tried and after parent notification.
- If the student is removed to maintain effective discipline as stated under Alternative I, the Principal is free to employ any disciplinary management technique or option authorized by the Code of Student Conduct and Parent Handbook 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 and to the Optional Removal of Expulsion under Level III.

### **Alternative II**

- A teacher may remove a student from class who has been documented by the teacher to repeatedly interfere 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.

### **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 class
- placement in in-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 schedule a conference with the Principal or his or her designee, a parent or guardian 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 in-school suspension or in another class,
- At the conference, the student is entitled to written or oral 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, in in-school suspension, 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 the student to the Campus Placement Review Committee for a determination as to placement.
- The teacher may not be coerced to accept the student without a determination by the Campus Placement Review Committee.
- The Campus Placement Review Committee will make a determination as to whether the student may be returned to the removing teacher's class. The student may not be returned to the teacher's class without the teacher's consent unless the committee determines that such placement is the best or only placement available. In the case of Special Education students, the decision on placement may be made only by a duly constituted Admission, Review, and Dismissal Committee.

#### **Placement Review Committee under Alternative II**

- Each school shall have a placement review committee composed of three members. The committee will determine placement of a student when a teacher has removed the student under Alternative II and refuses to allow the return of the student to the teacher's class. The committee will make a final determination of the student's placement
- When a student is removed under this section.
- The campus faculty shall choose two teachers to serve as members and one teacher to serve as an alternate member.
- The Principal shall choose one member from the professional staff of the campus.
- The teacher refusing to readmit the student may not serve on the committee. 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. The teacher may not be coerced to consent. In accordance with federal law, the placement of a student with disabilities may be changed only by a duly constituted ARD Committee.

#### **Alternative III**

- A teacher is required to remove from class and send to the Principal for disciplinary action 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 or shall be expelled as appropriate or as required by state law. Procedures for removal or expulsion shall be followed.

## **STUDENTS' RIGHTS AND RESPONSIBILITIES:**

### **Sexual Harassment/Sexual Abuse/Dating Violence**

#### **Sexual Harassment by Students**

- Students shall not engage in sexual harassment toward another student or a school employee. A substantiated charge of sexual harassment against a student shall result in disciplinary action.

#### **Sexual Harassment/Abuse by Employees**

- School employees are prohibited from sexually harassing or sexually abusing students. Romantic relationships between students and employees are prohibited. A substantiated charge of sexual harassment against an employee shall result in disciplinary actions and legal charges.

#### **Date/Relationship Violence**

- The school prohibits sexual harassment, dating violence, and harassment based on a person's age, race, color, ancestry, national origin, sex, handicap or disability, marital status, religion, political affiliation, sexual orientation, gender identity and/or gender expression. Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples of dating violence against a student may include but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors against the targeted student.

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

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

#### **Reports to Lawful Authorities**

- Any school 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 reports to appropriate authorities, as required by law, within 48 hours.

- APV shall notify the parents of all students involved in sexual harassment by a student or students when the allegations are not minor. The district shall notify parents of all incidents of sexual harassment or sexual abuse by an employee.

### **Investigations**

- All reports of sexual harassment that are not minor shall be referred to the Principal or a designee. Oral complaints shall be reduced to writing to assist in the district's investigation. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

### **Protection from Retaliation**

The school shall not retaliate against a student who in good faith reports perceived sexual harassment or sexual abuse.

## **PROCEDURE FOR SEXUAL HARASSMENT/DATING VIOLENCE**

For purposes of the following complaint process, "*days*" shall mean calendar days.

### **Level One:**

- A student or parent who has a complaint alleging sexual harassment by another student or other students or sexual harassment or sexual abuse by an employee may request a conference with the Principal or a designee. The student may be accompanied by a parent or other advisor at the initial conference and throughout the complaint process. The initial conference with the student ordinarily shall be held with a person who is the same sex as the student. The conference shall be scheduled and held as soon as possible, but in any event within seven days of receipt of the complaint. At the conference, the persons bringing the complaint shall be informed of the right to file a complaint with the Office of Civil Rights. The Principal or designee shall coordinate an appropriate investigation, which ordinarily shall be completed within seven days of receipt of the complaint. The student or parent shall be informed if extenuating circumstances delay the investigation. Nothing in the complaint process shall have the effect of requiring a student alleging sexual harassment or sexual abuse to report the matter to the person who is the subject of the complaint.

### **Level Two:**

- If the resolution of the complaint at Level One is not to the student's or parent's satisfaction, the student or parent has seven days to request a conference with the

Principal or a designee, who shall schedule and hold a conference. Prior to or at the conference, the student or parent shall submit a written complaint that includes a statement of the complaint, any evidence in its support, the resolution sought, the student's and/or parent's signature, and the date of the conference with the Principal or designee.

### **Level Three:**

- If the resolution of the complaint at Level Two is not to the student's or parent's satisfaction, the student may present the complaint to the School Board at its next regular meeting. The complaint shall be included as an item on the agenda posted with notice of the meeting. Announcing a decision in the student's or parent's presence constitutes communication of the decision.

### **Closed Meeting:**

- The School Board shall hear complaints alleging sexual harassment by students or sexual harassment or sexual abuse by employees in closed meeting, unless otherwise required by the Open Meetings Act.

## **BULLYING AND OTHER TYPES OF HARASSMENT**

- The school encourages all students and staff members to foster a climate of mutual respect for others in order to enhance the district's educational purpose and the program designed to achieve that purpose. Each student is expected to respect the rights and privileges of other students, teachers, and district staff members.
- Students shall not engage in harassment motivated by age, race, color, ancestry, national origin, sex, handicap or disability, marital status, religion, political affiliation, sexual orientation, gender identity and/or gender expression and directed toward another student. A substantiated charge of harassment against a student shall result in disciplinary action.
- The term "harassment" includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, or disability that creates an intimidating, hostile, or offensive educational environment. The term also includes threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.
- Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the district's ability to investigate and address the prohibited conduct.
- Bullying, meaning engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-

sponsored or school-related activity, or in a vehicle operated by the district and that: (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; (2) is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; (4) interferes with a student's education or substantially disrupts the operation of a school.

- Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process.
- Any verbal abuse of others, including slurs, name-calling, or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, sexual orientation, and gender identity and/or gender expression.
- Cyberbullying at or away from campus, which is defined as the use of the internet, cell phones, or other devices to send, post, or text message images and material intended to hurt or embarrass another student. This may include, but is not limited to, continuing to send e-mail 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 victims 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 text, instant messages, or emails to another; and posting or sending rumors or gossip to incite others to dislike and/or gang up on the target, which is determined to have a material and substantial interference with school activities or with the rights of students.
- 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)
- To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, Principal, or other district employee. Any district employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the Principal or designee.

### **Procedures for Investigation of Bullying**

- The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national

origin, or disability. If so, the district shall proceed under policy. If the allegations could constitute prohibited conduct and bullying, the investigation under shall include a determination on each type of conduct.

- The Principal or designee shall conduct an appropriate investigation based on the allegations in the report.
- The Principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
- Absent extenuating circumstances, the investigation should be completed within ten district business days from the date of the initial report alleging bullying; however, the Principal or designee shall take additional time if necessary to complete a thorough investigation.
- The Principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Principal or designee.
- If an incident of bullying is confirmed, the Principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
- If the results of an investigation indicate that bullying occurred, the district shall promptly respond by taking appropriate disciplinary action in accordance with the district's Code of Student Conduct and Parent Handbook and may take corrective action reasonably calculated to address the conduct.
- A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.
- The discipline of a student with a disability is subject to applicable state and federal law in addition to the Code of Student Conduct and Parent Handbook.
- To address a request for a transfer on the basis of bullying shall refer to the Principal.
- The Principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
- If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the district may take action in accordance with the Code of Student Conduct and Parent Handbook or any other appropriate corrective action.
- To the greatest extent possible, the district shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
- A student who is dissatisfied with the outcome of the investigation may appeal through School Board.

### **Transfer of Students Who Have Engaged in Bullying**

Students who engage in bullying may be transferred to another classroom on the campus to which the victim was assigned at the time the bullying occurred; or a campus in the district other than the campus to which the victim was assigned at the time of the bullying. If another campus is not available the student will be informed about the home school as well as other area charter schools. Students with disabilities

may only be transferred in accordance with the discipline procedures applicable to students with disabilities as specified in Tex. Educ. Code, Sec. 37.004.

## **STUDENT PUBLICATIONS AND PRIOR REVIEW**

### **School-Sponsored Material**

- All publications edited, printed, or distributed in the name of or within APV shall be under the control of the school administration and the School Board. All publications approved and issued shall be part of the instructional program, under the supervision of a faculty sponsor, and all shall be carefully edited to reflect the high ideals and expectations of the citizens of the school. The exercise of appropriate economy in materials and production is expected without jeopardy to the content. The Principal shall be responsible for all matters pertaining to the organization, issuance, and sale of such publications and any other publication procedure, subject to Principal's approval.

### **Advertising**

- Advertising in the school publications may be accepted from business firms, subject to the approval of professional employees exercising editorial supervision over the publications. Advertising deemed inappropriate for student readers or that advertises products presenting a health hazard, such as alcohol or tobacco products, shall not be accepted.

### **Complaints**

- Students who have a complaint regarding the procedures or a professional decision affecting the content or style of a school-sponsored publication shall present that complaint in accordance with the School Board's Policy.

## **TRANSPORTATION SERVICE SAFETY GUIDELINES**

Students shall be aware that all of the rules contained in this Code are applicable to their conduct and actions while riding APV-provided transportation. Aside from compliance with the rules contained in Level I through V, students are expected to observe the following:

- Students shall wait in an orderly manner and avoid horseplay.
- Students shall enter and exit the bus in an orderly manner.
- Students shall remain seated in an orderly manner while the bus is in motion and until the bus comes to a complete stop.
- Students must sit in their assigned seats at all times.
- Students shall not tamper with bus windows, emergency doors and all other bus equipment. Emergency doors and exits will be used in the event of a declared emergency or evacuation drill.

- Students shall keep arms, legs, heads, and all personal effects inside the bus and out of the aisle.
- Students shall not mark or deface the bus and/or its equipment.
- Any damage done to the bus is chargeable to the parent of the student responsible for the damage.
- Students shall not fight, scuffle or throw objects or possess/use laser pointers inside or outside the school bus or at the bus stop.
- Students who must cross the roadway before entering or after leaving the school bus shall cross the roadway ten feet to the front of the bus and only after the bus has come to a complete stop and upon the direction of the bus driver.
- No one except school personnel, authorized adults, and school children assigned a particular route or schedule may ride a bus unless written permission is received from the appropriate school administrator.
- Students shall not eat or drink, including candy and gum, or use any tobacco product while on the bus.
- No student shall take or remove from another passenger personal effects of any kind.
- Students shall use appropriate language while on the bus and shall not engage in conversation or activities considered to be vulgar, abusive or demeaning.
- Students shall wear classroom acceptable attire while on the bus.
- Students are not permitted to leave or board the bus at any location other than the assigned stops at home or school.
- Should the above rules be broken, students shall be reported to an appropriate school administrator and discipline may be imposed in accordance with the rules contained in this *Code*.

## DEFINITIONS

The following definitions are provided to further detail and define the terms of this Code. The Board of Governors shall have final authority to interpret or amend any terms or provisions within this Code.

**Abusable volatile chemicals:** Those substances as defined in Texas Health and Safety Code § 485.001.

**Alcoholic Beverage:** Those substances as defined in Texas Alcoholic Beverage Code § 1.04.

**Assault:** Intentionally, knowingly, or recklessly causing bodily injury to another.

**Bullying:** Written or verbal expression or physical conduct that (1) has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

**Club:** An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.

**Controlled substance:** Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq.

**Deadly conduct:** Recklessly engaging in conduct that places another in imminent danger of serious bodily injury or knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Electronic media:** Refers to all forms, kinds and types of electronic devices, communication systems, networks, software, websites, and any other technology resources including, but not limited to, social media, text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing or file sharing Web sites, cellular telephones, portable electronic devices, computers.

**False alarm or report:** Knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that is known to be false or baseless and that would ordinarily: (1) cause action by an official or volunteer agency organized to deal with emergencies; (2) place a person in fear of imminent serious bodily injury; or (3) prevent or interrupt the occupation of a building, room, or place of assembly.

**Firearm (federal):** (1) any weapon, including a starter gun that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm weapon; or (4) any destructive device, such as an explosive, incendiary, or poison gas bomb, or grenade.

**Firearm (state):** 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.

**Gang:** An organization, combination, or association of persons composed wholly or in part of students that: (1) seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, or (2) that engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the School will consult with law enforcement authorities.

**Harassment:** Threatening to cause harm or bodily injury to another, engaging in sexually intimidating conduct, causing physical damage to the property of another, subjecting another to physical confinement or restraint, maliciously taking any action that substantially harms

another's physical or emotional health or safety, alone or in combination with other conduct prohibited by School policy, rules or the Code.

**Hazing:** Any act, occurring on or off campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization or group. Consent to or acquiescence in the hazing activity does not excuse the student of responsibility for the misconduct.

**Illegal knife:** A knife with a blade over 5 ½ inches; hand instrument designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.

**Paraphernalia:** Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, or a dangerous drug into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, bong and pipes.

**Possession:** Regardless of the student's knowledge or intent to possess the item, to have in or on: (1) a student's person or in the student's personal property, such as the student's clothing, purse, or backpack; (2) in any 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) any other school property used by the student, such as a locker or desk.

**Prohibited item:** Includes but is not limited to (1) alcoholic beverages, marijuana, controlled substances, or dangerous drugs; (2) paraphernalia; (3) prohibited weapons; (4) any other item prohibited by this Code.

**Prohibited weapons:** Includes the following items: armor-piercing ammunition, chemical dispensing device, explosive weapon, firearm silencer, knuckles, machine gun, short-barrel firearm, switchblade knife, or zip gun, Taser gun.

**Retaliation:** Harming or threatening to harm another: (1) on account of their service as a School employee or volunteer, (2) to prevent or delay another's service to the School, or (3) because the person intends to report a crime or violation of this Code.

**Self-defense:** When the person who is not the aggressor in an encounter uses the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter will not be considered self-defense.

**Sexual harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering

with a student's performance or creates an intimidating, hostile, or offensive educational environment.

**Soliciting:** Requesting, commanding, or attempting to induce another student to engage in specific conduct that would constitute a violation of the Code, and with the intent that a violation of the Code be committed.

**Short-barrel firearm:** A rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun if, as altered, it has an overall length of less than 26 inches.

**Switchblade knife:** Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force.

**Terroristic threat:** Threats to commit an offense involving violence to any person or property with intent to: (1) cause a reaction by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury; (3) prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public place; (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service; (5) place the public or a substantial group of the public in fear of serious bodily injury; or (6) influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the School).

**Title 5 felony offenses:** Offenses against the person that, depending on the circumstances, may include the following offenses under the Penal Code: murder; capital murder; transport; assault; aggravated assault; sexual assault; aggravated sexual assault; improper relationship between educator and student; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; improper photography or visual recording; coercing, soliciting, or inducing gang membership; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment by a person in a correctional facility; continuous sexual abuse of a young child or children; and tampering with a consumer product.

**Under the influence:** When in an employee's professional judgment, the student does not have the normal use of mental or physical faculties likely attributable to the student's use of marijuana, a controlled substance, dangerous drug or alcoholic beverage. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behavior. The student need not be legally intoxicated.

**Use:** With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.

**Zip gun:** A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

## **ADDENDUMS**

- Promotion and Student Expectations
- Code of Student Conduct and Parent Handbook (Signature Page)

Promotion Standards and Student Expectations

	PK 3	PK 4	Kinder	1st Grade	2nd Grade	3rd Grade	4th Grade	5th Grade	6th Grade	7th Grade	8th Grade
Attendance Report Card Grades	Students must earn a 70% or better in all subjects.										
End of the Year Fluency Rate (WPM)			English: 30 Spanish: 30	English: 60 Spanish: 60	English: 90 Spanish: 90	English: 120 Spanish: 120	English: 150	English: 180	English: 200	English: 220	English: 220
End of the Year Reading Level		DRA: 4 EDL: 4 (or equivalent)	DRA: 10 EDL: 10 (or equivalent)	DRA: 18 EDL: 18 (or equivalent)	DRA: 30 EDL: 30 (or equivalent)	DRA: 40 EDL: 40 (or equivalent)	DRA: 50 EDL: 60 (or equivalent)	DRA: 60 (or equivalent)	DRA: 70 (or equivalent)	DRA: 80 (or equivalent)	DRA: 80 (or equivalent)
High Frequency Words	26 letters and sounds	26 letters and sounds	26 letters and sounds	English: 20 HFWs	Spanish: 20 HFWs	Rote counting 0-20	Number recognition 0-5	Rote counting 0-50	Number recognition 0-10	Rote counting 1-100	Number recognition 0-20
Math Facts	Number recognition 0-5	Number recognition 0-10	Number recognition 0-20	Addition and Subtraction Facts 1-5	Addition and Subtraction Facts 1-10	Addition and Subtraction Facts 1-10	Skip Counting by 2's, 3's, 5's, 10's	Addition and Subtraction Facts 1-10	Addition and Subtraction Facts 1-12	Multiplication Facts 1-15	Skip Counting by 2's, 3's, 5's, 10's
STAAR	Students must show a minimum of one year's growth.										
Stanford and APRENDA	Students must pass STAAR in Reading and Math										

# CODE OF STUDENT CONDUCT AND PARENT HANDBOOK

## Student and Parent Acknowledgement

- Attend all classes each day and be on time
- Prepare for each class with appropriate materials and completed assignments
- Dress according to the dress code adopted by each individual school
- Know that the possession, use, and/or sale of illegal or unauthorized drugs, alcohol, and weapons are unlawful and prohibited
- Show respect toward others
- Conduct yourself in a responsible manner
- Pay required fees and fines
- Know and obey all school rules in the Code of Student Conduct and Parent Handbook and the School-Based Discipline Management System
- Cooperate with staff members in investigations of disciplinary matters *The Code of Student Conduct and Parent Handbook has been written to help your son or daughter gain the greatest possible benefit from his or her school experience.*
- Seek changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
- Report threats to the safety of students and staff members as well as misconduct on the part of any other students or staff members to the building Principal, a teacher, or another adult.
- Be familiar with and comply with the Acceptable Use Policy for Computers and Technology and understand that if access is not desired, the parent and student may opt out. Use APV technology systems for school business purposes only and use school computers and related equipment appropriately.
- Abide by the technology security procedures developed by APV, such as never leaving a terminal or workstation unattended or unsecured while logged on to a host computer or network.
- Report all observed or suspected technology security problems immediately to a teacher

APV shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and district personnel. The student’s responsibilities for achieving a positive learning environment at school and/or school-related activities shall include the following:

The Code of Student Conduct and Parent Handbook have been written to help your son or daughter gain the greatest possible benefit from his or her school experience.

The school is in need of your help and cooperation. It is important that every student understands the *Code* and be expected by his or her parent(s) or guardian(s) to follow the rules and regulations set forth in the *Code*. Please read and discuss the *Code* with your child. When you have done so, you and your child must sign this form and return it to the school. Signatures of parents and the student acknowledge receipt of a copy of the *Code of Student Conduct and Parent Handbook* and certify that they have read and discussed the *Code*. It is expected that parents and students will accept their responsibilities as described in the *Code of Student Conduct and Parent Handbook*.

Student Signature	Date	Parent or Guardian Signature	Date
Grade		Homeroom Teacher	

**Note:** Place original form in student’s cumulative folder.