



El Paso Academy Charter High School

STUDENT/PARENT HANDBOOK and STUDENT CODE OF CONDUCT

2019-2020

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WELCOME TO EL PASO ACADEMY CHARTER HIGH SCHOOL

This Student Handbook and Code of Conduct are designed to provide a resource for some of the basic information that you and your son/daughter will need during the school year. Both parents and students should become familiar with the Student Code of Conduct contained in this handbook. It was adopted by the Board of Directors of El Paso Academy to promote school safety and an atmosphere for learning. Please take time to read the handbook.

Please be aware that this Student Handbook and Code of Conduct is not a complete statement of policies, procedures, or rules that may be applicable in a given circumstance. Although the Student Handbook and Code of Conduct may refer to rights established through law or District policy, the Student Handbook and Code of Conduct does not create any additional rights for students and parent. It does not, nor is it intended to, create contractual or legal rights between any student or parent and the District.

Please complete and return the acknowledgement page of the Handbook – “Acknowledgment of Student Handbook and Code of Conduct” – to the school office at your campus within 10 days. If you have any questions about the handbook, please contact the Campus Administrator at (915)590-8589 East Campus, or (915)845-7997 West Campus.

CHARTER SCHOOL BACKGROUND

In 1995, the Texas Legislature authorized the creation of state chartered schools. Charter schools are public schools that exist as educational options to mainstream schools. Charters differ in that they can develop and use innovative curricula to serve the needs of their students. Like all traditional public schools, charter schools are open to the public, accountable to the public and funded by through student average daily attendance.

El Paso Academy Charter School was founded in 2000. As a fully accredited school, El Paso Academy’s focus has been to provide students who have struggled in a traditional high school setting an alternative educational setting for the purpose of completing a high school diploma. The Board of Directors of El Paso Academy is the governing body of the school which implements the policies and procedures of El Paso Academy. Charter schools are accountable to the State Board of Education and are monitored by the Texas Education Agency.

El Paso Academy’s goal is that every student will complete high school and achieve post-secondary educational goals. El Paso Academy offers its students dual credit opportunities, career and technical training, job placement assistance, college enrollment assistance, and counseling.

OUR VISION

To provide students with educational support to build confidence, achieve their academic goals, and succeed after they complete their time at our school.

OUR MISSION STATEMENT

El Paso Academy Charter School’s mission is to provide students an alternative educational option, varied methods of instruction, and flexible school hours that allow students to work at their own pace, develop strong academic skills, and utilize technology to accomplish their learning.

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2019-2020
El Paso Academy Academic Calendar

August 2-6	Pre-planning (School Faculty and Employee only)
August 7	First Day of School
September 2	Labor Day (School Closed)
September 5	Parent/Teacher Conference Night – 1st Quarter Progress Report
October 11	End of 1 st Quarter
October 14	Staff Development and Work Day (No School for Students)
October 15	First Day of 2 nd Quarter
October 18	1 st Quarter Report Card
November 11	Veteran’s Day (School Closed)
November 14	Parent/Teacher Conference Night – 2nd Quarter Progress Report
November 25-29	Thanksgiving Break (School Closed)
December 9-13	STAAR End-of-Course State Assessments
December 20	End of 2 nd Quarter
Dec. 23-Jan. 3	Winter Break (School Closed)
January 6	Faculty Professional Development Day (No School for Students)
January 7	First Day of 3 rd Quarter
January 10	2nd Quarter Report Card
January 20	Martin Luther King Day (School Closed)
January 31	Winter Commencement Ceremony – UTEP Magoffin Auditorium
February 6	Parent/Teacher Conference Night – 3 rd Quarter Progress Report
February 17	President’s Day (School Closed)
Feb 24 – April 3	TELPAS Assessment Window
March 12	End of 3 rd Quarter
March 13	Faculty Professional Development Day (No School for Students)
March 16 - 20	Spring Break (School Closed)
March 23	First Day of 4 th Quarter
March 27	3rd Quarter Report Card
April 7, 8 & 9	STAAR End-of-Course Assessments (English I and II)
April 10	Good Friday Holiday (School Closed) and/or Inclement Weather Make-up Day
April 23	Parent/Teacher Conference Night – 4th Quarter Progress Report
May 11 - 15	STAAR End-of-Course Assessment (Biology, Algebra I, & U.S. History)
May 22	End of 4 th Quarter - Last Day of School
May 25	Memorial Day (School Closed)
May 26 – 29	Faculty Professional Development Day (No School for Students)
May 29	4 th Quarter Report Card
June 5	Spring Commencement Ceremony – UTEP Magoffin Auditorium

REQUIRED LEGAL NOTICES

STUDENT NON-DISCRIMINATION

El Paso Academy Charter Schools does not discriminate in admissions or in its educational programs and services, including its career and technology education programs on the basis of gender, national origin, race, color, age, ethnicity, religion, and disability. El Paso Academy complies with the Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act of 1990 (“ADA”), as amended which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 as amended; the Age Discrimination Act of 1975, as amended; and any other legally protected classification or status protected by applicable law.

Any questions or concerns about El Paso Academy Charter School’s compliance with these federal programs should be brought to the attention of the following persons designated as being responsible for coordinating compliance with these requirements:

Questions or concerns about discrimination on the basis of a disability should be directed to the Executive Director, the district ADA/Section 504 Coordinator, whose office is located at 11000 Argal Ct., El Paso, TX, and who can be reached by calling (915) 590-8589.

Questions or concerns relating to discrimination on the basis of age should be directed to the Executive Director, the Age Discrimination Coordinator, whose office is located at 11000 Argal Ct., El Paso, TX and who can be reached by calling (915) 590-8589.

Questions or concerns about discrimination against students based on sex/gender should be directed to the Executive Director, the district Title VI/ Title IX Coordinator, whose office is located at 11000 Argal Ct., El Paso, TX, and who can be reached by calling (915) 590-8589.

All other concerns regarding discrimination may also be directed to the Executive Director, whose office is located at 11000 Argal Ct., El Paso, TX and who can be reached by calling (915) 590-8589.

HOMELESS LIAISON and TITLE I PARTICIPANTS

Homeless Liaison and Title I Participants Homeless children and youth are ensured specific educational rights and protections under the McKinneyVento Homeless Education Assistance Act of 2001. “Homeless children and youth,” as defined by this federal law as individuals who lack a fixed, regular, and adequate nighttime residence. This definition also includes:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Children and youth who may be living in motels, hotels, trailer parks, shelters, or awaiting foster care placement;
- Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, or
- Migratory children and youth who qualify as homeless because they are children who are living in similar circumstances listed above.

Parents of students in homeless situations can keep their students in their schools of origin (the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled even if the student is now residing outside the school attendance area or school district) or enroll them in any public school that students living in the same attendance area are eligible to attend.

The Executive Director is the liaison for services to students who are determined to be homeless, as defined by federal law. If you believe your child may be eligible for services or assistance, contact her at (915) 590-8589. The Campus Counselors are our Parent Involvement Coordinators, who work with families and children participating in Title I programs. If you have questions about the program or need assistance related to the program, contact them at your respective campus.

SPECIAL PROGRAMS

Bilingual/ESL Services

El Paso Academy offers Bilingual/English as a Second Language (“ESL”) services for English language learners who are limited to their English proficiency. The program is designed to assist students identified as having Limited English Proficiency with development in language – listening, speaking, reading, and writing. The goal of this program is to provide additional English language assistance to students, enabling them to become academically successful in all classes. Students are assessed with state-approved tests to qualify for placement in the program. If the test results indicate either limited oral or limited cognitive academic English ability, the student (with parent approval) is provided additional English language support.

Special Education Services

El Paso Academy has the responsibility of identifying, locating, and evaluating individuals with disabilities who are 5 to 21 years of age and who fall within the school’s jurisdiction. If you know or suspect that your student has a disability, please contact the El Paso Academy Special Education Coordinator, for information about available programs, assessments, and services.

Special education services are specifically designed to meet the unique needs of students with disabilities. Each student who receives special education services has an Individual Education Plan (“IEP”), which is developed by the student’s Admission, Review, and Dismissal (“ARD”) Committee. The ARD Committee considers the student’s disability and determines appropriate accommodations, supplementary aids, and/or services that are necessary for the student to participate in the general curriculum.

All special education services are provided in the least restrictive environment, which may be special education settings, general education settings, or a combination of both. All students receiving special education services are educated to the maximum extent appropriate with their non-disabled peers as well as participating in all school activities on the same basis as students who are not disabled.

The Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities, can be obtained from the Special Education Coordinator, or at the Texas Education Agency Special Education Website: http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/ For further information, please contact the Special Education Coordinator.

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

If a student is experiencing learning difficulties, the parent/guardian may contact the Special Education Coordinator to learn about EPA's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students.

Parents shall be notified when their student receives assistance at El Paso Academy through the use of intervention strategies for that school year. A description and estimate of the duration of the services to be provided and strategies which may be used, information collected during the process, and progress reports shall be provided to a parent/guardian.

At any time, a parent/guardian of a minor child is entitled to request an evaluation for Special Education services. If the student is 18 years of age or older, the student must make the request. Within a reasonable amount of time, the district must decide if the evaluation is needed. If evaluation is needed, the parent/guardian will be notified and asked to provide consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. The district must give a copy of the report to the parent/guardian.

If the district determines that the evaluation is not needed, the district will provide the parent/guardian with a written notice that explains why the student will not be evaluated. This written notice will include a statement that informs the parent of his or her rights should there be a disagreement with the district. Additionally, the notice must inform the parent how to obtain a copy of the *Notice of Procedural Safeguards- Rights of Parents of Students with Disabilities*.

For information regarding options for a student experiencing learning difficulties or a referral for evaluation for special education, contact the Campus Administrator at your son/daughter's campus.

Section 504 Services

El Paso Academy provides a free appropriate public education to each qualified student with a disability, regardless of the nature or severity of the student's disability. A "student with a disability" is one who has a physical or mental impairment that substantially limits one or more of the student's major life activities, has a record of having such impairment, or is regarded as having such impairment. A student with a disability is "qualified" if he or she is between the ages of 3 and 21, inclusive.

An appropriate education is the provision of regular or special education and related services that are (1) designed to meet the student's individual educational needs as adequately as the needs of students who do not have disabilities are met; and (2) based on adherence to procedures that satisfy federal requirements for educational setting, evaluation and placement, and procedural safeguards.

Qualified students with disabilities will be placed in the regular educational environment, unless El Paso Academy demonstrates that education in the regular environment with the use of supplemental aids and services cannot be achieved satisfactorily. Should an alternate educational environment be necessary, El Paso Academy will comply with all legal requirements regarding least restrictive environment and comparable

facilities for students with disabilities. In providing or arranging for nonacademic and extracurricular services and activities, El Paso Academy will ensure that a qualified student with a disability participates with students who do not have disabilities to the maximum extent appropriate.

ADMISSIONS, ENROLLMENT, WITHDRAWAL AND ATTENDANCE

GENERAL ADMISSIONS and ENROLLMENT INFORMATION

The School is an open-enrollment charter school as provided by Texas Education Code, Chapter 12, Subchapter D, § 12.101(b). Admission and enrollment of students shall be open to persons who reside within the geographic boundaries stated in the El Paso Academy's charter, and who are eligible for admission based on lawful criteria identified in the charter and in state law. El Paso Academy accepts students from the Anthony ISD, Canutillo ISD, Clint ISD, El Paso ISD, El Paso County JJAEP, Fabens ISD, San Elizario ISD, Socorro ISD, Tornillo ISD, and Ysleta ISD attendance zones.

The total number of students enrolled in El Paso Academy shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by El Paso Academy based on occupancy limitations, code compliance and staffing availability and requirements as deemed necessary. In accordance with state law, El Paso Academy does not discriminate in its admissions policy on the basis of sex, national origin, ethnicity, religion, disability, academic or artistic or athletic ability, or the district the child would otherwise attend.

Exclusion from Admission

As authorized by the El Paso Academy's charter and Texas Education Code § 12.111(a)(5)(A), students with a documented history of criminal offenses, juvenile court adjudication, or discipline problems under TEC Chapter 37, Subchapter A may be denied admission. Documented discipline problems include: truancy, fighting, prior school suspension, vandalism, alcohol, drug or tobacco use. Determination of a student's documented history of discipline problems that will warrant the denial of admission may include any of the following sources: transfer records from prior school such as discipline records, attendance records, counselor notes, parent information, and court and probation department records as available.

Any student assigned to an alternative school for any reason under Chapter 37.008 or 37.011 of the Texas Education Code must show proof of their successful completion to their Alternative Education Placement Requirements prior to any consideration for admission to El Paso Academy. El Paso Academy Charter District does not have a District Alternative Education Program (DAEP) campus and therefore, is unable to allow students the option to continue their DAEP order. A student may be required to withdraw if the student does not notify school personnel of a DAEP order upon enrollment.

If a student has had documented discipline problems and has overcome them for at least one school semester, by successfully attending a non-disciplinary, alternative program, the Academy may accept the student.

Admissions Form and Tuition

Students wanting to attend El Paso Academy must submit an admissions form via online or in-person any time throughout the school year.

El Paso Academy may not charge tuition to an eligible student.

Eligibility of Enrollment

El Paso Academy ensures that appropriate measures are taken to verify, on enrollment, that a student is entitled to enroll. Any student admitted to El Paso Academy must have records such as report card and/or transcript from the previous school attended to verify his or her academic standing. Verification of residency and current immunization records are also required. Every student enrolling in El Paso Academy for the first time must present documentation of immunizations as required by the Texas Department of State Health Services.

No later than 30 days after enrolling in El Paso Academy, the parent and school district in which the student was previously enrolled shall furnish records that verify the identity of the student. These records may include the student's birth certificate or a copy of the student's school records from the most recently attended school.

Students will not be denied enrollment because they failed to meet this requirement.

El Paso Academy will forward a student's records on request to a school in which a student seeks or intends to enroll without the necessity of the parents' consent.

Establishing Identification

Any of the following documents are acceptable for proof of identification and age: birth certificate; driver's license; passport; school ID card; records, or report card; military ID; hospital birth records; adoption records; church baptismal record; or any other legal document that establishes identity.

Undocumented Students

As required by law, El Paso Academy will not deny admission based on a student's immigration status.

Residency Verification

The Texas Education Code authorizes schools to obtain evidence that a person is eligible to attend public schools. To be eligible for continued enrollment in El Paso Academy, each student's parent must show proof of residency at the time of enrollment. Residency may be verified through observation, documentation, and other means, including, but not limited to:

1. A recently paid rent receipt,
2. A current lease agreement,
3. The most recent tax receipt indicating home ownership,
4. A current utility bill indicating the address and name of the residence occupiers,
5. Mailing addresses of the residence occupiers,
6. Visual inspection of the residence,
7. Interviews with persons with relevant information, or
8. Building permits issued to a parent on or before September 1st of the school year in which admission is sought (permits will serve as evidence of residency for the school year in which admission is sought only).

Falsification of residence on an enrollment form is a criminal offense.

WITHDRAWALS

Voluntary Withdrawal

A parent/guardian wishing to withdraw a student from El Paso Academy should notify the school at least 24 hours in advance. By providing this information in advance, parents/guardians help facilitate the withdrawal process. A withdrawal form may be obtained from the school registrar's office. The campus administrator will verify the information on the withdrawal form when the parent/guardian arrives to sign withdrawal papers to complete the process. The parent/guardian shall also provide the name of the new school in which the student will be enrolled, and must sign the formal request to document that the student will continue to be enrolled in a school as required by compulsory attendance laws. On the student's last day, a copy of the withdrawal form will be given to the student and a copy will be placed in the student's permanent record. The student will also be provided with a copy of the student's transcripts with the grades earned to date to provide to his or her new school.

A student who is 18 years of age or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

Withdrawing students and parents are expected to:

- Have a meeting with a school administrator;
- Return all textbooks and checked-out materials and equipment;
- Complete any make-up work assigned;
- Pay any unpaid balance for student fees, if any; and
- Sign a release of student records.

In all cases, withdrawal forms must be appropriately completed and signed before a withdrawal is complete.

Involuntary Withdrawal

El Paso Academy may initiate withdrawal of a student under the age of 18 for non-attendance under the following conditions:

- (1) the student has been absent 5 consecutive school days, and
- (2) repeated efforts by the campus administrator to locate the student have been unsuccessful.

Additionally, El Paso Academy may revoke the enrollment of a student 18 years of age or older who has more than five unexcused absences in one quarter.

ATTENDANCE

State law requires students who are at least six years old as of September 1 of the applicable school year to attend public school until the student's 19th birthday, unless the student is exempt under the allowable exemptions §25.086. El Paso Academy staff must investigate and report violations of the state compulsory attendance law. A student absent from school without permission from any class, from required special programs, termed "accelerated instruction" by the state; or from required tutorials will be considered "truant" and subject to disciplinary action.

Students are required by state law to be in attendance for at least 90 percent of the days a class is offered per quarter in order to receive credit for the classes in which they are enrolled. A student who is in attendance for at least 75 percent, but less than 90 percent, may have credit restored if the student completes a plan, approved by the campus administrator, that provides for the student to meet the instructional requirement of the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

If a student attends less than 75 percent of the days a class is offered or has not completed the plan approved by the campus administrator, then the student will be referred to the attendance review committee (ARC) to determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade lost because of absences.

Upon being notified of the recommendation to deny their son/daughter credit, a student's parent/guardian may request a hearing before the school ARC to present information regarding why their son/daughter absence should not result in loss of credit. This request must be made in writing within thirty school days of receipt of notification. The attendance committee may find that denial of credit is appropriate or that the parent has presented compelling evidence that their son/daughter's should not be denied credit. Any decision by the ARC is final and may not be appealed.

Compulsory Attendance Enforcement: Persons under Age 19

Students will be referred to truancy court for "unexcused absences." Under Texas Education Code § 25.095(a), if a student is absent from school on ten or more days or parts of days within a six-month period in any one school year, the parent is subject to prosecution under Texas Education Code § 25.093 and the student is subject to referral to a truancy court for truant conduct under Texas Family Code § 65.003(a).

Attendance Enforcement: All Students

Students are required to attend each school day for the entire period of instruction for which the student is enrolled. If the student has more than five consecutive unexcused absences in a semester, El Paso Academy may initiate withdrawal of the person's enrollment for the remainder of the school year.

Excused Absences

Students' absences for school-related functions or campus administrator approved activities, are NOT counted in the student's total number of absences towards a loss of credit. Students are obligated to make up any missed work or assessments for these absences according to District policy.

El Paso Academy is required to excuse a student's absence for:

- Observance of a religious holy day;
- For attending a required court appearance;
- To appear at a governmental office to complete paperwork required in connection with the student's application for United States citizenship;
- To take part in a United States naturalization oath ceremony;
- For service as an election clerk;

- An appointment with a healthcare provider;
- An appointment with a health care practitioner for a student diagnosed with autism spectrum disorder

Absences for reasons other than those listed above will be considered unexcused.

A student absent from school shall provide a note that describes the reason for the absence. The note shall be signed by the student's parent or guardian. If the student is 18 or older and/or has been declared by a court to be an emancipated minor, the student may sign in place of a parent or guardian. Parents should notify the attendance office on the day of the student's absence to report the reason for the absence. You may receive a phone call from school personnel verifying your son/daughter's absence.

When notifying the school in writing, the note signed by the parent must contain the following information:

- The student's first and last name
- The date(s) of the absence
- The reason for the absence
- The parent's daytime telephone number
- The parent's signature

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

If the student is absent three consecutive days a doctor's excuse should be provided. The notification from the parent should be received within forty-eight hours of the student's return to school or the absence will become an unexcused absence. A note must be provided upon return even if the school was previously notified of the absence by phone call. A campus administrator may require a physician's verification of an illness at any time. Students must be present in a class at least 30 minutes to be counted present.

No student is to be excused to leave school grounds during school hours without approval of the campus administrator. Students who become ill or are injured during the school day should, with permission, report to the campus administrator. The campus administrator will decide whether or not the student should be sent home and will notify the parent/guardian. Upon returning to school, the student must present to the attendance office a note, signed by a parent/guardian that describes the reason for the absence.

School Assignments Due to Absence

Students must complete all of the school and class work that they missed because of an absence. Teacher(s) may assign additional work to ensure students who have been absent have sufficient opportunity to master the essential knowledge and skills or to meet subject or course requirements.

Students may be allotted a specified deadline for completing make-up assignments. A student who does not complete make-up assignments within the time allotted may receive a grade of “F” or 0% for the assignment.

If a student misses a test due to an excused absence, a make-up test may be scheduled by the teacher. Students are responsible for taking the test at that time. Teachers are not obligated to reschedule a make-up exam.

Tardiness

Students must be in their classroom and ready to receive instruction when the bell rings. If a student is not in the classroom he/she is considered tardy. A student, who arrives after the bell, is counted tardy for that class period (unless a doctor’s appointment, approved school activity or business on campus is documented). It is the responsibility of the parent or legal guardian to contact the school to verify the reason for the tardy. A student, who arrives 15 minutes after the bell, will be counted absent for the class period.

Warning letters will be given for excessive tardies and absences. Repeated tardiness will result in disciplinary consequences as allowed by the Student Code of Conduct.

Students are allowed 2 minutes for each class change. Unless the student has a note from the counselor or campus administrator, the tardy is unexcused.

- 1st tardy: Unexcused tardy will be recorded and conference will be held with student.
- 2nd tardy: Student will receive verbal warning and School will contact the parent/guardian.
- 3rd tardy: Student will be referred to campus administrator.

REQUIRED CURRICULUM, GRADUATION REQUIREMENTS, & ASSESSEMENTS

El Paso Academy maintains compliance with all state laws and regulations governing curriculum and graduation requirements.

CURRICULUM, CLASSIFICATIONS and CLASS RANK

El Paso Academy offers instruction in the essential knowledge and skills of the appropriate grade levels in the following required curriculum:

1. A foundation curriculum that includes:
 - a. English language arts and reading;
 - b. Mathematics;
 - c. Science;
 - d. Social studies; and

2. An enrichment curriculum that includes
 - a. Languages other than English, to the extent possible;
 - b. Health education;
 - c. Physical education (“PE”);
 - d. Fine Arts;
 - e. Career and technical education; and
 - f. Technology applications.

Course Credit

Students will earn credit for a course only if the final grade is 70 or above. For a two nine-week quarter, the student’s grades from both quarters will be averaged and credit will awarded if the combined average is 70 or above. When a student earns a passing grade in only one quarter of a two nine-week quarter and the combined grade for the two quarters is lower than 70, the District shall award the student credit only for the quarter with the passing grade. The student shall be required to retake only the semester in which he or she earned the failing grade.

Parts of courses not taken during the same academic school year, including summer school courses, shall not be subject to this averaging procedure.

Grade Classifications

Students will be classified by grade based the course credits earned. To earn credit in a course, a student must demonstrate mastery on grade level standards and meet School requirements for attendance.

Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required.

Grade levels will be determined using the information provided by the student upon enrollment (i.e., transcript(s) from all schools previously attended.) Grade levels will be updated prior to the Fall PEIMS Snapshot date (the last Friday in October) and at the end of each quarter.

Credits Earned	Classification
0 – 6	Grade 9 (Freshman)
6.5 – 12	Grade 10 (Sophomore)
12.5 – 18	Grade 11 (Junior)
18.5 – 26	Grade 12 (Senior)

Class Rank

Grades are represented by the numbers 0 – 100 and are used to compute the student’s grade point average. The GPA is used to determine the Senior Class Valedictorian and Salutatorian as well as the Top 10 Graduates and the Top 10% for the school year. The top ten percent of the class shall be selected for the honor group.

GRADUATION REQUIREMENTS

El Paso Academy shall ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education (“SBOE”) for graduation. As required by the El Paso Academics’ charter, a student may graduate and receive a diploma only if the student successfully completes the curriculum requirements identified by the SBOE, has completed a minimum of 30 hours of community service, and has performed satisfactorily on required end-of-course assessment instruments.

Each student who obtains a High School Diploma from El Paso Academy is eligible to participate in graduation. Our graduation is a cap and gown ceremony that celebrates the achievements of our students. It is modeled after a traditional graduation ceremony you would see at any school district. NOTE: If a graduate candidate violates the code of conduct prior to the graduation ceremony, the student will not be allowed to participate in the graduation ceremony.

Requirements for a Diploma for Students Enrolled in High School Prior to the 2014– 2015 School Year

To receive a high school diploma, a student who was enrolled in high school prior to the 2014–2015 school year must successfully:

1. Complete the required number of credits established by the State and any additional credits required by El Paso Academy;
2. Complete any locally required courses in addition to the courses mandated by the State;
3. Complete 30 hours of Community Service; and
4. Achieve passing scores on certain end-of-course (“EOC”) assessments or approved substitute assessments, unless specifically waived as permitted by State law.

Requirements for a Diploma Beginning with the 2014–2015 School Year

Beginning with students who enter grade 9 in the 2014–2015 school year, as well as any currently-enrolled high school student who decides to graduate under the new foundation graduation program, a student must meet the following requirements to receive a high school diploma:

1. Complete the required number of credits established by the State and any additional credits required by El Paso Academy;
2. Complete any locally required courses in addition to the courses mandated by the State;
3. Complete 30 hours of Community Service;
4. Achieve passing scores on certain EOC assessments or approved substitute assessments, unless specifically waived as permitted by State law; and
5. Demonstrate proficiency, as determined by El Paso Academy, in the specific communication skills required by the State Board of Education.

Foundation Graduation Program

Students who enter grade 9 in the 2014–2015 school year and thereafter will graduate under a new program called the “foundation school program.” Within the foundation graduation program are “endorsements,” which are paths of interest such as Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies.

State law and rules prohibit a student from graduating solely under the foundation graduation program without an endorsement unless, after the student’s sophomore year, the student and the student’s parent are advised of the specific benefits of graduating with an endorsement and submit written permission to an appropriate school administrator for the student to graduate without an endorsement. A student who anticipates graduating under the foundation graduation program without an endorsement and who wishes to attend a four-year university or college after graduation must carefully consider whether this will satisfy the admission requirements of the student’s desired college or university.

End-of-Course Assessments for Students in Grades 9–12

Beginning with ninth graders in the 2011–2012 school year and, as modified by House Bill 5, end-of-course (“EOC”) assessments are administered for the following courses:

- Algebra I;
- Biology;
- English I and II; and
- United States History.

If a student fails to perform satisfactorily on an EOC assessment, El Paso Academy will provide remediation in the content area for which the performance standard was not met. This may require student participation before or after normal school hours, or at times of the year outside of normal school operations.

Satisfactory performance on the applicable assessments will be required for graduation, except in circumstances where a student may be eligible to graduate in accordance with a plan approved by an Individual Graduation Committee.

As set forth in S.B. 149, and updates through SB 213(2019), a school district or open-enrollment charter school is required to establish an individual graduation committee for each student who fails to pass not more than two End-of-Course assessments after two attempts to determine whether the student

may satisfy high school graduation requirements through alternative methods that show a sufficient understanding of the knowledge and skills taught and tested in the subject.

Under Texas law, to receive a diploma, a student must complete all course work for the Foundation High School program and pass all state assessments or qualify for a high school diploma based on an Individual Graduation Committee review. SB 213 now extends the end date of this committee to September 1, 2023 and addresses those students who have failed up to two STAAR end-of-course exams. The committee will determine whether the student qualifies to graduate with certain requirements established by the district. The committee's decision is final and may not be appealed.

There are three testing windows during the school year in which a student may take an EOC assessment, which will occur during the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have additional opportunities to retake the assessment.

Texas Success Initiative Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative ("TSI") assessment. The purpose of the TSI assessment is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This assessment is required before a student enrolls in a dual-credit course offered through El Paso Academy.

Texas English Language Proficiency Assessment System ("TELPAS")

The Texas English Language Proficiency Assessment System ("TELPAS") is a system of statewide assessments administered to all Limited English Proficient ("LEP") students in grades K–12. The TELPAS measures English ability based on the stages of language development of second language learners. These results will further the understanding of the educational needs of LEP students by providing a state-level measure of both their current academic English levels and their annual progress in English.

INFORMATION FOR PARENTS AND IMPORTANT NOTICES

ACCOMMODATIONS FOR CHILDREN OF MILITARY FAMILIES

Children of military families will be provided flexibility regarding certain school requirements, including:

- Immunization requirements;
- Grade level, course, or educational program placement;
- Eligibility requirements for participating in extracurricular activities; and
- Graduation requirements.

In addition, absences related to a student visiting with his or her parent, including a stepparent or legal guardian, who has been called to active duty for, is on leave from, or is returning from a deployment of at least four months will be excused by El Paso Academy. El Paso Academy will permit no more than five excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60th day before deployment or no later than the 30th day after the parent's return from deployment.

STUDENT OR PARENT COMPLAINTS AND CONCERNS

Students or parents who have a complaint should request to meet with the individual involved to try and resolve any concerns informally. If an informal resolution is not reached, student and/or parental complaints shall be submitted in writing on a form provided by El Paso Academy. Copies of documents that support the complaint shall be attached to the complaint form or presented at the Level One conference. After the Level One conference, no new documents may be submitted unless their existence was unknown to the complainant before the Level One conference. A complaint that is incomplete may be dismissed.

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

Level One

The student or parent shall request in writing a conference with the Campus Administrator or designee within seven days from the time the event(s) causing the complaint were or should have been known.

Following a conference, the Campus Administrator or designee shall have seven days to respond.

Level Two

If the student or parent is not satisfied with the Level One decision, or if no decision is provided, the student or parent may appeal the Level One decision to the Executive Director or designee by filing written notice on a form provided by the school. The request must be filed within seven days of the Level One decision or the response deadline if no decision is made. The Executive Director or designee will hold a conference within seven days of the appeal. The student or parent shall submit all documentation provided prior to the Level 1 conference, and the date and results of the conference with the Campus Administrator or designee.

The Executive Director or designee shall have seven days following the conference to respond.

Level Three

If the student or parent is not satisfied with the Level Two decision, or if no timely decision is provided, the student or parent may submit to the Executive Director or designee in writing a request for a hearing before the Board of Directors. The request must be filed within seven days of the Level Three decision or the response deadline if no decision is made. The student or parent shall be informed of the date, time, and place of the hearing.

The Board of Directors shall hear the student or parent complaint, and may set a reasonable time limit for presenting the complaint. Only written documentation and issues previously submitted and presented by the student or parent and El Paso Academy will be considered. An audiotape recording of the hearing may be made.

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

DIRECTORY INFORMATION

Under FERPA, El Paso Academy must, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a student's education records. However, El Paso Academy may disclose appropriately designated "directory information" without written consent, unless a parent or eligible student has advised El Paso Academy, in writing, to the contrary. The primary purpose of directory information is to allow El Paso Academy to include this type of information from a student's education records in certain school publications.

El Paso Academy has designated the following categories of information as directory information for the purpose of disclosure relating to school-related purposes:

- Student name;
- Date and place of birth;
- Major field of study
- Degrees, honors, and awards received;
- Dates of attendance;
- Grade level;
- Most recent educational institution attended;
- Participation in officially recognized activities.

School-related purposes are those events/activities that El Paso Academy conducts and/or sponsors to support the school's educational mission. Examples include, but are not limited to:

- Extracurricular programs or events (school plays, concerts, athletic events, graduation ceremony, etc.).
- Publications (newsletters, yearbook, etc.).
- Honor roll and other student recognition lists.

- Marketing materials of El Paso Academy (print media, website, videos, newspaper, etc.).

El Paso Academy has designated the following categories of information as directory information for purposes of disclosure to military recruiters and institutions of higher education, but only for secondary students:

- Student’s name, address, and telephone number.

El Paso Academy shall not release directory information except for the purposes indicated above, namely, disclosure relating to school-sponsored/school-affiliated purposes or for the purposes of disclosure to military recruiters and institutions of higher education for secondary students.

Release of a student’s directory information may be prevented by the parent/guardian or an eligible student. This objection must be made in writing to the Campus Administrator within fifteen (15) school days of receiving the “NOTICE OF PARENT AND STUDENT RIGHTS (ANNUAL FERPA CONFIDENTIALITY NOTICE).” receipt of notice.

Obtaining Information and Protecting Student Rights

Students will not be required to participate without parental consent in any survey, analysis, or evaluation – funded in whole or in part by the U.S. Dept. of Education – that concerns:

- Political affiliations or beliefs of the student or the student’s family;
- Mental or psychological problems of the student or the student’s family;
- Sexual behavior or attitudes;
- Illegal, antisocial, self-incriminating, or demeaning behavior;
- Relationships privileged under law, such as relationships with lawyers, physicians, and ministers.
- Religious practices, affiliations, or beliefs of the student or parents.

Parents will be able to inspect the survey or other instrument and any instructional materials used in connection with such a survey, analysis or evaluation. You have a right to receive notice of and deny permission for your son/daughter’s participation in any survey concerning the private information listed above, regardless of funding.

PARENTAL and COMMUNITY PARTICIPATION and INVOLVEMENT

Parents or guardians, businesses, and community volunteers are important components of El Paso Academy’s support team. When there is good communication and a strong partnership between home and school, students are more likely to succeed. El Paso Academy welcomes and appreciates various support services such as (but not limited to) tutoring of students, donating of goods, participating on the El Paso Academy Charter School Board or advisory committees; assisting teachers by making copies, helping with projects, chaperoning field trips, or fulfilling other needs. For more information, please call the Campus Administrator.

PARENTS/GUARDIANS OF STUDENTS WHO SPEAK A PRIMARY LANGUAGE OTHER THAN ENGLISH

El Paso Academy shall communicate information to parents, who speak a primary language other than English, in a language they can understand about any program, service, or activity involving their son or daughter.

PARENT/TEACHER CONFERENCES

Parents are encouraged to discuss with their son/daughter's progress with their teacher. Parents may schedule appointments through the office with individual teachers. Teachers may also contact the parent about the son/daughter's progress.

Parents are invited to attend the parent/teacher conference nights scheduled each quarter throughout the year.

RELEASE OF INFORMATION TO MILITARY RECRUITERS

The District is required by federal law to comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parent/guardian have advised the District not to release their son/daughter's information without prior written consent. A form has been attached for you to complete if you do not want the District to provide this information to military recruiters or institutions of higher education.

STUDENT RECORDS

Parents/guardians may review your son/daughter's student records. These records include attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, other medical records, reports of behavioral patterns, teacher and counselor evaluations, reports of behavioral patterns, state assessment instruments that have been administered to your son/daughter, and records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the student.

Federal and state laws safeguard student records from unauthorized inspection or use and provide parents/guardians and eligible students certain rights of privacy. Before disclosing any personally identifiable information from a student's records, El Paso Academy must verify the identity of the person, including a parent or the student requesting the information. An "eligible" student is one who is 18 or older OR who is attending an institution of postsecondary education.

Release of information is restricted to parents/guardians – whether married, separate, or divorced – unless the school is given a copy of a court order terminating parental rights or the right to access a student's education records. Federal law requires that as soon as a student becomes 18, is emancipated by a court, or enrolls in a postsecondary institution, control of the records goes to the student. The parents/guardians may continue to have access to the records, however, if the student is a dependent for tax purposes and under limited circumstances when there is a threat to the health and safety of the student or other individuals.

A parent/guardian (or eligible student) may inspect the student's records and request a correction if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights.

A request to correct a student's record should be submitted to the Campus Administrator. If the District denies the request to amend the records, the parent/guardian or eligible student may request a hearing.

MISCELLANEOUS PROVISIONS FOR STUDENTS

AFTER SCHOOL TUTORING

Students may only be in the building during the regularly scheduled class time unless they are at school for another school sponsored activity. Students may remain in the campus in order to receive tutoring, to have additional work time, or to receive advising. In order to take advantage of this opportunity, the student must sign up with a staff person and be present on campus during the agreed upon time period.

AUDIO/VIDEO RECORDING

The use of camera phones on school property for recording is strictly forbidden unless you have received permission. The Executive Director, or ED designee may approve the use of an audio recorder in the classroom as part of regular instruction or an accommodation for a student with a qualifying disability.

The use of a recorder is subject to the conditions below:

- The class recordings are only for the student's personal use in study and preparation for that class.
- The student may not share these recordings with any other person, whether or not that person is in his/her class.
- The student agrees to destroy recordings when they are no longer needed for his/her academic work, and no later than the conclusion of the course.
- (See also Telephones and other Electronic Devices for further clarification.)

CARE OF SCHOOL PROPERTY

Students will be held responsible for the care of school property. Reimbursement and/or repayment to the school will be expected for any damage caused by student negligence, misuse, or vandalism.

CARS/VEHICLES – USE and PARKING REGULATIONS

Students should park their cars immediately upon arrival at school and not use/enter them until the time of departure from campus at the close of the school day. Students are not permitted to sit in parked cars on the campus at any time, including between classes. Students who enter their vehicles or go to the parking lot during this time without permission will be subject to disciplinary action.

Student parking privileges are restricted to the following regulations:

- Students may park only in areas designated by campus administration.
- Students who park in unassigned areas will be subject to disciplinary action.
- Vehicles parked in unassigned areas or otherwise improperly parked are subject to being towed at the owner's expense.
- Students must obey all traffic regulations. Rules are to be observed at all times while the vehicle is on school property.
- School administrators may search vehicles if administration has reasonable suspicion a school rule has been violated. Anything found in a vehicle driven to school by a student is considered to be in the possession of a student. (See also Searches for further clarification.)

El Paso Academy is a closed campus. Students are not allowed to leave campus prior to the completion of all assigned classes.

CHANGE of ADDRESS or TELEPHONE NUMBER

Parents are responsible for notifying El Paso Academy when a student's address or telephone number is changed. Proof of residency at the new address may also be required.

COMPUTER USE

The computers at El Paso Academy are intended for education purposes only. Students may not use EPA computers or network resources to access or distribute offensive, obscene, or abusive material. Students must respect the legal protection provided by copyright and license to programs and data. Students must not use programs that harass other users or infiltrate a computer, computing system or network, and/or damage or alter the software components of a computer, computing system, or network. All computer use should be consistent with accepted classroom standards and the teachers' instructions. Unless part of a teacher's instruction, students may not use EPA computers or network to access social networking sites. EPA computers may not be used in violation of any laws or regulations. EPA computers and any attached network devices may not be used in a manner that hampers use by others, which includes, but is not limited to, the use of proxy server websites or internet radio sites, such as Pandora. Repeated, unsolicited, or unwanted communication of an intrusive nature is not acceptable. Students may not share passwords or user accounts without receiving prior approval from the teacher.

Network traffic and computer usage, including email, may be monitored. Students should be aware that such monitoring may occur and that inappropriate material or activities will be reported to the proper authority. EPA does not guarantee the privacy of any electronic communication or data stored on EPA computers or networks.

Failure to comply with these standards may result in disciplinary action as described in the Student Code of Conduct, including removal from self-paced courses and/or complete loss of computer use privileges on all EPA campuses.

DISTRIBUTION OF MATERIALS or DOCUMENTS

School Materials

Publications prepared by and for El Paso Academy may be posted or distributed with prior approval by the campus administrator and/or teacher. Such items may include school posters, brochures, murals, etc.

Non-School Materials

Students must obtain express prior approval of the campus administrator or designee before distributing, posting, selling, or circulating written materials, handbills, photographs, pictures, petitions, films, tapes, posters, or other visual or auditory materials on campus.

Non-school literature shall not be distributed by students on El Paso Academy property if:

- The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
- The materials endorse actions endangering the health or safety of students.
- The materials promote illegal use of drugs, alcohol, or other controlled substances.

- The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
- The materials contain defamatory statements about public figures or others.
- The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
- The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
- There is reasonable cause to believe that distribution of the non-school literature would result in material and substantial interference with School activities or the rights of others.

Any student who posts material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without approval will be removed.

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials over which El Paso Academy does not exercise control shall not be sold, circulated, or distributed by persons or groups not associated with El Paso Academy or a school support group on school premises unless the person or group obtains specific prior approval from the executive director or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual.

DRESS CODE

El Paso Academy is a school of choice that requires students to wear a uniform shirt. The school's uniform policy and grooming standards are established to teach grooming and hygiene, create a safe and orderly environment, instill discipline, and eliminate competition and distractions. Students are expected to arrive in the school uniform every day, and display modesty and neatness.

EPA encourages all students to dress in a manner that communicates professionalism.

UNIFORM TOP

All students must wear the El Paso Academy uniform shirt available in selected colors. Uniforms may be purchased at AJ's Uniforms located at 900 N. Mesa (915) 544-6010 or 11055 Argal Ct (915) 593-2244.

PANTS

Properly fitting poly/cotton twill pants or jeans are permitted. Pants must be worn in proper manner on the waist. Torn or ripped jeans, and leggings of any color or type are not permitted.

House shoes/bedroom slippers are prohibited. No caps shall be worn inside the school buildings.

Gang symbols are **strictly prohibited**.

During "free-dress" days, students are not permitted to wear or display clothing items that would imply affiliation with any gang, inappropriate wording, logos, messages or advertising. Students must wear appropriately fitted clothing that does not expose any portion of one's undergarments. Students may

not wear low cut, midriff-baring, or backless blouses. Students may wear jeans, but they cannot be tight legging style or torn.

Students may be provided an item of clothing, such as a previously worn uniform shirt, and instructed to change his/her clothing to rectify the dress code violation. A parent may be required to bring a change of clothing for any child wearing an item of clothing that the campus administrator finds to be inappropriate or that interferes with the learning environment.

Uniform infractions will be handled by campus administration. Excessive dress code violations may be treated as defiant and disrespectful behavior and subject to disciplinary action as stated in the Student Code of Conduct.

FEES

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. A student, however, is expected to provide his or her own pencils, pens, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, such as:

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Fees for damaged or lost textbooks or electronic devices.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, gowns, graduation announcements, etc.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- A fee specifically permitted by any other statute.

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the campus administrator.

FIELD TRIPS

All field trips taken by classes are approved on the basis of their contribution to the education program of the school. For students under 18 years of age, a signed parental permission form is required before the student is allowed to make the trip with the class. Some field trips may require a fee. Parents will be notified prior to all field trips.

Students may not be penalized for not being able to attend field trips.

PLEDGES OF ALLEGIANCE and MOMENT OF SILENCE

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. A parent/guardian may request, in writing, that his or her son/daughter be excused from participation in the daily recitation of these pledges.

State law requires that one minute of silence will follow recitation of the pledges. Each student may choose to reflect, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. State law does not allow your son/daughters to be excused from participation in the required minute of silence or silent activity that follows.

In addition, state law requires that El Paso Academy provide for the observance of one minute of silence at the beginning of the first class period when September 11 falls on a regular school day in remembrance of those who lost their lives on September 11, 2001.

PUBLIC AREAS

Hallway and restrooms are used by all students and school employees. The following rules of conduct apply to all students:

- Students may not loiter in hallways;
- Students may not run in these areas;
- Students may not use any profane or vulgar language while in these areas;
- Students may not draw graffiti, post fliers or write on walls, bulletin boards, doors, desks, books or any other school property;
- Students must keep these areas clean and safe.
- Students must clean up after themselves and properly dispose of all trash.
- Students must immediately report any leaks, spills or other problems in the restroom to a teacher or the office.
- Students may not roughhouse, wrestle with, or trip others in these areas.

Students are not permitted in the halls during class periods unless they are accompanied by a teacher or have a hall pass from an authorized staff member.

RELIGIOUS EXPRESSION

El Paso Academy prohibits discrimination, harassment, or retaliation on the basis of religion.

A student enrolled has the right to silently pray or meditate, assemble with one another, or get together for religious studies at El Paso Academy, so long as it does not disrupt the instructional day or other activities of the school. El Paso Academy shall not require, encourage, or coerce any student to engage in or to refrain from prayer or meditation during any school activity.

REPORT CARDS and PROGRESS REPORTS

Report cards with each student's grades or performance and absences in each class or subject are issued to parents/guardians at least once every nine weeks.

In the third and sixth week of a nine-week grading period, parents/guardians will be given a written progress

report of their son/daughter's performance. If the performance is near of below 70, or is below the expected level of performance in any class or subject, the parent/guardians may be request to schedule a conference with the teacher of that class or subject.

Questions about grade calculation should first be discussed with the teacher; if the question is not resolved, the student or parent/guardian may request a conference with the campus administrator.

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

SCHOOL CALENDAR

El Paso Academy operates according to the school calendar adopted annually by the Board of Directors.

Holidays may be used as school make-up days for days lost due to bad weather. The latest changes to the calendar will be available on the Academy's website.

SCHOOL SNACK PROGRAM

El Paso Academy does not participate in the National School Lunch Program and the School Breakfast Program however it offers free nutritious snacks in the morning and afternoon.

TELEPHONES, and OTHER ELECTRONIC DEVICES

Possession and use of cell phones, computers, and other electronic devices at school is a privilege and not a right. Possession and use of such devices at El Paso Academy or school related events or activities shall be subject to school approval and regulations. These devices must be kept out of view at all times.

Students are only allowed to use the telephone for emergencies, with the approval of administration. Phone messages will be delivered to students only from their parents/guardian as it is deemed necessary by the campus administrator. Students are not called to the phone nor are messages delivered during class periods except in case of emergency.

All electronic devices, including cellular phones, must be stored and turned off during instructional time and until dismissal unless otherwise authorized by administration. If a school employee observes a student using any electronic, telecommunications or recording device during the school day, or if the phone is displayed or heard then the employee will collect the item, and the SIM card if applicable, and turn it in to the campus administrator. El Paso Academy is not responsible for damage to or loss or theft of confiscated items.

Students who violate this policy shall be subject to established disciplinary measures:

- **1st Offense** – Return cell phone/telecommunication device to the parent or guardian at the end of the school day plus pay a \$15 administrative fee.
- **2nd Offense** – Return cell phone/ telecommunication device to the parent or guardian after end of third school day from time of confiscation and pay a \$15 administrative fee.
- **3rd Offense** – Student is not permitted to have a cell phone/telecommunication device at school for the remainder of the quarter.

If a telecommunications device is not retrieved, the District shall dispose of the device after providing notice required by law.

Any student violating this policy or refusing to turn over an improperly used or exhibited electronic device to school staff will be subject to disciplinary penalties in accordance with the Student Code of Conduct.

Having a cell phone during Texas Student Assessment Program testing is considered a testing irregularity and could be considered an attempt to cheat. Appropriate discipline consequences will be applied. Any student who brings a cell phone or electronic device into the testing environment will be subject to district and state defined consequences.

The school is not responsible for items taken up from students, or for any lost or stolen items.

TEXTBOOKS and CURRICULUM MATERIALS

State-approved textbooks and additional curriculum materials are provided free of charge for each subject or class, except for dual credit courses. Materials must be used by the students as directed by the teacher, and treated with care. A student who is issued damaged materials should report the damage to the teacher.

Students must return all textbooks and supplemental materials to the teacher at the end of the school year or when the student withdraws from school. Any student failing to return issued materials in an acceptable condition loses the right to free textbooks and educational materials until the student and/or parent pay for the damages. However, a student will be provided textbooks and educational materials for use during the school day. El Paso Academy may reduce or waive the payment requirement if the student is from a low-income family. Release of student records, including official transcripts, will be delayed pending payment for lost or severely damaged textbooks.

TRANSCRIPTS

El Paso Academy maintains an academic achievement record (transcript) for each student enrolled. Transcripts list complete personal student data, give complete scholastic grades, and report student activities, and scores on standardized achievement tests.

STUDENT HEALTH AND SAFETY

ADMINISTRATION OF MEDICATION

Medication Administered at School

Parents/Guardians should make every effort to give required prescription and over-the-counter medications to their students at home. When this is not possible, El Paso Academy staff may assist in the administration of medication during school hours, subject to the following rules:

Prescription medications: All prescription medication is to be delivered and picked up by a parent/guardian and must be in the original container and properly labeled. A properly labeled prescription is one with a pharmacy label stating the student name, medication name, dosage to be administered, doctor's name and date the prescription was filled. To protect the students, staff will not administer medication in a dosage that exceeds the recommended maximum in the Physician's Desk Reference. Medication will not be sent back and forth from school to home. Medication that needs to be given at school needs to stay at school. Please request the prescription be split for school use and home. In addition, if your child uses an inhaler, one needs to be at school and one kept at home.

Only the amount of medication needed should be delivered to the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.

Changes to daily medication require written instruction from the physician and written permission from the parent. Parents are responsible for advising El Paso Academy that a medication has been discontinued.

Over-the-counter medication: Over-the-counter medication may also be administered with written authorization from the parent and/or the student's physician. All over-the-counter medication must be in the original container and properly labeled. Over-the-counter medication will only be administered as directed on the label.

Authorized Employees

Employees authorized by El Paso Academy to administer prescription medication include: Campus administration, and anyone designated by the executive director.

Self-Administration of Prescription Asthma or Anaphylaxis Medicine

The campus administrator of each campus shall ensure that a student with asthma or anaphylaxis may possess and self-administer prescription medication if the student has physician's orders and parent permission. The medication must have been prescribed for the student and be in an original container with a prescription label. If a student experiences a severe allergic reaction, the health aide or supervising adult is authorized to administer the appropriate anaphylaxis drug. A student may self-administer the drug if he/she meets the requirements below.

Before a student may be allowed to self-administer asthma or anaphylaxis medication, the parent must provide:

- signed, written authorization for the student to self-administer the prescription medicine while on school property or at a school-related activity; and
- a written statement signed by the child's physician or provider that states that the student has asthma and/or anaphylaxis and is capable of self-administering the prescription medication;
- the name and purpose of the medicine;
- the prescribed dosage of the medicine;
- the time(s) at which or circumstances under which the medicine may be administered; and
- the period for which the medicine is prescribed.

Written authorizations to self-administer asthma or anaphylaxis medication should be updated annually unless otherwise indicated by the student's physician.

Psychotropic Medication

An employee may not:

- 1) Recommend that a student use a psychotropic drug;
- 2) Suggest any particular diagnosis; or
- 3) Preclude a student from attending class or participating in a school related activity if the parent refuses to consent to the administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of the student.

This does not prevent an employee from:

- 1) Making an appropriate referral under the Individuals with Disabilities in Education Act;
- 2) Recommending that a child be evaluated by an appropriate medical practitioner if the employee is a registered nurse, advance nurse practitioner, physician, or certified/credentialed mental health professional
- 3) Discussing any aspect of a student's behavior or academic progress with the student's parent/guardian or another El Paso Academy employee.

ALCOHOL PROHIBITION

In order to provide a safe and alcohol-free environment for students and employees, all alcoholic beverages are prohibited on El Paso Academy property at all times, and at all school-sanctioned activities occurring on or off school property. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

BACTERIAL MENINGITIS

State law requires El Paso Academy to provide the following information:

What is Meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious. Bacterial meningitis is the most serious form of bacterial infection with the potential for severe, long-term

complications. It is an uncommon disease but requires urgent treatment with antibiotics to prevent permanent damage or death.

What are the Symptoms?

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms.

Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

The diagnosis of bacterial meningitis is based on a combination of symptoms and laboratory results.

How Serious is Bacterial Meningitis?

If it is diagnosed early and treated promptly, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

How is Bacterial Meningitis Spread?

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold, or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing; sharing drinking containers, utensils, or cigarettes).

The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body's immune system and cause meningitis or another serious illness.

How can Bacterial Meningitis be prevented?

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85-90%). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within 7 to 10 days after the vaccine is given and lasts for up to 5 years.

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

Seek prompt medical attention.

For more information, contact your family physician, or the local health department or Regional Texas Department of Health Office and ask about the meningococcal vaccine.

Additional information may also be found at the web sites for the Centers for Disease Control and Prevention: www.cdc.gov and the Texas Department of State Health Services: <https://www.dshs.state.tx.us/idcu/disease/meningitis/>

CHILD ABUSE

Anyone “having cause to believe that a child, elderly, or disabled person’s physical or mental health or welfare has or may be adversely affected by abuse or neglect” must report the case to any state or local law enforcement agency and to the Texas Department of Protective and Regulatory Services.

Texas law requires any professional who suspects that a child is being abused or neglected to make a report to the Texas Department of Family and Protective Services or any local or state law enforcement agency within 48 hours.

Staff administrators will cooperate fully in the investigation and reporting of Child Abuse as required by law. School officials may not refuse to permit an investigator to interview at school a student who is alleged to be a victim of abuse or neglect.

School officials may not require the investigator to permit school personnel to be present during an interview conducted at school. Investigations at school may be conducted by authorized law enforcement or state agencies without prior notification or consent of the student’s parents.

COMMUNICABLE DISEASES

El Paso Academy requests that parents of students with a communicable or contagious disease call the campus administrator so that other students who have been exposed to the disease can be alerted. A student with a communicable disease is not allowed to come to school while the disease is contagious. These diseases include but are not limited to the following: chicken pox, measles, mumps, strep throat, scarlet fever, hepatitis, and mononucleosis. Most communicable diseases require a doctor’s release for the student to return to the classroom. Students with temperature of 100°F or above must not be sent to school.

School authorities, including district staff, a campus administrator, teacher, school health official, or counselor will report those students who are suspected of having a reportable condition. A list of reportable conditions can be retrieved from the main office at each campus, or found on the Department of State Health Services website at: <http://www.dshs.state.tx.us/idcu/investigation/conditions>

Any student excluded from school attendance for reason of communicable disease may be readmitted by one or more of the following methods, as determined by the local health authority:

- Certificate of the attending physician, advanced practice nurse, or physician assistant attesting that the child does not currently have signs or symptoms of a communicable disease or to the disease’s non-infectiousness in a school setting;
- Submitting a permit for readmission issued by a local health authority; or
- Meeting readmission criteria as established by the commissioner of health.

DISCRIMINATION, HARASSMENT and RETALIATION

Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, age, sexual orientation or any other basis prohibited by law that 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.

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes; name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Students should report incidents involving possible harassment by other students to their campus administrator, counselor, or teacher.

Sexual Harassment and Gender-Based Harassment

In compliance with the requirements of Title IX, El Paso Academy does not discriminate on the basis of sex in its educational programs or activities. Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

- Affects the 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.

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

El Paso Academy also does not tolerate sexual harassment of a student by school employees. Romantic or inappropriate social relationships between students and school employees are prohibited. Any sexual relationship between a student and a school employee is always prohibited, even if consensual. Sexual harassment of a student by a school employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

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

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender.

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include, but not be limited to, offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

All students are expected to treat other students and school employees with courtesy and respect, to avoid any behavior known to be offensive, and to stop these behaviors when asked or told to stop.

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples of dating violence against a student may include 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 engaged in these behaviors.

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

- Affects the 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.

Retaliation

El Paso Academy prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a school investigation regarding discrimination or harassment is subject to appropriate discipline.

Reporting Procedures

Any student who believes that he or she has experienced prohibited harassment or believes that another student has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, campus administrator or designee, or other school employee. Alternatively, a student may report prohibited harassment directly to the appropriate coordinator identified in this Handbook.

A student shall not be required to report prohibited harassment to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX Coordinator or ADA/Section 504 Coordinator may be directed to the Board of Directors. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Investigation of Complaints

After receiving a complaint of prohibited discrimination or harassment, El Paso Academy may require the student to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the appropriate coordinator or other authorized school official shall promptly authorize and undertake an investigation, and prepare a written decision regarding the complaint, including a determination of whether prohibited discrimination or harassment occurred.

When appropriate, El Paso Academy may take interim action to avoid additional opportunities for discrimination or harassment. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and any others with knowledge of the circumstances surrounding the allegations. If the results of the investigation establish that prohibited discrimination or harassment occurred, El Paso Academy shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the discrimination or harassment and prevent its recurrence. El Paso Academy may take disciplinary action based on the results of an investigation, even if it concludes that the conduct did not rise to the level of harassment prohibited by law or policy.

Confidentiality

To the greatest extent possible, El Paso Academy shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the El Paso Academy's grievance procedure. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

DRUG-FREE SCHOOL NOTICE

El Paso Academy believes that student use of illicit drugs is both wrong and harmful. Consequently, El Paso Academy prohibits the use, sale, possession, or distribution of illicit drugs by students on school premises or any school activity, regardless of its location. El Paso Academy also prohibits the use, sale, possession, or distribution of look-alike substances and/or synthetic substances designed to imitate the

look and/or effects of illicit drugs. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

DYSLEXIA AND RELATED DISORDERS

From time to time, students may be tested and, where appropriate, treated for dyslexia and related disorders in accordance with programs, rules and standard approved by the state.

Parents will be notified should El Paso Academy determine a need to identify or assess their student for dyslexia and related disorders.

EMERGENCY SCHOOL CLOSING

Information about emergency school closings due to inclement weather and/or other situations will be sent via phone call and text message through the School Messenger program. Please make sure that your telephone contact information is up to date with your respective school office. A message will also be placed on the voice recording of each campus and will be posted on the following El Paso Academy sites:

- Website: www.elpacademy.com
- Facebook: www.facebook.com/pages/El-Paso-Academy-Charter-High-School

Information about emergency school closings due to inclement weather and other situations may also be broadcast on local television and radio stations.

EMERGENCY MEDICAL TREATMENT

When a student becomes ill, he/she will be sent to the office. If a student has a fever or is in need of further care, a parent(s)/guardian(s) will be contacted. If the parent(s)/guardian(s) cannot be reached, El Paso Academy staff will seek emergency medical treatment unless the parent has previously provided a written statement denying this authorization. The emergency contacts on the enrollment form will also be notified. Students cannot leave the campus unless a parent(s)/guardian(s) or emergency contacts have been notified.

Parents are asked each year to complete an “Emergency Care” consent form, which includes information about their student’s allergies to medications, etc. Parents should keep emergency contact information current (e.g., name of doctor, emergency phone numbers, allergies, etc.).

EMERGENCY PROCEDURES

Safety drills will be conducted monthly during the school year. Students are to move in a quiet and orderly manner to the exit assigned to the room they are in at the time of the drill.

Campus Evacuation

If a school and the area around it need to be evacuated, the executive director will contact the Transportation Department to make arrangements to take students to a safe location as determined at the time of the emergency.

Fire/Building Evacuation

A fire, gas leak or other chemical/biological hazard inside the building requires building evacuation.

Lockdown

The campus administrator or designee will determine whether a situation requires a Lockdown procedure. A Lockdown procedure will be used for but not limited to:

- Campus Threat by Person(s)
- Natural Disasters (i.e. severe weather)
- Man-made Disasters (i.e. gas leak outside the building, power failure, bio/chemical hazard)

Shelter in Place

A chemical or biological hazard outside the building requires similar procedures as the Lockdown, plus:

- All air conditioning units must be turned off.
- For their own safety, parents should stay where they are until authorities provide an “ALL CLEAR”.

Reunification, Student Pickup

For the students’ safety, some crisis situations may require that the students be kept at the school or alternate shelter with no entry/no dismissal allowed until an “ALL CLEAR” is provided by authorities. This means that parents or guardians might not be able to pick up their student if the situation is too hazardous. If, based on reports from emergency personnel, the danger or threat has passed and the area is safe for students and parents, then the district/school will identify the location, time and checkout process for parents to pick up students.

FIREWORKS

A person may not explode or ignite fireworks within 600 feet of any El Paso Academy campus unless that person receives authorization in writing from that school.

FITNESS TESTING

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

El Paso Academy is not required to assess a student for whom, as a result of disability or other condition identified by rule or law, the assessment exam is inappropriate.

Excuses from Physical Education: Any child who is to be excused, for reasons of health, from physical education or other normal school activities must bring a note from home to El Paso Academy stating the reason why and the duration of the excuse.

FOOD ALLERGY INFORMATION

The parent of each student enrolled in El Paso Academy must complete a form provided by the School

that discloses (1) whether the student has a food allergy or a severe food allergy that should be disclosed to the School to enable the School to take any necessary precautions regarding the student's safety and (2) specifies the food(s) to which the student is allergic and the nature of the allergic reaction.

For purposes of this requirement, the term "severe food allergy" means a dangerous or life-threatening reaction of the human body to a food-borne allergen introduced by inhalation, ingestion, or skin contact that requires immediate medical attention.

The School may also require information from a student's physician if the student has food allergies.

Food allergy information forms will be maintained in the student's student records, and shall remain confidential. Information provided on food allergy information forms may be disclosed to teachers, school counselors, and other appropriate school personnel only to the extent consistent with Board policy and as permissible under the Family Educational Rights and Privacy Act of 1974 ("FERPA").

HAZING, BULLYING AND CYBER-BULLYING

El Paso Academy prohibits hazing, bullying, and cyber-bullying as defined by this Handbook, as well as retaliation against anyone involved in the complaint process.

Hazing occurs when a student or group of students engages in conduct, on or off school property, directed against a student that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. The term includes, but is not limited to:

- Any type of physical brutality;
- Any type of physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Any activity that intimidates or threatens the student with ostracism; subjects the student to extreme mental stress, shame, or humiliation that adversely affects the mental health or dignity of the student; discourages the student from entering or remaining enrolled in the school; or may reasonably be expected to cause the student to leave the school; or
- Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code.

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property at a school-related activity, or in a vehicle operated by the school that:

- Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
- Is sufficiently severe, persistent, and pervasive enough the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Conduct described above is considered bullying if that conduct:

- Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
- Interferes with a student's education or substantially disrupts the operation of the school.

Bullying can include hazing, threats, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, or ostracism. In some cases, bullying can occur through electronic methods called "cyber-bullying."

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

Reporting Procedures

Any student who believes that he or she has experienced any form of hazing and/or bullying or believes that another student has experienced hazing and/or bullying should immediately report the alleged acts to the campus administrator or designee, a teacher, counselor, or other school employee. A report may be made orally or in writing. Any school employee who receives notice that a student has or may have experienced hazing and/or bullying shall immediately notify the campus administrator or designee.

Investigation of Report

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

The campus administrator or designee shall prepare a written report of the investigation, including a determination of whether hazing and/or bullying occurred. If the results of an investigation indicated that hazing and/or bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct.

El Paso Academy may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of hazing and/or bullying under this policy.

Confidentiality

To the greatest extent possible, El Paso Academy 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.

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the El

Paso Academy grievance procedure.

HEARING, VISION, and SPINAL SCREENINGS

El Paso Academy may routinely screen students for Hearing, Vision and Spinal as outlined by the Texas Department of Health and Human Services.

IMMUNIZATIONS

Immunization requirements are administered by the State of Texas and are subject to change. To maintain a healthy atmosphere on all of our campuses, El Paso Academy and the State of Texas require all students to maintain current health records. Persons who knowingly falsify student enrollment information are in violation of the law and are subject to prosecution.

El Paso Academy shall ensure compliance with immunization laws and regulations and complies with laws and regulations regarding reportable diseases.

Provisional Enrollment

A student can be enrolled provisionally for no more than 30 days if her or she transfers from one Texas school to another, and is awaiting the transfer or the immunization record.

A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate required vaccine. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible and provide acceptable evidence of vaccination to the school.

El Paso Academy shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If at the end of the 30-day period, a student has not received a subsequent dose of vaccine, then the student is not in compliance and El Paso Academy shall exclude the student from school attendance until the required dose is administered.

A student who is homeless, as defined by the McKinney Act (42 U.S.C. § 11302), shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. El Paso Academy shall promptly refer the student to appropriate public health programs to obtain the required vaccinations.

Exclusions from Immunization Requirements

Exclusions from immunization requirements are allowable on an individual basis for medical reasons, reasons of conscience (including a religious belief), and active duty with the armed forces of the United States.

To claim exclusion for medical reasons, the student must present a statement signed by the student's physician (M.D. or D.O.), duly registered and licensed to practice medicine in the United States who has examined the student, in which it is stated that, in the physician's opinion, the vaccine required is medically contraindicated or poses a significant risk to the health and well-being of the student or any member of the student's household. Unless it is written in the statement that a lifelong condition exists,

the exemption statement is valid for only one year from the date signed by the physician.

To claim an exclusion for reasons of conscience, including a religious belief, a signed DSHS affidavit must be presented by the student's parent, stating that the student's parent declines vaccinations for reasons of conscience, including because of the person's religious beliefs, the affidavit will be valid for a two-year period. The form affidavit may be obtained by writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347, or online at <https://corequest.dshs.texas.gov/>. The form must be submitted to the Campus Administrator within 90 days from the date it is notarized. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student. Students who have not received the required immunizations for reasons of conscience, including religious beliefs, may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

To claim exclusion for armed forces, the student must prove that he or she is serving on active duty with the armed forces of the United States.

If a parent seeks an exemption for more than one student, a separate form must be provided for each student.

Immunization Records Reporting

El Paso Academy's record of a student's immunization history, while private in most instances, may be inspected by the Texas Education Agency, local health departments, and TDSHS and transferred to other schools associated with the transfer of the student to those schools.

INTERROGATIONS and SEARCHES

In the interest of promoting student safety and attempting to ensure that El Paso Academy is safe and drug free, school officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law.

Administrators, teachers, and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students are expected to cooperate with school officials and the lack of such cooperation may lead to further disciplinary action.

Students have full responsibility for the security of their belongings, and for vehicles parked on school property. It is the student's responsibility to ensure that vehicles are locked and the keys are not given to others. Students shall not place, keep, or maintain any article or material that is forbidden by law or District policy in vehicles parked on school property.

Students shall be free from unreasonable searches and seizures by school officials. School officials may search a student's outer clothing, pockets, or property by establishing reasonable cause or securing the student's voluntary consent. Coercion, either expressed or implied, such as threatening to contact parents or police, invalidates apparent consent. Students shall be responsible for any prohibited items recovered during a search.

If a vehicle subject to a search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents/guardians or local law enforcement officials, or take necessary action to ensure the safety of the school environment. A student who refuses to unlock his or her vehicle when requested may be denied vehicle access to the school property in the future.

The District shall use only specially trained dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances, and alcohol. This program is implemented in response to drug and alcohol related problems in District schools, with the objective of maintaining a safe school environment conducive to education.

Such visits to schools shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around vehicles parked on school property. The dogs shall not be used to sniff a student's person. If a dog alerts to a vehicle, or an item in a classroom, it may be searched by school officials. Searches of vehicles shall be conducted as described above.

STAFF NOTIFICATION

El Paso Academy is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been arrested or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.
- All appropriate School personnel in regards to a student who is required to register as a sex offender

PEST CONTROL

El Paso Academy periodically applies pesticides to school buildings and grounds to control unwanted pests, such as insects and rodents. We will post notices of those treatment dates and will schedule treatment times when students or employees are least likely to be in the building or on the grounds.

SMOKING/TOBACCO PROHIBITED

El Paso Academy is a smoke-free district. The Texas Education Code, Chapter 38, Section 38.006, prohibits the possession or use of tobacco products or vaping devices by students on school property or at school-related functions that are either on or off school property. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

STUDENT INJURY

While student safety is a high priority for El Paso Academy under State law, the school is not ordinarily responsible for medical costs associated with student injury.

SUICIDE AWARENESS

The district is committed to partnering with parents to support the health of mental, emotional, and

behavioral development of its students. If you are concerned about your child, please access the following web sites or contact the school's counselor for more information related to suicide prevention and to find mental health services available.

- <http://www.texasuicideprevention.org/>
- <http://www.dshs.state.tx.us/mhservices-search/>

TRANSPORTATION

El Paso Academy does not provide bus service to and from school for students. It does, however provide bus passes/bus cards from the local metropolitan transit authority.

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

Any offense on the bus or bus stop that is punishable by law will result in loss of bus pass and bus rider privileges.

Students are not to share their bus pass. The following will be consequences of unauthorized usage:

- 1st unauthorized use- verbal warning
- 2nd unauthorized use- letter sent to parent
- 3rd unauthorized use- loss of bus card privileges for the year

VISITORS

The executive director, or designee, shall ensure conspicuous signs are posted at each campus entrance requiring all visitors to sign-in at the school campus administrative office. All visitors must present a form of identification or at a minimum their name and date of birth. EPA personnel shall process each visitor through the Texas Department of Public Safety's Sex Offender Registry Search or other database system which checks for sex offender status. All visitors will be issued a badge that is to be worn at all times while visiting the school campus. Upon departure, visitors must sign-out at the campus administrative office and return the visitor's badge.

Visitors who do not submit a form of identification or their name and date of birth for the purpose of checking sex offender status shall not be allowed on school grounds. However, a parent/legal guardian of a student enrolled at El Paso Academy Charter School, who has previously established with the school that they are the parent/guardian of the student, but does not provide identification or their name and date of birth at the time of the school visit, shall be allowed on school grounds and required to follow the policy outlined below in Section 4.2(a) and (b).

Registered Sex Offenders. Registered sex offenders are prohibited from entering school grounds with few exceptions.

Parents/Guardians

A parent/guardian who is a registered sex offender may enter school grounds for the following limited purposes:

1. To attend a conference at the school with school personnel to discuss the academic and/or social progress of the parent/guardian's child;
2. When the campus administrator has requested the parent/guardian's presence for any other reason concerning the parent/guardian's child; or
3. To pick up their child from school.

Requirements for the Exception to Apply:

1. The parent/guardian must notify the campus administrator of the purpose of the visit and when the visit will occur, including date and time, before the parent/guardian enters the school grounds.
2. The campus administrator shall notify the administrative offices of the parent/guardian's intent to visit.
3. The parent/guardian must check in at the campus administrative office upon arrival and departure from the school.
4. The parent/guardian must remain under the direct supervision of staff at all times.

WEAPON and CONCEALED HANDGUN PROHIBITION

El Paso Academy prohibits the use or possession of any firearm, illegal knife, club, or other weapon while on the premises of the school or any school grounds or building in which a school activity is being conducted.

El Paso Academy prohibits the use or possession of a concealed handgun on all El Paso Academy campuses and property, even if the handgun is carried by a licensed handgun holder. The executive director shall ensure signs, containing the following language are conspicuously placed on school campuses and property: "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun."

STUDENT CODE OF CONDUCT

The Board of Directors of El Paso Academy Charter School has adopted this Student Code of Conduct (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/Guardians and students are encouraged to contact campus administration with any questions or concerns regarding the requirements and provisions of the Code. Parents/Guardians 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/Guardians and students will be required to sign a statement acknowledging receipt and understanding of the Code.

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

Other School rules, codes or policies may apply to a student’s misconduct, and may result in multiple disciplinary consequences issued for the same conduct.

In considering a student’s request for admission, the School 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. The School may elect to report the falsification to law enforcement or take any other action permitted by law.

El Paso Academy Charter School follows all State and Federal laws. As a result, the police will be called to campus when students are found in possession of any type of drug or alcohol.

Expectation of Student Conduct

The vision of El Paso Academy Charter School is “*to provide students with educational support to build confidence, achieve their academic goals, and succeed after they complete their time at our school.*” To

achieve that vision, the School must be an environment safe, secure and free from disruption. Students are expected to demonstrate behavior appropriate to the School's learning environment, to treat other students, School personnel, and visitors to the School with respect. As such, each student is expected to:

- Behave in a responsible and respectful manner;
- Demonstrate courtesy and respect for others, especially other students and School personnel;
- Attend classes and required School activities and events regularly and on time;
- Prepare for each class and complete assignments on time;
- Respect the rights and privileges of other students and school personnel in person and online;
- Respect and care for School property and facilities;
- Turn off cell phones or other electronic media during instructional time, and otherwise follow policies related to use of technology;
- Cooperate with School personnel in maintaining safety, order and discipline;
- Dress appropriately in accordance with the School's dress code;
- Review and comply with the Student Handbook and other School and campus rules;
- Obey classroom rules and classroom expectations for behavior;
- Refrain from verbal or written acts of bullying whether in person or online;
- Avoid violations of this Code.

Students are expected to comply with the school's technology and electronic media use policies and procedures. Students are also expected to demonstrate the same behavior online or while using electronic media as is expected in the classroom, on school property, or at school-related events. Sending, posting, or possessing electronic messages that are disrespectful, disruptive, abusive, obscene, illegal, threatening, harassing or damaging to another person disrupts the learning environment and will not be tolerated.

Parent/Guardian cooperation is essential to achieving the School's mission and ensuring that students learn in a safe, secure and positive environment. Parental involvement and cooperation is vital in the discipline process. Parents/Guardians should understand and be familiar with the Code, ensure that his or her child understands and seeks to comply with this Code, and assist the school in counseling students regarding appropriate behavior.

Prohibited Conduct

The following conduct constitutes a violation of the Code. Any student found to have engaged in such conduct shall be subject to one or more disciplinary consequences as identified within the Code.

General Student Behavior

- 1) Cursing, using offensive language, name calling, ethnic, racial or gender slurs, other derogatory statements, or yelling;
- 2) Disrespectful behavior towards adults;
- 3) Failure to follow directives;
- 4) Disruption of instruction or other school activities or operations;
- 5) Unexcused or excessive tardiness;

- 6) False statements or false accusations;
- 7) Bullying (*including cyberbullying*), teasing, or targeting other students;
- 8) Inappropriate cell phone or electronic media use;

Violation of School Rules and Policies

- 9) Failure to comply with the Student Handbook, or other School or campus rules;
- 10) Leaving the classroom, school building, mandatory school activities or events, or adult supervision without permission;
- 11) Skipping a class period or other mandatory activity, in whole or in part, without permission;
- 12) 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;
- 13) Truancy or other failure to attend school without excuse;
- 14) Defacing, destroying or otherwise modifying School property without authorization;
- 15) Taking photographs or making video or audio recordings of students, employees, or other persons without the consent of the other person;
- 16) Soliciting or attempting to solicit another student to violate the Code, School policies and rules, or the law;
- 17) Taking steps toward violation of the Code even if the act is not completed, as determined by appropriate School administrator;
- 18) Failing to follow school directives and classroom rules and expectations;
- 19) Disobeying rules and expectations regarding school transportation;
- 20) Inappropriate or unauthorized use of School property, including posting or distributing literature or materials without School authorization;

Violent, Illegal, and Other Serious Offenses

- 21) Possession of prohibited items;
- 22) Conduct which meets the elements of a criminal offense, as determined by the School;
- 23) Physical, verbal or sexual harassment of others;
- 24) Inappropriate physical or sexual behavior, including jokes, comments, gestures or unwelcome physical conduct or contact;
- 25) False statements or false accusations;
- 26) Hazing or initiations;
- 27) Participation in a gang, soliciting or attempt to solicit participation in a gang;
- 28) 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;
- 29) Possessing drug paraphernalia;
- 30) Stealing, lying, cheating, or copying the work of another without authorization (plagiarism);
- 31) 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;
- 32) Violence of any kind, including dating violence;

- 33) Fighting;
- 34) Gambling;
- 35) Setting or attempting to set a fire;
- 36) Inappropriate or indecent exposure of body parts;
- 37) Retaliation of any form against other students or School personnel;
- 38) Conduct which requires the student's registration as a sex offender;
- 39) Possession or distribution of pictures, text messages, electronic messages or other material of a sexual or obscene nature;
- 40) Endangering the health or safety of others;
- 41) Other conduct as identified within this Code.

Determining Appropriate Discipline

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.

In reaching a decision regarding a student discipline matter, the School may consider the specific facts and circumstances of the situation, including but not limited to:

- The student's intent;
- The student's age and grade level;
- The student's past disciplinary history;
- Whether the student's conduct may have been the manifestation of a disability;
- The extent of the student's cooperation during the investigation of the matter;
- The nature and severity of the alleged conduct;
- Whether the student has previously engaged in similar conduct;
- Whether self-defense was involved;
- The student's remorsefulness for the conduct;
- The severity of the effect or harm of the conduct on other persons or property;
- The frequency of the conduct.

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.

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.*, backpack, purse, etc.).

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 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:

- 1) Removed from the student's current educational placement for more than ten consecutive school days; or
- 2) Subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than ten school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
 - c. 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.

Refer to El Paso Academy Charter School's *Special Education Operating Guidelines* for more information regarding special education services.

Types of Discipline

Available disciplinary consequences include:

- Parent/Guardian conference with teacher or administrator;
- Verbal correction;
- Counseling;
- Conference with teacher or administrator;
- Education/training;
- Improvement plan / Disciplinary contract;
- Community service;
- School-related assigned tasks or duties;
- Loss or restriction of privileges (*e.g.*, eligibility to hold special positions, exemption from exams, etc.);
- Consequences related to student participation in extracurricular activities, including removal, or restriction of participation;
- Removal from class to campus office;
- Confiscation of items;
- Detention;

- Out-of-School Suspension;
- Expulsion.

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 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.

Detention / In-School Suspension

A student may be assigned to one or more session of detention or placed in in-school suspensions 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 in-school suspension classroom for all or part of one or more school days. 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 must be expelled from the School if he or she is found to have committed any of the acts listed below.

- 1) **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. A firearm;
 - b. An illegal knife;
 - c. A club; or
 - d. A prohibited weapon.
- 2) **Violent Conduct.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code, regardless of location:
 - a. 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;
 - b. Assault against another student, an employee, or a volunteer of the School;
 - c. Deadly conduct;
 - d. A Title V felony under the Penal Code.
- 3) **Disruptions.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code, regardless of location:
 - a. False alarm or report or terroristic threat involving a public school;
 - b. An offense related to an abusable volatile chemical;
 - c. 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;
 - d. Criminal mischief if the conduct is punishable as a felony;
 - e. Public lewdness or indecent exposure.
- 4) **Drugs and Alcohol.** The student engaged in conduct that contains the elements of the following offenses within the Texas Penal Code:
 - a. On school property, at school-sponsored or school-related event, or within 300 feet of school property:
 - b. 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.
 - c. Regardless of location:
 - i. 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.
 - ii. 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.
- 5) **Other.** The student, while on campus or at a school-sponsored or school-related event, on or off campus:

- a. Engages in conduct that constitutes a felony;
- b. Commits an assault;
- c. 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 Expulsion

The period of expulsion may be determined by many factors, including 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. An expulsion may be temporary or permanent. A temporary expulsion may range in length from 4 school days to one calendar year. A permanent expulsion allows the School to deny future admission to the student based on consideration of the student's past disciplinary history.

During a period of expulsion, the student is prohibited from entering onto any school property and attending any school-sponsored or school-related events. Failure to comply with this prohibition will result in the filing of criminal trespass charges against the student. Except as otherwise required by law, students will not receive educational services or receive course credits during a period of expulsion.

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 Executive Director within 3 business days of the date of the Expulsion Order. The Executive Director or Executive Director'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 Executive Director or Executive Director's designee, he or she may appeal that decision to the Board of Directors by filing a request for review with the Executive Director's office within 5 business days of the date of the decision. The Executive Director shall notify the Board Chair and arrange for the Board of Directors to hear the complaints of the appealing party at the next available board meeting. The Executive Director shall notify the appealing party of the location, date and time of the hearing in front of the Board of Directors. The decision of the governing body is final and not appealable. An expulsion action will not be delayed during the appeal process.

Definitions

The following definitions are provided to further detail and define the terms of this Code. The Board of Directors 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.

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**EL PASO ACADEMY CHARTER HIGH SCHOOL
ACKNOWLEDGMENT OF STUDENT/PARENT HANDBOOK AND STUDENT CODE OF
CONDUCT**

I, _____, hereby agree that I have read, understand, agree to abide by all guidelines and consent to the responsibilities outlined in the El Paso Academy Student/Parent Handbook and Code of Conduct.

Please initial each of the items below:

___ I understand and agree that my son/daughter shall be held accountable for the behavior and consequences outlined in this handbook at school and school-sponsored activities, including school-sponsored travel and any school-related misconduct, regardless of time or location.

___ I understand that daily attendance is MANDATORY. Daily attendance means that I will arrive to every class on time and stay for the entire class every day that classes are offered. I understand that I may be withdrawn from El Paso Academy if I violate this policy.

___ I have read and understand the uniform dress code for El Paso Academy. My son/daughter may be subject to discipline for failing to follow policy. If I am unable to provide the required uniform for my son/daughter, I may contact campus administration for possible assistance.

___ I have read and understand El Paso Academy policy regarding cell phones on campus and/or their prohibited use during all Texas Student Assessment Program testing.

___ I understand that my son/daughter is required to stay on task in class, arrive to school prepared for class, have all required materials and be ready to learn. My son/daughter will follow my teacher's instructions and complete tasks as assigned. I understand their adherence to this requirement will be monitored in a variety of ways. Administrators will use the following information to determine if they are adhering to this policy:

- Teacher feedback and observations
- Discipline referrals
- Administrator observations
- Academic progress reports
- Report cards

___ I understand the use of tobacco products by any individual is prohibited on all District property.

___ I understand that El Paso Academy is a school of choice and is not under the jurisdiction of any local I.S.D. I understand that these are the statements of philosophy, policies, procedures, and discipline of El Paso Academy.

Signatures below indicate you have read, understood, and agree to abide to the above listed rules and consequences. If expulsion occurs, a due process hearing will be held to ensure all processes have been followed.

Printed Name of Student: _____

Signature of Student: _____

Date

Signature of Parent/Guardian: _____

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
Directory Information Opt Out Form**

“Directory Information” means information contained in an educational record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The law permits El Paso Academy to designate certain personal information as “directory information,” which may be released to anyone who follows the procedures for requesting it as prescribed in school policy.

Information about the Military

The military requests, and is entitled to, the names, telephone numbers, and addresses of high school juniors and seniors, unless the parent, guardian or eligible student checks “No” in the corresponding “For secondary students only” box below. The military typically requests this information in the Fall semester of each academic year. If you do not want information to be released to the military, you must return this form by October 1st in order to ensure that your preferences are entered in time. Parents, guardians and eligible students are encouraged to remember that checking “No” means that El Paso Academy will not release student information to the military, but it does not mean that the military might not gather student information from other sources not affiliated with the school.

To prohibit El Paso Academy from releasing your student’s directory information, you must circle NO adjacent to the appropriate statement(s) below, sign the form, and return it to your student’s school. Completion of this form is optional. However, if you do not circle NO or return this form, directory information about your student may be released in accordance with School policy.

If you have more than one student enrolled at El Paso Academy, you must return a separate form for each student.

PLEASE CIRCLE YES OR NO

YES	NO	I give permission for my student to be videoed, photographed, or interviewed at school by local media or El Paso Academy personnel for use in educational purposes.
YES	NO	I give permission for my student’s artwork, projects, photographs, etc. to be used or displayed in any El Paso Academy communication devices. Examples include media coverage, printed materials, marketing, and websites.
YES	NO	I give permission to release my student’s directory information to institutions of higher education
YES	NO	I give permission to release my student’s directory information to military recruiters.

PRINT Student’s Full Legal Name Student’s Date of Birth

PRINT Parent/Guardian Full Legal Name Parent/Guardian Signature
or Eligible Student Full Legal Name or Eligible Student Signature

Date

**EL PASO ACADEMY CHARTER HIGH SCHOOL
FOOD ALLERGY NOTIFICATION FORM**

Dear Parents,

El Paso Academy is required by law to request, at the time of enrollment, that the parent or guardian of each student attending the School disclose the student's food allergies. This form will satisfy this requirement.

This form allows you to disclose whether your child has a food allergy or severe food allergy that you believe should be disclosed in order for El Paso Academy to take necessary precautions for your child's safety.

“Severe food allergy” means a dangerous or life-threatening reaction of the human body to a food-borne allergen introduced by inhalation, ingestion, or skin contact that requires immediate medical attention.

Please list any foods to which your child is allergic or severely allergic, as well as the nature of your child's allergic reaction to the food. The School will contact you for a note from your physician if your child has food allergies. **Your child must have an EpiPen prescribed to help in the event of an emergency.**

Food:	Nature of allergic reaction to the food:

El Paso Academy will maintain the confidentiality of this form and the information provided above, and may disclose the information to teachers, school counselors, and other appropriate school personnel only within the limitations of the Family Educational Rights and Privacy Act (“FERPA”) and Board policy. El Paso Academy will maintain this form as part of your child's student record.

Student Name: _____ Date of Birth: _____

Grade: _____ Parent Work Phone: _____ Home Phone: _____

Parent/Guardian Name: _____ Date: _____

Parent/Guardian Signature: _____ Date: _____

Date form received by the school: _____

EL PASO ACADEMY CHARTER HIGH SCHOOL
Computer and Internet Acceptable Use Agreement

STUDENT

I understand and will abide by the above Acceptable Use Policy. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action.

User's Name: _____
(Please Print)

Campus Name: _____

User's Signature: _____

Date: _____

PARENT OR GUARDIAN

As the parent or guardian of _____, I have read the Acceptable Use Policy. I understand that this access is designed for educational purposes. However, I also recognize it is impossible for El Paso Academy to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the tele-computing network. Further, I accept full responsibility for supervision if and when my son/daughter's use is not in a school setting. I hereby give permission to issue an account for this student.

Parent or Guardian's Name: _____
(Please Print)

Signature: _____

Date

EL PASO ACADEMY CHARTER HIGH SCHOOL
Electronic Communication Device Commitment Form

Electronic communications at school and at school-related functions are subject to regulation by El Paso Academy.

This Electronic Communication Device Commitment Form grants authority and permission to El Paso Academy to regulate electronic communication devices when these devices are brought to and/or used while on school property or when attending school related functions and events. Such communication devices include but are not limited to cellular phones, pagers, PDAs, and pocket computers. These regulations are made necessary in light of the unique opportunities these devices create for violations of law, school policies and to perpetrate conduct disruptive of an educational environment essential to the school's educational program. These concerns are exacerbated by electronic security protections and the personal size of these devices, which are often carried concealed in pockets and purses.

Therefore, all students who would possess or use such devices on school property or at school-related activities are required to sign this form together with their parent, guardian or other adult person having the authority of a parent for school purposes.

Each of you, by your signature below, agrees to the following:

- The possession and use of cellular phones, pagers, PDAs and other electronic communication devices by a student on school property or at school-related events is prohibited.
- If a student possesses such devices on school property or while attending school-related events, El Paso Academy is authorized and has my full consent to confiscate, power on or off, manipulate and do all things necessary to search my device and recover or intercept communications (including but not limited to text messaging) when reasonable suspicion exists that such device has been used to transmit or receive communications in violation of law, the Student Code of Conduct, school policy or regulation.
- I further understand, agree and consent that an electronic communication device used or possessed in violation of law, the Student Code of Conduct, school policy or regulation is subject to confiscation and that El Paso Academy is not liable for any loss of or damage to confiscated devices.

SIGNATURE LINES AND DATES

_____ Date: _____
(Signature of student)

(Printed name of student)

_____ Date: _____
(Signature of parent/guardian)

EL PASO ACADEMY CHARTER HIGH SCHOOL
Photo/Videotape Release Form

Throughout the school year, there may be times when El Paso Academy staff, the media, or other organizations (with the approval of the Campus Administrator), may take photographs of students, audiotape and/or videotape students, or interview students for school-related stories in a way that would individually identify a specific student. Those photographs, audio recordings, and/or videotaped images or interviews may appear in school publications; in school video productions; on the school website; in school advertisements, fundraising, and/or recruitment materials; in the news media; or in other nonprofit, education-related organizations' publications.

In order to release student photos, video footage, comments and/or post on the school website, we need written permission. To give your consent, please complete the form below.

_____ I hereby give permission for El Paso Academy to use my child's voice and/or likeness in its publications for the purposes mentioned above. I authorize the use and reproduction by El Paso Academy of any and all photographs and/or audio or video recordings taken of my child, without compensation to my child or to me. All photographs and recordings shall be the sole property of El Paso Academy. I waive any right to inspect or approve the finished photographs, audio or video recordings, and/or reproduced materials that may be used in conjunction with them. I understand and agree that El Paso Academy may use my child's voice and/or likeness in subsequent school years unless I revoke this authorization by notifying the Campus Administrator in writing. I further grant unto El Paso Academy permission to permit my child to be photographed, audio/videotaped, or interviewed by the news media or other approved organizations for school-related stories or articles. I release El Paso Academy and those acting pursuant to its authority from liability for any violation of any personal or proprietary right I may have in connection with the purposes mentioned above.

_____ El Paso Academy may not use my child's voice and/or likeness in its publications for the purposes mentioned above. I further decline permission for El Paso Academy to permit my child to be photographed, audio/videotaped, or interviewed by the news media or other approved organizations for school-related stories or articles.

Student's Name: _____

Parent's Name: _____

Address: _____

Telephone Number: _____

Parent's Signature: _____ Date: _____

* Students 18 years of age or older may sign this release form for themselves *