



# TCSA Model Board Policy Series

Module 400: *Students 2012*  
Charter Board Policy for  
University of Texas-University Charter School

## **Module 400: Students 2012**

The Students Module 400, is the fourth module of the Model Board Policies. The material included in this module provides a comprehensive summary of statutes and regulations that apply to charter schools, as well as specific model board policies designed to comply with these legal requirements. Other policy modules in the series include:

---

Module 100: Financial Operations

---

Module 200: Charter School Governance & Organization

---

Module 300: General School Operations

---

Module 500: Open Government

---

Module 600: Human Resources

---

## **Legal Abbreviations Used In the TCSA Model Board Policy Series**

Atty. Gen. Op	Attorney General Opinion
C.F.R	Code of Federal Regulations
Tex. Admin. Code	Texas Administrative Code
Tex. Educ. Code	Texas Education Code
Tex. Gov't Code	Texas Government Code
Tex. Labor Code	Texas Labor Code
Tex. Loc. Gov't Code	Texas Local Government Code
U.S.C.A	United States Code Annotated

## 400.020. ADMISSIONS & ENROLLMENT

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### SECTION 1. Admissions

Section 1.1. Non-Discrimination Policy. UT-UCS’s admissions and enrollment shall be free from discrimination based on sex, national origin, ethnicity, religion, disability, academic, artistic, athletic ability, or the district the child would otherwise attend under state law.

Section 1.2. Admission Application Deadline. UT-UCS’s admission application period is from May 1<sup>st</sup> through June 1<sup>st</sup>.

Section 1.3. Exclusion from Admission. In accordance with a charter amendment approved by the commissioner of education, UT-UCS reserves the right to exclude from admission a student who is not in treatment with a facility and who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under the Education Code, Chapter 37, Subchapter A.

Section 1.4 Acceptance Procedure The application period for student enrollment will be from May 1<sup>st</sup> to June 1<sup>st</sup> of each school year. As part of its admissions policy UT-UCS will conduct a lottery process. If there are more applications for admission than available positions in the school, names will be randomly selected using a lottery system. Student names that were not drawn will be placed in a “waiting pool”.

If a vacancy arises, a name will be randomly selected from this pool and that student will be offered the vacant position. This process will continue until a student accepts the slot. If no-one accepts the vacant slot, then enrollments will accepted on a first-come, first-served basis.

If the application deadline has passed, applications are accepted on a first-come, first-served basis if there is not a “waiting pool” and there is not a vacant slot in the appropriate grade level. If there is a vacancy in the appropriate grade level, the student may enroll.

A notice of the application deadline will be placed in a newspaper of general circulation in the community in which the school is located. The notice must be published not later than seven calendar days before the application deadline and must include the date of the application deadline.

Students admitted to or attending and siblings of those students are exempted from the lottery

## Section 2. Enrollment

Section 2.1. Eligibility. The Superintendent or designee shall establish procedures that ensure that appropriate measures are taken to verify, on enrollment, that a student is entitled to enroll in UT-UCS. Areas to be verified include, but are not limited to, a student's grade level and treatment status at a facility or residency.

Section 2.2. Enrollment Documentation. Upon a student's enrollment, the Superintendent or designee shall ensure that a bona fide effort is made to secure all records and required documentation pertaining to the student.

Section 2.3. 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 record; adoption records; church baptismal record; or any other legal document that establishes identity.

## **400.040. ATTENDANCE**

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **Section 1. Compliance**

The Superintendent or designee shall ensure UT-UCS’s student attendance accounting system is in compliance with all laws, regulations, and Texas Education Agency (“TEA”) rules governing attendance. The Superintendent or designee shall ensure that attendance policies are distributed to staff, students, and parents/guardians.

### **Section 2. Documented Absences**

Section 2.1. Leaving Campus During School Hours. If not in treatment at a facility, a student younger than 18 years old must have prior, written approval from a parent or guardian before that student may leave the school campus during school hours. Students in treatment who are younger than 18 years old must be signed out on the appropriate log by a legally authorized facility employee or may leave campus based on prior written approval from a parent or guardian.

Section 2.2. Absences. A student absent from school for any portion of the day, upon his or her return, must provide a written note to the school that explains the absence. The note must be signed by a parent, guardian, or the student if the student is 18 years old or emancipated. For students in treatment who are younger than 18 years old, the note may also be signed by a legally authorized facility employee.

Section 2.3. Absences for College Visits. Students may be excused up to two absences in their junior year and two absences in their senior year when visiting an accredited institution of higher education for the purpose of determining their interest in attending that institution. Upon return to school, a student shall provide a note similar to the note provided in Section 2.2 of this policy, along with documentation indicating that the student indeed visited the institution.

### **Section 3. Warning Notice**

The Superintendent or designee shall ensure that at the beginning of each school year the parents of students of UT-UCS receive notice that they and the student are each subject to prosecution for violation of attendance laws.

### **Section 4. School Attendance Officer**

UT-UCS shall have a school attendance officer (“SAO”). The Superintendent or designee shall determine the duties and responsibilities of the SAO, all of which should be in line with the maintenance of student attendance.

**400.060. FERPA**

<http://registrar.utexas.edu/students/records/ferpa>

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

**Section 1. Compliance**

In regards to student records, UT-UCS shall comply with the Family Educational Rights and Privacy Act (“FERPA”).

**Section 2. Custodian of Records**

The Superintendent is designated the custodian of all student records. The District Registrar and each Campus Registrar are designated as agents of the Superintendent for the purposes of the receipt of requests concerning the disclosure of student records.

**Section 3. Annual Notice**

The Superintendent shall ensure that all parents of students currently in attendance and current students who have reached 18 years of age annually receive a notice of their rights under FERPA.

**Section 4. Directory Information**

Section 4.1. Definition. UT-UCS has designated the following as directory information: student’s name, degrees, honors and awards received.

Section 4.2. Disclosure. Directory information will be released to the public at the discretion of UT-UCS, in compliance with FERPA, unless a parent or student over 18 years old objects to part or all of its release in writing within 10 school days after receiving the annual notice described in Section 3 of this policy. Written objections shall be collected and maintained by the UT-UCS Registrar.

**NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS**

The Family Educational Rights and Privacy Act (“FERPA”) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the UT-UCS receives a request for access.

Parents or eligible students should submit to the Campus Clerk a written request

that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent, or eligible student, believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask UT-UCS to amend a record should write the school principal, clearly identify the part of the record they want changed and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the UT-UCS Advisory Board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district or charter school in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UT-UCS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education

400 Maryland Avenue, SW  
Washington, DC 20202

By law, “directory information” includes categories of information that are generally not considered harmful or an invasion of privacy if released. UT-UCS has designated the following as directory information: student’s name, degrees, honors and awards received.

If you do not want UT-UCS to disclose directory information from your education records without your prior written consent, you must notify UT-UCS in writing by [insert date 10 school days after date of letter].

FERPA permits the disclosure of personally identifiable information (PII) from students’ education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student in the following circumstances:

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student’s State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)



- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

## 400.080. REQUIRED INSTRUCTION AND GRADUATION

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### Section 1. Compliance

The Superintendent shall ensure that UT-UCS maintains compliance with all state laws and regulations governing curriculum and graduation requirements.

### Section 2. End-of-Course Assessments

Section 2.1. Percentage of Final Grade. Students shall take end-of-course (EOC) exams for courses in which they are enrolled as part of their graduation requirements.

Section 2.2. Retakes.

If a student retakes an EOC assessment, UT-UCS will include the retake score as 15 percent of the final grade only if the retake score allows a student to gain credit for the course. After a student earns credit for the course, subsequent retakes will not be included in the calculation of the final course grade.

Section 2.3. Students with Disabilities. The admission, review and dismissal committee shall determine the type of assessment to be administered to a student receiving special education services.

## **400.100. IDEA POLICIES & PROCEDURES**

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **Section 1. Legal Framework**

It is the policy of UT-UCS to follow the Legal Framework for the Child-Centered Special Education Process developed through the Region 18 Education Service Center. Additional policies may be adopted by UT-UCS to evidence UT-UCS’s commitment to the framework and uploaded to Region 18 Education Service Center’s Legal Framework website.

### **Section 2. Regular Education Teacher IEP Review Request**

The Superintendent or designee shall develop a process to be used by a teacher who instructs a student with a disability in a regular classroom setting: (1) to request a review of the student’s individualized education program; (2) that provides for a timely response from UT-UCS to the teacher’s request; and (3) that provides for notification to the student’s parent or legal guardian of that response.

## 400.120. HEALTH

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **Section 1. Immunizations & Reportable Diseases**

The Superintendent or designee of UT-UCS shall ensure compliance with immunization laws and regulations and that UT-UCS complies with laws and regulations regarding reportable diseases.

### **Section 2. Care for Students At-Risk for Anaphylaxis**

#### Section 2.1. Food Allergy Management in the School Setting.

- a. Point of Contact. Each campus principal shall serve as the point of contact to work with parents and healthcare providers to support students with food allergies that occur at school. Principals shall receive ongoing training in the management of food allergies in the school setting, including the provision of administration of epinephrine. Principals shall ensure that moderate to severe allergic reactions known to UT-UCS that occur at school shall be documented and submitted in an annual report to the Superintendent; the Superintendent shall present this report to the Board during the annual review of the policies and procedures concerning food allergies and anaphylaxis.
- b. Storage of Medications. The campus principal shall develop procedures, in accordance with applicable laws, for the storage of medications that are relevant to food allergies and anaphylaxis.

#### Section 2.2. Identification of Students with Food Allergy At-Risk for Anaphylaxis.

- a. Food Allergy Information Upon Enrollment & After Diagnosis. The Superintendent or designee shall develop, implement, and monitor standardized procedures that will be utilized in obtaining information from a parent/legal guardian, as well as the child’s healthcare provider, upon registration and as soon as possible after a child is diagnosed with a food allergy that places him or her at risk for anaphylaxis.

Enrollment procedures shall include a request that a parent, or legal guardian, disclose to UT-UCS and the campus facility whether his or her child has a food allergy or a severe food allergy that, in the judgment of the parent or legal guardian should be disclosed to UT-UCS to enable the UT-UCS to take any necessary precautions regarding the child’s safety. Such information shall be kept confidential according to law and maintained in accordance with law.

- b. Parent Consent. The Superintendent's designee shall ensure UT-UCS documents and keep current parent consent for medication administration (e.g. epinephrine).

### Section 2.3. Food Allergy Action Plan, Emergency Care Plans, and Individualized Health Care Plans.

- a. Food Allergy Action Plan (FAAP)/Emergency Action Plan (EAP): The FAAP/EAP, developed by the healthcare provider in collaboration with the parents or legal guardians, provides information about the child's food allergy, outlines the care that the child will need in managing the food allergy, and outlines actions to be taken in case of an allergic reaction. The Superintendent or designee shall ensure that the parents and the student (when age appropriate) meet with the campus principal to review the FAAP/EAP. This meeting should occur prior to the child attending school, after returning to school after an absence related to the diagnosis, and anytime there are changes to the student's FAAP/EAP.
- b. Individualized Healthcare Plan ("IHP") & 504 Plans. The campus principal will utilize the FAAP/EAP to develop and monitor an IHP which outlines day to day care for managing the student's food allergy. The principal may facilitate the process of implementing the FAAP/EAP in coordination with the residential facility, if the student is in treatment, and the student's parent or guardian. Where legally required, the school will also develop a 504 Plan to address the health and learning needs of the student. The Superintendent or designee shall ensure compliance with relevant disability laws.

### Section 2.4. Reducing the Risk of Exposure in the School Setting.

- a. Procedures. The campus principal shall develop procedures that outline campus-wide, classroom-wide and individual strategies that are to be utilized for managing students with food allergies at-risk for anaphylaxis. In developing these procedures, consideration shall be given in promoting safety in the following areas, including, but not limited to: all classrooms, hallways, common areas in the school building, and during all school-sponsored activities, including field trips, athletic events, on-campus, off-campus, and before and after school activities.
- b. Environmental Controls. The campus principal shall develop and implement appropriate environmental controls to help minimize the risk of exposure to a food allergen. Environmental controls include, but are not limited to, consideration of the following:
  - i. Identifying high-risk areas in the school and implementing strategies to limit exposure to food allergens and implementing general risk reduction strategies throughout the school and at school-sponsored activities. Students at-risk for anaphylaxis should not be excluded from the

classroom activities based on their food allergies.

- ii. Limiting, reducing, and/or eliminating food from the classroom(s) and other learning environments used by children with food allergies at-risk for anaphylaxis.
- iii. Notifying and educating school staff, facility staff and parents, as appropriate, of the need to limit foods as needed on the campus, in the classroom or at school sponsored activities.
- iv. Developing procedures for the management of parent-provided classroom snacks as allowed by Texas statute, with consideration given to students with food allergies at-risk of anaphylaxis.
- v. Implementing appropriate cleaning protocols in the school with special attention to identified high-risk areas.
- vi. Providing training on food allergy awareness to teachers, staff and parents.
- vii. Posting of visual reminders promoting food allergy awareness.
- viii. Educating children about not trading or sharing food, snacks, drinks, or utensils.
- ix. Implementing hand washing protocols before and after meals. Hand washing should be done with soap and water, as hand sanitizers are not sufficient for removing allergens.
- x. Provide ready access to epinephrine in an accessible, secure but unlocked area.
- xi. Consider risk reduction strategies during extracurricular activities, on field trips, during before- and after-school activities, and at sporting events.
- xii. Reinforce rules and expectations about bullying, including bullying of students with food allergies.

#### Section 2.5. Training for School Staff on Anaphylaxis and Emergency Response.

- a. Training Schedule. The Superintendent shall establish a training schedule that ensures that, at a minimum annually, all school staff are trained to recognize and manage a life threatening anaphylactic reaction. The training schedule may implement a tiered approach including an “awareness training” for all staff and a more “comprehensive training” for the campus principals and school staff members that will be responsible for the care of individual students.

- b. Awareness training. Awareness training is intended to give an overview of food allergies and anaphylaxis including the signs and symptoms of an allergic reaction, as well as treatment of anaphylaxis. At a minimum the training must include information about the most common food allergens, the hazards related to the use of food for instructional purposes and the importance of environmental controls in protecting the health of students at risk for food allergy related to anaphylaxis. Additionally, the training must provide information about how to respond when a child exhibits the signs and symptoms of an allergic reaction to food, provide information on implementing the FAAP/EAP, including the skills needed in administration of epinephrine, and notifying the local EMS utilizing the school's emergency response policy and procedures.
- c. Comprehensive training. Comprehensive training, at a minimum, should include training on: identifying students at-risk for anaphylaxis and planning for students that do not have epinephrine at school; the signs and symptoms of anaphylaxis; implementing FAAPs/EAPs; the administration and storage of epinephrine; development and implementation of IHPs/504 Plans; communication procedures for initiating emergency protocols, including substitute staff; environmental control measures, to reduce the risk of exposure to a food allergen, including safe food handling, hand washing, and cleaning procedures; working with local EMS; and post-anaphylaxis debriefing and monitoring of the food allergy management plans on the campus.

Section 2.6. Post-Anaphylaxis Reaction Review. In the event that a student has a moderate to severe reaction, to prepare for the child's return to school, the campus principal shall collaborate with the student's parents and appropriate facility staff in collecting and reviewing information and implementing the following activities in order to prepare for the child's return to the classroom:

- a. Identify, if possible, the source of allergen exposure and take steps to prevent future reactions.
- b. Review accurate and updated information on the allergic reaction including any new medication(s) which would require new consent forms to be signed by the parents.
- c. Identify and interview those who were involved in the emergency care of the student and those that witnessed the event.
- d. Meet with school staff to review the implementation of procedures.
- e. Review of the FAAP/EAP, IHP, and/or 504 Plan and amend to address any changes that were made by the student's healthcare provider.
- f. If an epinephrine auto-injector was utilized during the reaction, ensure that the parent/guardian replaces it with a new one.

Section 2.7. Review of Policies & Procedures. Policies and procedures associated with food allergies and anaphylaxis shall be reviewed and updated, when necessary, at least annually. The review shall include, but is not limited to, looking at the following information: the current science on management of food allergies in the

school setting; a review of UT-UCS's annual incident report summaries; a review of current policies and procedures; and recommendations brought forth by the campus principals.

### **Section 3. Administration of Prescription Medication**

Section 3.1. Written Request Required. This policy applies only to students who are not in treatment at a facility. Unless otherwise authorized by this policy, employees, agents and volunteers are prohibited from administering any medication to students, including vitamins and food supplements.

The principal of each UT-UCS campus shall ensure that a written request to administer prescription medication to a student is received from the student's parent, legal guardian or person having legal control of the student before prescription medication may be administered by a UT-UCS employee.

Section 3.2. Authorized Employees. Employees authorized by UT-UCS to administer prescription medication to a student include individuals designated by the principal and approved by the Superintendent.

Section 3.3. Prescription Medication Dispenser. Employees authorized to administer prescription medication to a student shall ensure that the medication is administered from either:

- a. A container that appears to be in the original container and properly labeled; or
- b. From a properly labeled unit dosage container filled by an authorized employee from a container described by Section 3.3(a).

Section 3.4. Self-Administration of Prescription Asthma or Anaphylaxis Medicine. The principal of each campus shall ensure that a student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine in accordance with legal requirements and the UT-UCS Student Information Guide.

### **Section 4. Psychotropic Medication**

Section 4.1. Employee Prohibition: An employee may not:

- a. Recommend that a student use a psychotropic drug;
- b. Suggest any particular diagnosis; or
- c. 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.

Section 4.2. Exceptions to Prohibition: Section 4.1 does not prevent an employee from:



- a. Making an appropriate referral under the Individuals with Disabilities in Education Act;
- b. 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; or
- c. Discussing any aspect of a student's behavior or academic progress with the student's parent/guardian or another charter school employee.

### **Section 5. Prohibition of Tobacco and Alcohol**

Smoking, using tobacco products, and the use of alcoholic beverages at school-related or school-sanctioned activities, on or off school property, including within 30 feet of a school building, is strictly prohibited.

UT-UCS students are also prohibited from possessing tobacco products at a school-related or school-sanctioned activity, on or off school property. The Superintendent shall ensure that this prohibition is enforced by school personnel.

### **Section 6. Posting of Steroid Notice**

The Superintendent shall ensure that the legally required steroid notice shall be posted in a conspicuous location in the school gym or in another place in a building where physical education classes are conducted.

## 400.140. STUDENT SAFETY

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### Section 1. Discipline

Section 1.1. Student Code of Conduct. The Board shall adopt a student code of conduct in accordance with law. Annually, the Board shall review the student code of conduct and make changes as necessary.

Section 1.2. Distribution of Code of Conduct. The principal of each UT-UCS campus shall ensure that the student code of conduct is distributed to each student at the beginning of the school year. Transfer students shall receive a student code of conduct upon enrollment.

Section 1.3. Students with Disabilities. The change in placement and/or any disciplinary action regarding a student with a disability, who needs or is believed to need special education and related services under the Individuals with Disabilities and Education Act, shall be in compliance with applicable federal and state laws and regulations.

### Section 2. Transfer Option for Victims of Violent Acts

The Superintendent or designee shall develop local procedures allowing for the transfer of a student to attend a safe school if the student becomes a victim of a violent criminal offense while on a school campus or on any school property, or while attending a school-sponsored or school-related activity.

### Section 3. Child Abuse

Section 3.1. Sexual Abuse of Children and Maltreatment of Children.

- a. The Superintendent or designee shall develop and implement procedures detailing methods to increase staff, student and parent awareness of the sexual abuse and other maltreatment of children, including prevention techniques and knowledge of likely warning signs.
- b. The Superintendent or designee shall be responsible for having a safety plan developed that details action that a child who is a victim of sexual abuse or other maltreatment should take to obtain assistance and intervention. This plan shall also provide for available counseling options.

Section 3.2. Required Training.

- a. As part of new employee orientation, educators, counselors, coaches and other professional staff members shall receive training concerning prevention techniques for, and recognition of, sexual abuse and all other maltreatment of children. At the discretion of the Superintendent or designee, any charter school staff member may annually receive training in these areas.
- b. The Superintendent or designee shall ensure that training under this section shall comport with legally mandated criteria.

### Section 3.3. Reporting Child Abuse.

A UT-UCS employee, volunteer or agent who believes a child has been adversely affected by physical or mental abuse or neglect shall make a report within 48 hours of first suspecting such abuse or neglect. The report shall be made to law enforcement or the Department of Family and Protective Services, Child Protective Services.

The Superintendent or designee shall ensure notice of this requirement is disseminated to all employees, volunteers, and agents.

## Section 4. School Visitors

Section 4.1. Visitors. In conjunction with the campus facilities, the Superintendent or designee shall ensure that each campus facility adopts a procedure requiring visitors to UT-UCS school buildings to sign in at an appropriate office. All visitors may be required to present a form of identification or, at a minimum, their name and date of birth. UT-UCS or facility staff may process a 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, the visitor must sign out 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 may not be allowed to visit a UT-UCS school building or campus area, defined as the portion of the residential facility leased and occupied by UT-UCS. However, a parent/legal guardian of a student enrolled at UT-UCS, who has previously established with the school that he or she is 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 follow the policy outlined in Section 4.2(a) and (b).

Section 4.2. Registered Sex Offenders. Registered sex offenders are prohibited from entering school grounds.

- a. Exception.  
A parent/guardian registered sex offender may enter school grounds for the following limited purposes:

- i. To attend a conference at the school with school personnel to discuss the academic and/or social progress of the parent/guardian's child;
  - ii. When the principal has requested the parent/guardian's presence for any other reason concerning the parent/guardian's child; or
  - iii. To bring the parent/guardian's child to, or pick up the child up from, school.
- b. Requirements for the Exception to Apply:
- i. The parent/guardian must notify the principal of the purpose of the visit and when the visit will occur, including date and time, before the parent/guardian enters the school grounds.
  - ii. The principal shall notify the administrative offices of UT-UCS and the campus facility (if the facility has not arranged the visit) of the parent/guardian's intent to visit.
  - iii. The parent/guardian must check in at the campus administrative office upon arrival and departure from the school.
  - iv. The parent/guardian must remain under the direct supervision of UT-UCS staff at all times.

Section 4.3. Protective Orders. UT-UCS personnel shall comply with all legal restraining and protective orders pertaining to students enrolled in UT-UCS.

## **SECTION 5. Weapon and Concealed Handgun Prohibition**

<http://www.utexas.edu/police/prevention/weapons.html>

Section 5.1. Weapons Prohibited. UT-UCS 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.

Section 5.2. Concealed Handgun Prohibition. UT-UCS prohibits the use or possession of a concealed handgun on all UT-UCS campuses, even if the handgun is carried by a licensed handgun holder. The Superintendent shall ensure signs containing the following language are conspicuously placed at all campus facilities: "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."

## **SECTION 6. Protective Eye Devices**

Industrial-quality eye-protective devices meeting the recommended guidelines adopted by the Texas Department of Health shall be worn by all employees, students and visitors participating in activities and programs that involve:

- a. the use of hazardous chemicals;
- b. the use of hot liquids or solids;
- c. the use of molten materials;
- d. performing grinding, chipping, or other hazardous activities where there is danger of flying particles;
- e. milling, sawing, turning, shaping, cutting or stamping of any solid materials;
- f. heat treatment, tempering or kiln firing of any metal or other materials;
- g. cutting, welding or brazing operations;
- h. the use of hazardous radiation, including the use of infrared and ultraviolet light or lasers;
- i. repair or servicing of any vehicle; or
- j. any process or activity in a vocational, art, industrial arts or science course or laboratory that might have a tendency to cause damage to the eyes.

## **SECTION 7. Internet Use**

### **SECTION 7.1. Computer System Access**

Access to all of UT-UCS's computers, computer networks, electronic mail, and the Internet is for educational and administrative purposes. The Superintendent or designee shall require all users to agree in writing to comply with UT-UCS's policies and procedures in regards to such access, including, but not limited to, the acceptable use policies of the University of Texas. Failure to comply may result in disciplinary action.

<https://www.utexas.edu/cio/policies/>

### **SECTION 7.2. Protection Measure**

The Superintendent or designee shall ensure that UT-UCS utilizes a filtering device or software that prevents any UT-UCS computer, and prevents UT-UCS's Internet service, from accessing material that is obscene, child pornography or harmful to minors.

### **SECTION 7.3. Internet Safety**

The Superintendent or designee shall implement a safety plan that ensures:

- a. Online activities of minors are monitored at the discretion of the Superintendent or designee;
- b. Students' Internet access to inappropriate material is controlled;
- c. Students' safety is ensured when using electronic communication, including, but not limited to electronic mail, social networking sites and chat rooms;

- d. The prevention of unauthorized access, including hacking and other unlawful activities;
- e. The prevention of the unauthorized disclosure, use and dissemination of personal information regarding minors; and
- f. Students are educated about appropriate online behavior including interacting with other individuals on social networking websites and chat rooms, and cyber-bullying awareness and response.

#### SECTION 7.4. Monitored Computer Use

The use of UT-UCS's computers and/or Internet system is not confidential and may be monitored by designated UT-UCS personnel to ensure appropriate use.

**Section 8. Prohibition Against Harassment, Intimidation, or Bullying** UT-UCS strives to provide students and staff with a school environment free from harassment, intimidation and bullying.

Section 8.1. Prohibition. UT-UCS explicitly prohibits harassment, intimidation, and/or bullying on the basis of race, color, national origin, sex, disability, age, sexual orientation, and/or religion. UT-UCS prohibits harassment, intimidation, or bullying in any form at school, school-related events, including off-campus events, school-sponsored activities, or any event related to school business.

Section 8.2. Definition. Harassment, intimidation, or bullying means engaging in written or verbal expression, expression through electronic means, through the use of cell phones or physical conduct that occurs on school property, at a school-sponsored or school-related activity and that:

- a. 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
- b. is sufficiently severe, pervasive, or persistent enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student.

Section 8.3. Reporting. UT-UCS encourages students who believe they are being subjected to harassment, intimidation, or bullying and students who have first-hand knowledge of such harassment, to report the matter promptly to any UT-UCS employee, adult volunteer, contractor or agent who is not involved in the alleged harassment, intimidation or bullying. Any UT-UCS employee, adult volunteer, contractor or agent who witnesses, overhears or receives a report, formal or informal, written or oral, of harassment, intimidation or bullying shall report it in accordance with procedures developed under this policy.

Section 8.4. Superintendent Responsibilities. The Superintendent shall take appropriate actions to ensure UT-UCS's Harassment, Intimidation and Bullying policy and procedures are enforced.

The Superintendent or designee shall develop procedures to implement this policy that include:

- a. An absolute prohibition against harassment, intimidation, or bullying;
- b. A method to ensure initial and annual dissemination of this policy and associated procedures to all students, parents, teachers, administrators and all other UT-UCS employees, volunteers, contractors and agents;
- c. Annually disseminating age-appropriate information to students on the recognition and prevention of harassment, intimidation, or bullying;
- d. Annual staff development training in harassment, intimidation, and bullying prevention, awareness, and reporting.
- e. Identification of school officials responsible for investigating reports and making decisions based on the outcome of the investigation;
- f. Procedures for reporting incidents and the immediate, appropriate and impartial investigation of incidents which includes:
  - i. conducting interviews of all students involved;
  - ii. conducting interviews of witnesses; and
  - iii. Investigating the circumstances of the incident, including events or incidents that preceded the incident;
- g. Prompt notification of the parents of all students involved;
- h. Procedures for resolving complaints that include proper application of consequences consistent with UT-UCS policy and with consideration for state and federal IDEA requirements;
- i. Procedures for parties to appeal the determination of the investigation;
- j. Available counseling options for a student who is a victim of harassment, intimidation and/or bullying; and
- k. Available counseling options for a student who engaged in conduct that was harassing, intimidating and/or bullying.

If an investigation reveals that harassment, intimidation or bullying has occurred, the Superintendent or designee must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent harassment from recurring. Any steps taken to remediate the situation should not penalize the student who was harassed, intimidated and/or bullied.

Section 8.5. Consequences. Any person found to have engaged in harassment, intimidation, and/or bullying in violation of this policy may be subject to disciplinary action up to and including expulsion, in accordance with the UT-UCS Student Code of Conduct. Any staff member who permits harassment, intimidation or bullying of a student may be subject to disciplinary action up to and including termination of employment. Any staff member who receives complaints of harassment, intimidation and/or bullying and does not act promptly or does not forward the complaint to the staff member's supervisor shall be subject to disciplinary action up to and including termination of employment.

Section 8.6. Retaliation Prohibited. UT-UCS prohibits retaliation against any person who in good faith reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with UT-UCS policies and procedures. Individuals who intentionally fabricate allegations of harassment, intimidation or bullying may be subject to disciplinary action in accordance with UT-UCS policies and procedures.



## 400.160. MISCELLANEOUS PROVISIONS RELATING TO STUDENTS

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### Section 1. Religious Discrimination Prohibited

<http://policies.utexas.edu/policies/nondiscrimination-policy>

UT-UCS prohibits discrimination, harassment or retaliation on the basis of religion. A student enrolled at UT-UCS has the right to silently pray or meditate at UT-UCS so long as it does not disrupt the instructional or other activities of the school. UT-UCS shall not require, encourage or coerce any student to engage in or to refrain from prayer or meditation during any school activity.

### Section 2. Homeless Children

Section 2.1. Homeless Liaison. The Director of Curriculum and Instruction is appointed the homeless liaison of UT-UCS.

Section 2.2. Compliance. The Superintendent shall ensure legal compliance with applicable federal and state laws and regulations regarding homeless children.

### Section 3. Parental Involvement

#### PART I. GENERAL EXPECTATIONS

UT-UCS agrees to implement the following statutory requirements:

- UT-UCS will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (“ESEA”). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- Consistent with section 1118, UT-UCS will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with section 1118(d) of the ESEA.
- UT-UCS will incorporate this district wide parental involvement policy into its Local Education Agency (“LEA”) plan developed under section 1112 of the ESEA.
- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, UT-UCS and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities,

and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language parents understand.

- If the UT-UCS plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, UT-UCS will submit any parent comments with the plan when UT-UCS submits the plan to the Texas Education Agency (“TEA”).
- UT-UCS will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
- UT-UCS will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

**Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—**

- i. that parents play an integral role in assisting their child’s learning;
- ii. that parents are encouraged to be actively involved in their child’s education at school;
- iii. that parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- iv. the carrying out of other activities, such as those described in section 1118 of the ESEA.

## **PART II. DESCRIPTION OF HOW UT-UCS WILL IMPLEMENT REQUIRED DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS**

Parents/guardians/caregivers/parental surrogate/house parents are an integral part of the education of their child. The more elements of good parenting, good teaching and good schooling that children experience, the greater the likelihood that children will achieve their potential.

To work with parents in accomplishing this goal, UT-UCS shall:

- **Train staff** with parental assistance, in the value and contributions of parents and in how to involve and work with parents as equal partners, implement and coordinate parent programs, and build ties between home and school.
- **Hold an annual meeting** with parents, teachers, paraprofessionals and facility representatives to discuss:
  - Campus Instructional Plan, which includes the Parental Involvement Policy and frequency of parental involvement meetings
  - Federal programs and requirements, including eligibility and participation in the Title I, Part D program, Adequate Yearly Progress (“AYP”), and the Title I school improvement process
  - State standards and assessments
  - School Parent Compact, which is designed by parents and school staff and outlines how parents, staff and students share the responsibility for improvement in student academic achievement
  - Evaluation of Parental Involvement Program and Policy
- **Disseminate information** to parents in a timely manner, in a uniform format, and in the language the parents can understand, including, but not limited to:
  - Parent Handbook
  - Campus Parental Involvement Policy
  - Qualifications of teachers
  - Timely information about Title I, Part D programs
  - The options and requirements for providing assistance to students who have learning difficulties or who need, or may need, special education
  - Information regarding how parents of limited English proficient students can be actively involved in their children’s education and attainment of English proficiency
  - Annual notice of confidentiality of records and parental rights under the Family Educational Rights and Privacy Act (“FERPA”)
  - Annual notice of parental rights under the Protection of Pupil Rights Amendment (“PPRA”)
  - Student Code of Conduct
  - Student Information Guide
  - School-Parent Compact
  - Complaint procedures for resolving issues of violation of a Federal statute or regulation that applies to Title I, Part D programs
  - Information about school curriculum, standards and assessments, and proficiency levels that students are expected to meet
  - School and LEA Report Cards, including AYP status
  - Individual student assessment results and progress reports
  - Information regarding child’s participation in state supplemental programs, as appropriate, including, but not limited to: Texas Primary

Reading Inventory (“TPRI”) and Accelerated Reading Instruction (“ARI”); Dyslexia services; and English as a Second Language (“ESL”)/Bilingual Program

- **Arrange for parent conferences** held at different times during the day to accommodate the needs of the parents to discuss:
  - student progress
  - School-Parent Compact and how the Compact relates to the individual child’s achievement
  - Measures of Academic Progress (“MAP”) testing results
  
- **Provide parent training/information** on how to:
  - coordinate literacy efforts that will help parents work with their children to improve their children’s achievement
  - provide opportunities as appropriate and feasible for parents to learn about child development and child-rearing issues designed to help parents
  - monitor a child’s progress and work with educators to improve the achievement of their children and
  - build bridges between home and school
  
- **Ensure coordination** by coordinating and integrating parental involvement programs and activities with other grant programs, as appropriate.
  
- **Offer a flexible number** of meetings, such as morning, evening or weekend times, in order for parents to have more opportunities to participate in various workshops and meetings pertaining to various topics concerning parenting and academics
  
- **Provide parental involvement opportunities** through collaboration with the facility in the following ways:
  - Providing informational sessions for parents, surrogate parents, and facility staff on subjects of interest, such as Attention Deficit Hyperactivity Disorder (“ADHD”), brain research, study skills and communications skills.
  - Encouraging parent visits to the school whenever they are visiting the facility.
  - Weekly Progress Reports that communicate concerns with academics and behavior.
  - Team meetings to discuss progress and/or educational needs and solutions for student success.

- Parental participation in Admissions, Review and Dismissal (“ARD”) committee meetings.
  - Parental participation in Language Proficiency Assessment Committee (“LPAC”) meetings.
  - Training for surrogate parent(s) to assure that students are participating in the least restrictive environment and are receiving all appropriate educational services.
  - Parental participation in awards programs held by the school.
- **Include the community** through collaboration with the facility and as appropriate by developing partnerships with community-based organizations and businesses in parental involvement activities.
  - **Conduct an annual evaluation/survey** with the involvement of parents, on the parental involvement policy and the parental involvement program to determine their effectiveness, to identify barriers to greater participation, and their impact on improving student academic performance. These findings are used to design strategies for program improvement.

#### **PART IV. ADOPTION**

This District-wide Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs as evidenced by the following components of the UT-UCS Parental Involvement Policy, which are described in more detail above:

- **Annual meeting** with parents, teachers, paraprofessionals, and facility representatives where parents learn about the requirements of the school’s Title I program and are given an opportunity to help review, plan and make suggestions to improve the Title I program, the Parental Involvement Policy and the School Parent Compact.
- **Annual evaluation/survey** with the involvement of parents, on the content and effectiveness of the UT-UCS District-Wide Parental Involvement Policy. The findings of the annual evaluation/survey are used to design strategies for program improvement.

This policy was adopted by UT-UCS on March 6, 2013 and will be in effect pending the annual evaluation in the following school year. UT-UCS will distribute this policy to all parents of participating Title I, Part A children on or before September 1<sup>st</sup>.