

Positive Solutions High School



... a positive learning experience

2021-2022

STUDENT/PARENT

HANDBOOK

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Preface

To Students and Parents:

Welcome to Positive Solutions Charter School! We wish this year to be an especially productive experience for each student. We must all work together: students, parents, and staff. This Student/Parent Handbook (“the Handbook”) is designed to help us accomplish this goal.

The Handbook is an overview of our school’s goals, services, and rules. It is an essential reference book describing what we expect of our students and parents, what they can expect of us, and how we will achieve our educational mission. We have attempted to make the language in this Handbook as straightforward as possible. Please note that the term “parent” is used to refer to the parent, legal guardian, or other person who has agreed to assume school-related responsibility for a student.

The Handbook is divided into eight sections. The first section includes general information regarding school policy and procedures. The second section provides important health and safety information. The third section provides information about academics and grading. The fourth section is the Student Code of Conduct, which is required by state law and intended to promote school safety and an atmosphere for learning. Both students and parents need to be familiar with the Student Code of Conduct. The Student Code of Conduct is also available in the main office and is posted on the school’s website. The fifth section is especially for parents, with information regarding parental rights. The sixth section contains important notices regarding student information, computer resources, and electronic communication devices. The seventh section provides important information regarding school safety and COVID-19. The final section, section eight, contains forms parents and students must sign regarding their rights and privacy, use of student work in publications, use of computers and electronic communication devices, food allergies, and acknowledgement and approval of the parent/student handbook and code of conduct.

This Handbook is designed to be in harmony with Board Policy. Please be aware that the Handbook is updated yearly, while policy adoption and revision may occur throughout the year. Changes in policy and procedure that affect Handbook provisions will be made available to students and parents through newsletters and other communications. **In case of conflict between Board Policy and any provision of this Handbook, the provision that was most recently adopted by the Board of Directors will be followed.**

We ask our parents to review the entire Handbook with their students and to keep it as a reference during this school year. Parents or students with questions about the material in this Handbook should contact Ruby Torres, Superintendent.

Finally, you must complete and return the last page of the Handbook – “Acknowledgement and Approval of Student/Parent Handbook” – to the school office at your campus.

On behalf of the entire Positive Solutions staff and community, best wishes for a great 2019–2020 school year!

SECTION 1: GENERAL INFORMATION

Mission

In a collaborative effort, Positive Solutions Charter School is committed to welcoming and serving students from diverse backgrounds and academic levels. We remain committed to always be dependable and flexible, while empowering our students to achieve their dreams. Our purpose, is to always remain compassionate and maintain a safe environment.

Vision

Positive Solutions Charter School educates and empowers students to attain a high school diploma and prepares them to be college, career, or military ready.

Board of Directors

Dr. Daniel Juarez..... Chairman
Irma Latour..... Vice President
Margaret LunaSecretary/Treasurer
Dr. Jesse ZapataBoard Member
Curley Spears.....Board Member
Julian Ronald Sanchez Board Member
Elizabeth Morales.....Board Member

About the School

Since 1998, Positive Solutions Charter School (PSHS) has provided young adults with educational services. Positive Solutions has accomplished this by providing an accelerated curriculum to young adults throughout the San Antonio and Bexar County area.

Our academic program enables the student to achieve their educational goals along with a strong sense of self and to achieve economic success in a world of technology. We encourage you to take full advantage of what the school has to offer.

Statement of Non-Discrimination

Positive Solutions Charter School (“Positive Solutions Charter School” or the “School”) does not discriminate on the basis of race, religion, color, national origin, sex or gender, disability, or age in providing educational services, activities, and programs, including vocational and career technology programs. Positive Solutions Charter School complies with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972 (“Title IX”); 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.

As required by Title IX, Positive Solutions Charter School does not (and is required not to) discriminate on the basis of sex in its educational programs or activities. This non-discrimination requirement applies to admission to and employment with Positive Solutions Charter School. Inquiries into issues related to Title IX may be referred to Positive Solutions Charter School’s Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

Any questions or concerns about Positive Solutions Charter School compliance with these federal programs should be brought to the attention of the following person designated as being responsible for coordinating compliance with these requirements:

- The Title IX Coordinator, for concerns regarding discrimination on the basis of sex/gender, is Carrie Burns, 1325 N. Flores Street, Suite 100, San Antonio, Texas 78212, 210-299-1025, cburns@positivesolutionsinc.net.
- The ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability, is Michele Warner, 1325 N. Flores Street, Suite 100, San Antonio, Texas 78212, 210-299-1025, mwarner@positivesolutionsinc.net.
- The Age Discrimination Coordinator, for concerns regarding discrimination on the basis of age, is Carrie Burns, 1325 N. Flores Street, Suite 100, San Antonio, Texas 78212, 210-299-1025, cburns@positivesolutionsinc.net.
- All other concerns regarding discrimination may be directed to Carrie Burns, 1325 N. Flores Street, Suite 100, San Antonio, Texas 78212, 210-299-1025, cburns@positivesolutionsinc.net.

Title IX Statement of Nondiscrimination

Positive Solutions Charter School prohibits discrimination, including harassment, against any student on the basis of sex. Retaliation against anyone involved in the formal complaint process described below is a violation of Positive Solutions Charter School policy and is prohibited.

Sexual Harassment

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

- An employee of Positive Solutions Charter School conditioning the provision of an aid, benefit, or service of Positive Solutions Charter School on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Positive Solutions Charter School’s education program or activity; or
- “Sexual assault” as defined in 20 U.S.C. 1091(f)(6)(A)(v); “dating violence” as defined in 34 U.S.C. 12291(a)(10); “domestic violence” as defined in 34 U.S.C. 12291(a)(8); or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Definitions

Title IX Official

- For the purposes of this formal complaint process, a “Title IX Official” means the Title IX Coordinator/designee and campus administrators.

Complainant

- A complainant is a student who is alleged to be the victim of sexual harassment.

Respondent

- A respondent is the person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Formal Complaint

- A formal complaint means a document filed by a complainant (or complainant's parent/guardian) or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Positive Solutions Charter School investigate the allegation of sexual harassment.
- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in Positive Solutions Charter School's education program or activity.
- A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by e-mail using the Title IX Coordinator's contact information. A formal complaint may be a document or electronic submission (i.e., by e-mail or through an online portal provided by Positive Solutions Charter School) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the individual filing the complaint.

Reporting Procedures

Student Report

- Any student who believes that he or she has experienced sexual harassment or believes that another student has experienced sexual harassment should immediately report the alleged acts to a teacher, school counselor, principal, assistant principal, or Positive Solutions Charter School's Title IX Coordinator/designee.

Parent Report

- Any parent who suspects or receives notice that a student or group of students has or may have experienced sexual harassment shall promptly notify a campus administrator or the Title IX Coordinator.

Employee Report

- Any Positive Solutions Charter School employee who suspects or receives notice that a student or group of students has or may have experienced sexual harassment shall promptly notify a campus administrator or the Title IX Coordinator.

Alternate Reporting Procedures

- A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning sexual harassment, including reports against the Title IX coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly 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.

Timely Reporting

- Reports of sexual harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair Positive Solutions Charter School's ability to investigate and address the prohibited conduct.
- Notice to Parents upon receipt of a formal complaint, the Title IX Official or designee shall promptly notify the parents of any student alleged to have experienced sexual harassment and the parents of a student who is alleged to have engaged in conduct that could be sexual harassment with notice in compliance with the "Written Notice" section below.

Supportive Measures

Positive Solutions Charter School shall offer the parties supportive measures. Supportive measures may include individualized services that are non-punitive, non-disciplinary, and do not unreasonably burden the

other party yet are designed to restore or preserve a student's equal access to education. Supportive measures may include but are not limited to counseling, extensions of deadlines or other class-related adjustments, modifications of class schedules, campus escort services, mutual restrictions on contact between the parties, increased monitoring of certain areas of the campus, and other similar measures. Positive Solutions Charter School must maintain as confidential any supportive measures provided to the parties to the extent this would not impair the ability of Positive Solutions Charter School to provide supportive measures.

Formal Complaint Procedure

A formal complaint alleging sexual harassment shall be in writing. A formal complaint may be made by the complainant-student, a parent, or legal guardian. In cases where an alleged victim does not file a formal complaint, the Title IX Coordinator may initiate the formal complaint process where warranted (e.g., allegations of sexual assault or abuse, improper relationship between employee and student).

The formal complaint process shall be engaged with all deliberate speed for resolving formal complaints of sexual harassment. Positive Solutions Charter School shall attempt to complete an investigation of a formal complaint within 60 calendar days of receiving a formal complaint. Temporary delays shall be permitted only for good cause; good cause can include but is not limited to law enforcement activities, the absence of a party or witness, the absence of a party's advisor of choice, or the need to provide language assistance or accommodation of disabilities.

Equitability and Objectivity

Both the complainant and the respondent are to be treated equitably in the grievance process. Positive Solutions Charter School must ensure an objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.

Credibility and Presumption of Innocence

Credibility determinations shall not be made on the basis of a person's status as a complainant, respondent, or witness. The respondent is presumed not responsible, and any finding of responsibility comes only at the conclusion of a grievance process.

No Conflicts of Interest

The individuals directly involved in the formal complaint process (Title IX Coordinator or designee, investigator, decision-maker, and facilitator of informal resolution efforts) must not have any bias or conflict of interest. These individuals shall also be trained. The materials used to train Title IX personnel may not rely on sex stereotypes, must promote impartial investigations and adjudications, and must be posted on Positive Solutions Charter School's website.

Standard of Evidence

Positive Solutions Charter School will use the preponderance of the evidence standard for making a determination of responsibility.

Privileges

No information protected by a legal privilege, such as the attorney-client privilege or the doctor-patient privilege, can be used during an investigation unless the person holding that privilege has waived it. Neither a party nor Positive Solutions Charter School is allowed to seek, permit questions about, or allow the introduction of evidence that is protected by a recognized privilege. Individuals can always opt to waive their own privileges.

Emergency Removals

Positive Solutions Charter School>> may remove a respondent from Positive Solutions Charter School's education programs or activities on an emergency basis if Positive Solutions Charter School undertakes an individualized safety and risk analysis and determines that an immediate threat, arising from the allegations of sexual harassment, to anyone's physical health or safety justifies removal. Additionally, Positive Solutions Charter School must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Positive Solutions Charter School's ability to initiate an emergency removal does not override or modify the rights of individuals under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

If the respondent is a Positive Solutions Charter School employee, the employee may be placed on administrative or other school-initiated leave during the investigation in accordance with applicable law.

Initial Assessment of Formal Complaint and Potential Dismissal

Upon receipt of a formal complaint, the Title IX Official or designee shall determine whether the allegations, if proven, would constitute sexual harassment as defined by Title IX.

Positive Solutions Charter School must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in Positive Solutions Charter School's education program or activity; or
- Did not occur against a person in the United States. Positive Solutions Charter School may dismiss a formal complaint;
- If the complainant notifies the Title IX Coordinator in writing that he/she wishes to withdraw the formal complaint or any allegations therein;
- If the respondent is no longer enrolled in or employed by Positive Solutions Charter School; or
- If circumstances prevent Positive Solutions Charter School from gathering evidence sufficient to reach a determination about the allegations.

If the Title IX Official dismisses a formal complaint or any allegations in it, the Title IX Official shall promptly send written notice of the dismissal and the reasons to the parties. Both parties have the right to appeal a dismissal decision.

Dismissal of a formal complaint does not preclude Positive Solutions Charter School from conducting an investigation under the school's policy concerning on-sexual harassment discrimination or any other policy that may apply to the alleged conduct.

Consolidation of Complaints

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

Written Notice

When an investigation of a formal complaint begins, the parties will receive written notice. Included in the notice shall be a copy of this process and Positive Solutions Charter School's policy concerning prohibited sexual harassment. Written notice shall also include:

- Notice of the allegations of sexual harassment including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- A statement that the respondent is presumed to be innocent and that a determination regarding responsibility is made at the conclusion of the formal complaint process.
- A statement that the parties are entitled to an advisor of their choice who may be a parent/guardian or who may be, but is not required to be, an attorney.
- A statement that the parties can inspect and review relevant evidence.
- Information from Positive Solutions Charter School code of conduct about making false statements or knowingly submitting false statements during the complaint process.

This written notice must be provided to allow the parties sufficient time to prepare a response before any initial interview.

If, during an investigation, Positive Solutions Charter School District decides to investigate allegations about the complainant or respondent that were not included in the original notice, Positive Solutions Charter School must provide notice of the additional allegations to the parties.

Investigators

An investigation of a formal complaint may be conducted by a trained Title IX Official or designee, such as a principal, an assistant principal, a central office administrator, or by a third party designated by Positive Solutions Charter School, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

Positive Solutions Charter School shall provide an equal opportunity for the parties to present witnesses to be interviewed and evidence to be considered, including information from fact and expert witnesses, as well as inculpatory and exculpatory evidence.

Positive Solutions Charter School cannot restrict the ability of a party to discuss the allegations under investigation or to gather and present relevant evidence.

Representation

Both parties will have the opportunity to have an advisor of choice accompany them to any meetings throughout the investigation process. A parent/guardian may serve as a student's advisor; a student may also have an advisor in addition to his/her parent present at meetings in the investigation process. However, parents and advisors cannot interfere with interviews. Advisors may only observe.

Conducting the Investigation

Positive Solutions Charter School shall provide written notice of the date, time, location, participants, and purpose of all interviews, or other meetings with sufficient time for the party to prepare.

Positive Solutions Charter School shall provide equal opportunities for the parties and their advisors to inspect and review the evidence obtained as part of its investigation, if the information is directly related to the allegations raised in the formal complaint, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Every party has the right to choose to participate, or not participate, in any part of an investigation. No person shall be forced, threatened, coerced, discriminated against, or retaliated against for choosing not to be part of the grievance process.

The investigation may consist of personal interviews with the person making the report, the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Prior to completing an investigative report, Positive Solutions Charter School will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties must have at least 10 days to submit a written response, which the investigator will consider prior to completing the investigative report.

If a response is submitted, the investigator shall consider that response before finalizing the investigative report. The investigative report can then be finalized and provided to the parties.

That report shall be circulated to the parties at least another 10 days before any determination of responsibility.

Before making a determination of responsibility, the parties shall be given an opportunity to submit relevant, written questions to each other. The decision maker may establish a deadline for a party to respond to questions posed by another party. Responses may be verbal or written at the decision-maker's discretion. Parents/guardians may respond in writing for their children. The decision-maker may ask additional questions of the parties and witnesses before making a determination of responsibility.

Questions and evidence about a complainant's prior sexual history are not relevant with two limited exceptions: to prove someone other than the respondent committed the alleged misconduct or to prove consent.

Cooperation with Law Enforcement or Regulatory Agencies

If a law enforcement or regulatory agency notifies Positive Solutions Charter School that a criminal or regulatory investigation has been initiated, Positive Solutions Charter School shall confer with the agency to determine if the school's investigation would impede the criminal or regulatory investigation. Positive Solutions Charter School shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, Positive Solutions Charter School shall promptly resume its investigation.

Disability Accommodations

Positive Solutions Charter School shall ensure that individuals with disabilities who participate in the school's formal grievance process are appropriately accommodated, including with respect to the use of technology and reliance on visual, auditory, or written modes of communication.

Concluding the Investigation

The investigator shall prepare a final written report of the investigation. The report shall not include a determination of whether prohibited conduct occurred but may include recommended findings of fact. The report shall be filed with the Title IX Coordinator and the decision-maker.

Written Determination of Responsibility and Notification

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

Decision-maker

The decision-maker shall objectively evaluate the relevant evidence and reach conclusions about whether the respondent is responsible for the alleged sexual harassment. The decision-maker shall use independent judgment and shall not be the Title IX Coordinator or the person(s) who conducted the investigation.

Decision-makers shall be free from conflicts of interest or bias for or against complainants or respondents and shall have received special training about how to be impartial and how to decide what evidence is relevant. The decision-maker will weigh the relevant evidence and decide whether it meets Positive Solutions Charter School standard of evidence for sexual harassment allegations.

After the evidence has been weighed, the decision-maker shall issue a written decision regarding responsibility. It shall include:

- Identification of the allegations potentially constituting sexual harassment.
- A description of the procedural steps taken from receipt of the formal complaint through the determination of responsibility, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any.
- Findings of fact supporting the determination.
- Conclusions regarding the application of Positive Solutions Charter School's code of conduct to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
- Any disciplinary sanctions that will be imposed on the respondent, and whether remedies will be provided to the complainant to restore or preserve equal access to Positive Solutions Charter School's education program or activity.
- A statement of Positive Solutions Charter School's procedures and permissible bases for the complainant and respondent to appeal.

Positive Solutions Charter School shall send the written determination regarding responsibility to the parties simultaneously, along with information about how to appeal the determination.

The Title IX coordinator is responsible for implementing the remedies contained in the written determination regarding responsibility if there is no timely appeal or once the appeal process is completed.

Corrective Action/Remedies

Positive Solutions Charter School's remedies are to be designed to restore or preserve equal access to the school's education programs or activities.

Disciplinary consequences for respondents who are students will range from a verbal warning to expulsion, as allowed under the Student Code of Conduct.

Disciplinary consequences for respondents who are employees will range from a verbal warning to termination of employment, as allowed under the school's standards for employee conduct.

Corrective actions may also include training programs for those involved in the complaint, a comprehensive education program for the school community, counseling to the complainant and the respondent who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming Positive Solutions Charter School's policy against discrimination and harassment.

Improper Conduct Not Constituting Sexual Harassment

If the investigation reveals improper conduct that did not rise to the level of sexual harassment, Positive Solutions Charter School may take disciplinary action in accordance with the Student Code of Conduct and/or employee standards for conduct, along with any other corrective action reasonably calculated to address the conduct.

Confidentiality

To the greatest extent possible, Positive Solutions Charter School shall respect the privacy of the complainant, respondent, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation, comply with applicable law, and to implement supportive measures.

Positive Solutions Charter School shall maintain the identities of parties and witnesses as confidential, unless disclosure of someone's identity is required under other laws or is necessary in order to conduct the grievance process, including the implementation of supportive measures and to comply with the Title IX regulations.

Appeal

An appeal must be in writing (on a form provided by Positive Solutions Charter School) and filed with the Title IX Coordinator within 10 calendar days of issuance of the determination of responsibility. Appeals are available on the following bases:

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

A Positive Solutions Charter School official who decides the appeal shall not be the same person who reached the determination regarding responsibility, the investigator, or the Title IX Coordinator.

After considering the parties' written statements, the decision-maker on appeal shall issue a written decision and send it to the parties simultaneously.

Positive Solutions Charter School's determination about whether the respondent is responsible for the sexual harassment allegations becomes final after appeal.

Retaliation Prohibited

Positive Solutions Charter School prohibits retaliation by a student or school employee against anyone alleged to have experienced sexual harassment, or any other person who in good faith, makes a report of sexual harassment, serves as a witness, or participates or refuses to participate in an investigation.

Any person who believes he or she has been retaliated against may file a complaint in accordance with the grievance process described in this regulation.

False Claim

A student or employee who intentionally makes a false claim or provides a materially false statement shall be subject to appropriate disciplinary action.

Informal Resolution

Positive Solutions Charter School may offer informal resolution at any time prior to reaching a determination regarding responsibility, except in cases where the respondent is a school employee. Informal resolution may be attempted only if each party enters the process voluntarily. Positive Solutions Charter School will not require informal resolution as a condition of continuing enrollment or employment, the enjoyment of any other right, or a waiver of the right to an investigation and adjudication of formal complaints. Positive Solutions Charter School also may not offer an informal resolution process unless a formal complaint is filed.

Positive Solutions Charter School shall provide a specially trained resolution facilitator who is free from conflicts of interest or bias. All parties shall be provided with notice of the allegations, notice of their rights, information about whether an informal process is confidential, and about withdrawing from the process.

Records Retention

Positive Solutions Charter School shall retain copies of each sexual harassment allegation, investigation report, and related records for the time period required under the Title IX regulations at 34 C.F.R. Part 106.

Access to Procedures

Information regarding this regulation shall be included in Positive Solutions Charter School's employee and student handbooks.

General Admissions and Enrollment Information

Admission and enrollment of students shall be open to persons who reside within the geographic boundaries stated in the school's charter, and who are eligible for admission based on lawful criteria identified in the charter and in state law. The total number of students enrolled in Positive Solutions Charter School shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by Positive Solutions Charter School based on occupancy limitations, code compliance and staffing requirements as deemed necessary.

In accordance with state law, Positive Solutions Charter School does not discriminate in its admissions policy on the basis of sex; national origin; ethnicity; religion; disability; academic, artistic, or athletic ability; or the district the child would otherwise attend.

Submission of Applications and Admissions Lottery

Students wanting to attend Positive Solutions Charter School must submit an application in person, which is available at 1325 N. Flores, Ste. 100. The student and parent must attend an orientation prior to starting school.

If fewer applications than spots available are received, students will be offered admission on a first-come, first-served basis. If Positive Solutions Charter School receives more applications than it has spots available in any grade level, it will conduct a random lottery. Each applicant selected during the lottery (up until all open seats are filled) will be offered admission. Once all enrollment spots have been filled by the lottery, the lottery will continue, and applicants will be placed on a waiting list in the order in which they are drawn. If a vacancy arises before the commencement of the next school year, the individual on the waiting list with the lowest number assignment will be offered admission and then removed from the waiting list.

Families offered an enrollment seat will be sent a registration packet with instructions for registering. Families must complete and return the registration packet in order to secure enrollment. If an enrollment

offer is declined or if you do not complete the registration packet, your child's seat will be offered to the next potential student on the waiting list.

Exceptions to Lottery Process: Federal guidelines permit Positive Solutions Charter School to exempt from the lottery students who are already attending Positive Solutions Charter School; siblings of students already admitted to or attending Positive Solutions Charter School; and children of Positive Solutions Charter School founders, teachers, and staff, as long as the total number of students allowed under this exemption constitutes only a small percentage of Positive Solutions Charter School total enrollment.

McKinney-Vento Homeless Education Assistance Act of 2001

Homeless children and youth are ensured specific educational rights and protections, and will be provided flexibility with respect to the following:

- Proof of residency requirements;
- Immunization requirements;
- Educational program placement in some instances, such as inability to provide previous academic records;
- Award of partial credit;
- Eligibility requirements for participating in extracurricular activities; and
- Graduation requirements.

“Homeless children and youth” as defined and covered by the McKinney-Vento Homeless Education Assistance Act of 2001:

- Means individuals who lack a fixed, regular, and adequate nighttime residence.
- Includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
- Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations.
- Are living in emergency or transitional shelters.
- Are abandoned in hospitals or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designed as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations.

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.

Questions concerning assistance offered to homeless students can be obtained from Carrie Burns, Principal, 1325 N. Flores Street, Suite 100, San Antonio, Texas 78212, 210-299-1025.

Student Information

Any student admitted to Positive Solutions Charter School must have records, such as a 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 Positive Solutions Charter School 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 Positive Solutions Charter School, 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.

Positive Solutions Charter School will forward a student's records on request to the school in which a student seeks or intends to enroll without the necessity of the parents' consent.

Food Allergy Information

The parent of each student enrolled in Positive Solutions Charter School must complete a form provided by Positive Solutions Charter School that discloses (1) whether the child has a food allergy or a severe food allergy that should be disclosed to the school to enable it to take any necessary precautions regarding the child's safety and (2) specifies the food(s) to which the child 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.

Positive Solutions Charter School may also require information from a child's physician if the child has food allergies.

Food allergy information forms will be maintained in the child's student records and shall remain confidential. Information provided on food allergy information forms may be disclosed to teachers, school counselors, school nurses, 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").

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

Enrollment may not be denied to children who are not legally admitted into the United States.

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 Positive Solutions Charter School, 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 indication 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.

School Calendar

Positive Solutions Charter School 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 school's website.

School Day

Classes begin at 7:40 a.m. for the morning session and are dismissed at 11:53 a.m. For the afternoon session, classes begin at 12:40 p.m. and are dismissed at 4:53 p.m. Students may be dropped off as early as 7:00 a.m. They will be supervised, but there are no organized activities before the instructional day begins. **Students must be in class by 7:45 and 12:45 otherwise they are tardy.**

Once students have arrived at school, they are expected to remain in the assembly area or report to their assigned classroom. They may **NOT** leave the building or property.

Drop-off and Pick-up Procedures

All students must be dropped off and picked up **ONLY** in the designated areas (curbside). Students must be dropped off/picked up in front of the school curbside. **Parents are not to drop off or pick up students in the school parking lot.** There is only one entrance/exit, it becomes a safety issue.

Student Drivers and Parking

All student drivers must hold a valid driver's license and insurance. Students driving to school must park parallel in front of the school. Students may not go to their cars during the school day. Students must also drive in a manner that is safe and does not disrupt the learning environment or school community in any way. Students who fail to follow these guidelines will have their driving privileges suspended or revoked and may be subject to discipline under the Student Code of Conduct.

Attendance

Consistent school attendance is an essential component of each student's education. Absence from school will affect a student's ability to succeed in class; therefore, students and parents should make every effort to avoid unnecessary absences. Additionally, state law mandates compulsory school attendance for children of a certain age, and Positive Solutions Charter School policy deals with attendance for course credit and a student's final grade. These items laws are discussed below.

Texas Compulsory Attendance Law

The state compulsory attendance law requires that a student between the ages of six and 19 must attend school any applicable accelerated instruction programs and school-required tutorial sessions unless the student is otherwise legally exempted or excused. Positive Solutions Charter School 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, or from required tutorials will be considered "truant" and subject to disciplinary action.

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day. If a student 19 years of age or older has more than five unexcused absences in a semester, Positive Solutions Charter School may revoke the student's enrollment, except that Positive Solutions Charter

School may not revoke the enrollment on a day on which the student is physically present at school. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. Prior to revoking the student's enrollment Positive Solutions Charter School shall issue a warning letter to the student after the third unexcused absence stating that the student's enrollment may be revoked for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking enrollment, Positive Solutions Charter School may impose a behavior improvement plan.

Notice to Parents: *Under Texas Education Code § 25.095(a), you are hereby notified that if a student is absent from school on ten or more days or parts of days within a six-month period in the same school year, the student's 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).*

Positive Solutions Charter School shall notify a student's parent if the student has been absent from school, without excuse, on three days or parts of days within a four-week period. The notice will inform the parent that it is the parent's duty to monitor the student's school attendance and require the student to attend school; the student is subject to truancy prevention measures under Texas Education Code § 25.0915; and that a conference between school officials and the parent is needed to discuss the absences.

Attendance for Credit or Final Grade

To receive credit or a final grade in a class, a student must attend at least 90% of the days the class is offered. These days include both excused and unexcused absences. A student who attends fewer than 90% of the days the class is offered may be referred to the Attendance Review Committee to determine whether the absences were due to extenuating circumstances and how the student may regain credit or earn a final grade.

The Attendance Review Committee will consider the following factors when determining whether there are extenuating circumstances for the absence:

1. All absences, whether excused or unexcused, must be considered, with consideration given to special circumstances as defined by the Texas Education Code.
2. For a student transferring into Positive Solutions Charter School after school begins, including a migrant student, only those absences after enrollment will be considered.
3. In reaching consensus about a student's absences, the committee will attempt to ensure that its decision is in the best interest of the student.
4. The committee will consider whether the absences were for reasons over which the student or parent could exercise control.
5. The committee will consider the acceptability and authenticity of documentation expressing reasons for the student's absences.
6. The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
7. The student, parent or other representative will be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit.

If credit is lost or a final grade is not earned due to excessive absences, the Attendance Review Committee will decide how the student may regain credit or earn a final grade. If the committee determines there are no extenuating circumstances and that credit or a final grade may not be earned, the student or parent may appeal the committee's decision to the Board of Directors by filing a written request with the

Superintendent. The appeal notice must be postmarked to the following address within 3 school days following the last day of instruction in the semester for which credit was denied:

Positive Solutions Charter School
1325 N. Flores, Suite 100
San Antonio, TX 78212

The appeal will then be placed on the agenda of the next regularly scheduled Board meeting. The Superintendent or designee shall inform the student or parent of the date, time, and place of the meeting.

Absence and Tardiness

When a student must be absent from school, parents are asked to call the school each day the student will be absent. Student Coordinators will call the parent if the school does not receive a call. Upon returning to school, the student must bring a note, signed by the parent, or a medical excuse signed and dated by a provider that describes the reason for the absence. Notes should be submitted to the student coordinator, and may be scanned and emailed, or faxed to the school. If a note is not received within 3 school days of the absence, the absence will be recorded as unexcused.

Because excessive absences are considered truancy under state law, Positive Solutions Charter School reserves the right to take extreme absence cases to court.

Positive Solutions Charter School recognizes two kinds of absences: excused and unexcused. Students and parents should read this section carefully to understand the school's expectations. Students and parents should also be aware of the school's policy regarding homework, quizzes, and tests following an absence.

Excused Absences

State law allows exemptions to the compulsory attendance requirements for several types of absences if the student makes up all work and provides verifiable documentation. These include the following activities and events:

- Religious holy days.
- Required court appearances.
- Activities related to obtaining United States citizenship.
- Service as an election clerk.
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student's arrival or return to campus.
- For students in the conservatorship (custody) of the state who need to attend:
 - An activity required under a court-ordered service plan; or
 - Any other court-ordered activity provided it is not practicable to schedule the student's participation in the activity outside of school hours.

A junior or senior student may also be absent for up to two days per school year for purposes of visiting a college or university, so long as the student obtains permission for the visit from the Principal, follows the school's procedures to verify the visit, and makes up any work missed due to the absence.

Students may also be excused for their appointment at the Department of Motor Vehicles to take the driving test, as long as documentation is provided.

A student may also be absent for up to two days in a school year for service as an early voting clerk, provided the student receives approval from the student coordinator prior to the absence and informs his or her teachers of the absence.

Absences of up to five days will be excused for a student to visit with a parent, stepparent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments.

Additionally, Positive Solutions Charter School may excuse up to four days of school for a high school student who is 17 years of age or older to pursue enlistment in a branch of the armed services of the United States or the Texas National Guard, provided that Positive Solutions Charter School verifies the student's activities relating to pursuing enlistment.

For religious holy days, required court appearances, activities related to obtaining citizenship, and services as an election clerk, one day of travel to the site and one day of travel from the site shall also be excused by Positive Solutions Charter School.

The only additional excused absences are for personal illness, death in the immediate family (parent, sibling, grandparent, or member of the immediate household), a school-related absence or an absence approved in advance by the student coordinator due to extenuating circumstances. Verifiable documentation must be submitted to the student coordinator within 3 school days.

Unexcused Absences

Any absence not listed above or approved in advance by the student coordinator due to extenuating circumstances will be considered an unexcused absence. Parent notes are unexcused.

Tardiness and Late Arrival

If a student arrives late to school, a parent must report to the school office to complete a tardy slip. A student who is late to class by more than 15 minutes will be counted absent. The absence is considered unexcused, unless the student has a verifiable reason for the tardiness (See Excused Absences section.) Repeated tardiness will result in more severe disciplinary consequences as allowed by the Student Code of Conduct and the Texas Compulsory Attendance Law. Every 4 tardies constitutes an unexcused absence.

Make-Up Work

If a student misses class for any reason, a teacher may assign make-up work that incorporates the instructional objectives for the class and that will assist the student to master the essential knowledge and skills necessary to meet subject or course requirements. Students are responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the teacher. Teachers will provide students and parents with additional information regarding penalties for failure to complete make-up work within the time allotted, and the process for making up tests missed due to absence.

Driver's License Attendance Verification

The Texas Department of Public Safety ("DPS") is required to verify the attendance records of a student between the ages of 16 and 18 that is seeking to obtain or renew a driver's license. In order for DPS to access this information or, in certain circumstances, for a school administrator to provide the attendance information to DPS, written parental permission must be obtained. Students may obtain the required Verification of Enrollment ("VOE") form from the school office. Students must have a 90% attendance rate to qualify for a Verification of Enrollment (VOE) form.

Release of Students from School

A student will not be released from school at times other than at the end of the school day except with permission from the school principal or designee and in accordance with campus sign-out procedures. Additionally, state rules require that parental consent be obtained before a student under the age of 18 may leave campus at any point in the school day.

Because class time is important, doctor's appointments or meetings with other professionals should be scheduled at times when the student will not miss instructional time, if possible.

Closed Campus

Students are not permitted to leave campus for any reason unless granted permission by an administrator. Upon arrival to the campus, students must report to the assembly area or to their assigned classroom. Disciplinary action will be taken for any student leaving campus without permission (See Code of Conduct). Students and adults may not bring in or give away food to other students during school time. Outside food or drinks are not allowed on campus unless permission has been granted by a school administrator.

Withdrawals

Voluntary Withdrawal

A student under 19 years of age may be withdrawn from school only by a parent. Positive Solutions Charter School requests notice from the parent at least three days in advance so that records and documents may be prepared. Parents may obtain a withdrawal form from the main office. The parent shall also provide the name of the new school in which the student will be enrolled and must sign the withdrawal request to document that the student will continue to be enrolled in a school as required by compulsory attendance laws.

A student who is 19 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:

- Return all textbooks, checked-out materials and equipment, VIA bus card, and student ID;
- 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 withdrawal is complete.

Involuntary Withdrawal

Positive Solutions Charter School may initiate withdrawal of a student under the age of 19 for non-attendance if:

1. the student has been absent 10 consecutive school days, and
2. repeated efforts by the school to locate the student have been unsuccessful.

Additionally, Positive Solutions Charter School may revoke the enrollment of a student 19 years of age or older who has more than five unexcused absences in one semester.

Dress and Grooming

The school's dress and grooming standards are designed to teach grooming and hygiene, prevent disruption, minimize safety hazards, and provide a dress standard that offers flexibility for the parent and student.

Students must come to school cleanly and neatly groomed and wearing clothing that will not be a health or safety hazard to the student or others, and that will not distract from the educational atmosphere of the school. Students are required to arrive in proper attire every day.

Students who do not follow the school's guidelines for personal attire and appearance may be subject to discipline under the Student Code of Conduct. Additionally, a parent may be contacted to bring an acceptable change of clothing to school, and the student may be assigned to in-school suspension for the remainder of the day until a change of clothes is brought to the school.

Positive Solutions Charter School students are expected to dress in a manner that conveys respect for their learning community and communicates a message of personal confidence and pride. The following specific guidelines must be adhered to:

Inappropriate and/or unacceptable dress and grooming include, but are not limited to the following:

- * Shorts of any kind
- * Jeans with holes or tears above the knee showing any type of skin (holes or tears must be covered)
- * Dresses or skirts shorter than knee-level
- * Skorts
- * Leggings
- * Capris
- * Athletic attire (i.e. yoga pants, wind pants, sweatpants, jogger pants)
- * Sleeveless tops (i.e. tank tops, halter tops, tube tops, muscle shirts, camisoles, spaghetti strapped tops)
- * Low cut tops
- * Revealing clothing (i.e. tight-fitting clothing, transparent/see through clothing)
- * Loose fitting clothing (i.e. sagging or baggy clothing)

NOTE: Undergarments must NOT be shown in any way. Pants must be worn at waist level.

- * Tops showing the belly or back
- * Clothes with violent, vulgar, lewd, offensive, or obscene language or graphics
- * Clothes advertising tobacco, drugs, or alcoholic products
- * Flip flops, house shoes, slides, or bare feet (Sandals must have a strap on the back.)
- * Excessive body/face piercings
- * Jewelry made from heavy metal objects
- * Wallets and watches with chains
- * Dog collars, chokers, spikes, or studded jewelry
- * Hats, caps, hairnets, beanies, sweatbands, or do-rags (This includes hoods on jackets/sweaters.)
- * Bandanas (This includes using as a handkerchief, hair tie, or headband.)
- * Tattoos deemed offensive, distracting, or inappropriate

Positive Solutions Charter School will periodically review its dress and grooming policies, and make changes as needed.

While it is inevitable that there will be differences of opinion as to the appropriateness of dress, grooming, and/or determining whether or not a student's attire is disruptive or distracting to the educational environment of the school, the final determination will be made by the Principal. Any student who does not comply with the dress code will be removed from the regular school setting until the student complies with this code.

Student Fees

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. Positive Solutions High School provides consumable items, such as pencils, paper, pens,

erasers, notebooks, calculators, headsets, etc. at no cost to the students. Students may be required to pay certain fees or deposits, including:

1. A fee for materials for a class project that the student will keep, if the fee does not exceed the cost of materials;
2. Membership dues in voluntary student clubs or organizations and admission fees to extracurricular activities;
3. A security deposit for the return of borrowed materials, supplies or equipment;
4. A fee for voluntarily purchased items, such as student publications, class rings, pictures, graduation announcements, etc.;
5. A fee for voluntary student health and accident benefit plan;
6. A fee for items of personal apparel used in extracurricular activities that become the property of the student;
7. A fee for replacement of a student identification card;
8. A fee for replacement of a VIA bus card;
9. If offered, a fee for a driver training course, not to exceed the actual cost per student in the program for the current school year;
10. A fee for an optional course offered for credit that requires the use of facilities not available on campus or the employment of an educator who is not part of the school's regular staff;
11. A fee for summer school courses that are offered tuition-free during the regular school year;
12. A fee for lost, damaged, or overdue library book; or
13. A fee specifically permitted by any other statute.

Positive Solutions Charter School may waive any fee or deposit if the student and parent are unable to pay. A request for such a waiver must be made in writing to the Superintendent or designee, and include evidence of inability to pay. Details for the fee waiver are available in the principal's office.

Families are responsible for paying all fees associated with extra-curricular programs, including clubs, parking, athletics, fine arts, UIL academics, and academic supervision prior to participation.

Textbooks and Curriculum Materials

State-approved textbooks, modules, 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 the course or 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. Positive Solutions High School 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.

Food Service

Positive Solutions Charter School provides a light breakfast or afternoon snack for all students. Breakfast is served between 7:15 am-7:35 am. and snacks are served between 12:15 pm-12:35 pm. Breakfast and snacks are provided at no cost to the students. Breakfast and snacks are provided ONLY to students. Positive Solutions Charter School cannot accommodate meals for parents, guardians, or guests.

Outside food, drinks, or snacks are not allowed to be brought into the school. An unopened bottle of water is allowed. Positive Solutions Charter School does not participate in the National School Lunch Program.

Transportation

Positive Solutions Charter School does not provide regular transportation to and from school. Positive Solutions Charter School may provide VIA bus cards for students who live 2 or more miles from the campus and maintain at least a 90% attendance rate. The school may also provide transportation for educational field trips and participation in athletic and other extra-curricular events

Students must not be dropped off and picked up in the school parking lot. Parents/Guardians should use the curb in front of the school to drop off and pick up their child. Students who drive to school must park their vehicles along the curb in front of the school.

Transcripts

Positive Solutions Charter School maintains an academic achievement record (or transcript) for each student enrolled. Transcripts list complete personal student data give complete scholastic grades, and report student activities, honors, and scores on standardized achievement tests. Requests for transcripts should be made to the campus registrar. Students are provided with free official transcripts. Official transcripts may be picked up from the campus registrar five business days after the request is submitted except at the end of the semester. GPA and class rank are recalculated at the end of each semester and updated transcripts are not available until the end of the third business week after the end of the semester.

Displaying a Student's Artwork, Projects, Photos, and Other Original Work

Teachers may display student work in classrooms or elsewhere on campus as recognition of student achievement. However, Positive Solutions Charter School will seek parental consent before displaying student artwork, special projects, photographs taken by students, and other original works on the Positive Solutions Charter School website, on any campus or classroom website, in printed materials, by video, or by any other method of mass communication. Positive Solutions Charter School will also seek consent before displaying or publishing an original video or voice recording in this manner.

Distribution of Materials or Documents

School Materials

Publications prepared by and for Positive Solutions Charter School may be posted or distributed with prior approval by the Principal and/or teacher. Such items may include school posters, brochures, murals, etc.

Non-School Materials

Students must obtain express prior approval of the Superintendent 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 Positive Solutions Charter School 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 Positive Solutions Charter School does not exercise control shall not be sold, circulated, or distributed by persons or groups not associated with Positive Solutions Charter School or a school support group on school premises unless the person or group obtains specific prior approval from the Superintendent or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual. The requestor may appeal the Superintendent or designee's decision in accordance with Board policy.

Electronic Device Policy

Electronic and telecommunication devices are a major source of distraction in the classroom. For this reason, electronic devices may only be used for educational purposes at designated times under the guidance and direction of teachers. For safety purposes, Positive Solutions Charter School permits students to possess mobile phones. However, **mobile phones must be turned in to the front office and may not be taken into the school area during instructional time.** Parents should not call or text their children and expect a response during the school day. In cases of emergency, parents/guardians should contact the front office to get a message to their child. Students also are not permitted to possess other electronic devices, such as pagers, radios, CD players, tape recorders, iPods, camcorders, DVD players, cameras, or electronic devices or games at school, unless prior permission has been obtained from the Principal.

If a Positive Solutions Charter School employee observes a student using any electronic or telecommunication device (including a cell phone) during the school day or a school-related activity, the employee will collect the item and turn it in to the Principal's office. School officials may power on and search the device if there is a reasonable cause to believe that the device has been used in the transmission or reception of communications prohibited by law, policy, or regulation.

A parent will be contacted to pick up the item and pay the applicable fine. A \$10 fee will be assessed before the parent is able to retrieve a telecommunication device. An additional \$10 fee will be assessed each subsequent time a telecommunication device is confiscated. Any disciplinary action will be in accordance with the Student Code of Conduct.

Positive Solutions Charter School will not be responsible for damage to or loss or theft of confiscated items.

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. Parents may submit a written request to the Superintendent or designee to excuse their student from reciting a pledge.

State law requires that one minute of silence will follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent

activity does not interfere with or distract others. In addition, state law requires that Positive Solutions Charter School 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.

State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows.

Recitation of the Declaration of Independence

State law requires students in social studies classes in grades 3–12 to recite a portion of the text of the Declaration of Independence during “Celebrate Freedom Week.” A student will be exempted from this requirement if a parent provides a written statement requesting that the student be excused, Positive Solutions Charter School determines that the student has a conscientious objection to the recitation, or the parent is a representative of a foreign government to whom the United States extends diplomatic immunity.

Prayer and Meditation

Students have a right to individually, silently, and voluntarily pray or meditate in school in a manner that does not disrupt instructional or other school activities. Positive Solutions Charter School will not require, encourage, or coerce a student to engage in or refrain from such prayer or meditation during any school activity.

SECTION 2: STUDENT HEALTH AND SAFETY

Alcohol-Free School Notice

To provide a safe and alcohol-free environment for students and employees, all alcoholic beverages are prohibited on Positive Solutions Charter School 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.

Tobacco-Free School Notice

All students are prohibited from possessing or using any type of tobacco product, electronic cigarette (e-cigarette), or any form of smokeless tobacco or electronic vaporizing device while in school buildings, vehicles, or on or near school property, or at school-related or school-sanctioned events 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.

Drug-Free School Notice

Positive Solutions Charter School believes that student use of illicit drugs is both wrong and harmful. Consequently, Positive Solutions Charter School prohibits the use, sale, possession, or distribution of illicit drugs by students on school premises or any school activity, regardless of its location. Positive Solutions Charter School 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.

Asbestos Management Plan

All school facilities have been inspected for asbestos by a licensed Asbestos Hazard Emergency Response Act (“AHERA”) inspector. An Asbestos Management Plan has been created for the school in accordance with federal regulations. Parents may view the Asbestos Management Plan at the campus office.

Bacterial Meningitis Information

State law requires Positive Solutions Charter School to provide the following information:

What is bacterial 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 common and most people recover fully. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

What are the symptoms of bacterial meningitis?

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 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. 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 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. They are spread when people exchange saliva (such as by kissing, coughing, or sneezing). 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 causes meningitis or another serious illness.

How can bacterial meningitis be prevented?

Maintaining healthy habits, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

There are vaccines available to offer protection from some of the bacteria that can cause bacterial meningitis. The vaccines are safe and effective (85–90 percent). They can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

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

You should seek prompt medical attention.

Where can you get more information?

Your family doctor and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Texas Department of Health office to ask about 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: www.dshs.state.tx.us.

Note: The Department of State Health Services requires at least one meningococcal vaccination on or after the student's 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education.

Communicable Diseases

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. Parents of students with a communicable or contagious disease should notify the Principal or designee so that other students who might have been exposed to the disease can be alerted. School authorities will report those students who are suspected of having a reportable condition. A list of reportable conditions can be found on the Texas Department of State Health Services ("TDSHS") 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.

Please contact the student coordinator or principal if you have questions or if you are concerned about whether a child should stay home.

Immunization Requirements

The State of Texas requires that every child in the state be immunized against vaccine preventable diseases caused by infectious agents in accordance with an established immunization schedule.

To determine the specific number of doses that are required for your student, please read the "2019–2020 Texas Minimum State Vaccine Requirements for Students in Grades K–12" document issued by the TDSHS. Specific immunization information is available on the TDSHS website at <http://www.dshs.texas.gov/immunize/school/>.

Proof of immunization may be personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

Provisional Enrollment

A student can be enrolled provisionally for no more than 30 days if he 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. Positive Solutions Charter School 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 Positive Solutions Charter School 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. Positive Solutions Charter School 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 Texas Department of State Health Services ("TDSHS") 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 period of two years. 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 Superintendent 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

The school'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.

Emergency Medical Treatment

If a student has a medical emergency at school or a school-related activity and the parent cannot be reached, Positive Solutions Charter School staff will seek emergency medical treatment unless the parent has previously provided a written statement denying this authorization. Therefore, parents are asked each year to complete an emergency care consent form. Parents should keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the campus registrar to update any information.

Student Illness

When your child is ill, please contact Positive Solutions Charter School to let us know he or she will not be attending that day.

If a student becomes ill during the school day, he or she must receive permission from the teacher before reporting to the student coordinator. If the student coordinator determines that the child should go home, the student coordinator will contact the parent.

Head Lice

Head lice (which are not an illness or disease) are common among children and may spread easily through contact during play or when students share items such as headphones, brushes, combs, hats, or other items that come in contact with hair. If Positive Solutions Charter School observes that a student may have head lice, an appropriate administrator will contact the student's parent to determine whether the student needs to be sent home and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse.

Administration of Medication

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

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

Changes to daily medications require written instruction from the physician or ANP and written permission from the parent. Parents are responsible for advising Positive Solutions Charter School that a medication has been discontinued.

Asthma and Anaphylaxis Medication

Asthma and anaphylaxis are life-threatening conditions, and students with those conditions are entitled to possess and self-administer prescription medication while on Positive Solutions Charter School property or at school-related events.

Student possession and self-administration of asthma or anaphylaxis medication at school requires the student to demonstrate his or her ability to self-administer the medication to the student's physician or other

licensed health care provider and the student coordinator, if available. Requirements also include written authorization from the student's parent and physician or other licensed health care provider on file in the school office indicating the student is capable of independently administering his or her own asthma or emergency anaphylaxis medication. Medication in a student's possession must be in an original container with a prescription label. Please note that most pharmacies will place a label on the inhaler device upon request.

Steroid Notice

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for medical use only, and only a physician can prescribe use.

Positive Solutions Charter School does not permit steroid use. A notice shall be posted in a building where physical education classes are conducted.

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 of Texas. The program approved by the state must include screening at the end of the school year of each student in kindergarten and each student in the first grade. Parents will be notified should Positive Solutions Charter School determines a need to identify or assess their student for dyslexia and related disorders.

Fitness Testing

According to requirements under state law, Positive Solutions Charter School will annually assess the physical fitness of students. Positive Solutions Charter School 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.

Spinal Screening

All students who meet TDSHS criteria will be screened for abnormal spinal curvature before the end of the school year. Spinal screenings can detect scoliosis at an early stage; early detection is imperative for controlling spinal deformities. Spinal screenings are non-invasive. The screening requirement for students may be met if the child has been screened for spinal deformities during the previous year.

A parent who declines participation in the spinal screening provided by Positive Solutions Charter School must submit to the Principal documentation of a professional examination, which includes the results of a forward-bend test. This documentation must be submitted to Positive Solutions Charter School during the year the student is scheduled for screening or, if the professional exam is obtained during the following summer, at the beginning of the following school year.

Exemption: A student is exempt from screening if the screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or member. To qualify for the exemption, the student's parent, managing conservator, or guardian must submit to the Superintendent or designee on or before the day of the screening procedure an affidavit stating the objections to screening.

Vision and Hearing Screenings

All children enrolled in Texas schools must be screened for possible vision and hearing problems in accordance with regulations issued by the Texas Department of State Health Services. Students in certain grade levels identified by state regulations shall be screened for vision and hearing problems annually. A student may be screened using photo screening to detect vision disorders.

Screening records for individual students may be inspected by the TDSHS or a local health department and may be transferred to another school without parental consent.

Exemption: A student is exempt from screening requirements if screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or a member. To qualify for the exemption, the individual or, if the individual is a minor, the minor's parent, managing conservator, or guardian, must submit to the Superintendent or designee on or before the day of admission an affidavit stating the objections to screening.

Acanthosis Screening for Diabetes

Children in certain grades identified by the state must be screened for warning signs of diabetes.

Exemption: A student is exempt from screening if the screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or member. To qualify for the exemption, the student's parent must submit to the Principal on or before the day of the screening procedure an affidavit stating the objections to screening.

Freedom from Discrimination, Harassment, and Retaliation

Statement of Nondiscrimination

Positive Solutions Charter School prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, age, sexual orientation, or any other basis prohibited by law. Positive Solutions Charter School also prohibits dating violence, as defined by this Handbook. Retaliation against anyone involved in the complaint process is a violation of Positive Solutions Charter School policy.

Discrimination and Harassment (Prohibited Conduct)

For purposes of Positive Solutions Charter School policy, the term "Prohibited Conduct" means discrimination or harassment against a student involving conduct directed at a student on the basis of race, color, religion, gender or sex, national origin, disability, age, or any other basis prohibited by law and that adversely affects the student, and/or 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 Conduct 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.

Positive Solutions Charter School also considers gender-based harassment to be Prohibited Conduct. 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.

“Prohibited Conduct” may also include dating violence, which occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples of dating violence against a student may include 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.

Sexual Harassment

In compliance with the requirements of Title IX, Positive Solutions Charter School 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.

Positive Solutions Charter School 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.

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 engage 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

Retaliation against a person who makes a good faith report of Prohibited Conduct is prohibited. Retaliation against a person who is participating in an investigation of reported Prohibited Conduct is also prohibited. A person who makes a false claim or offers false statements or refuses to cooperate with a Positive Solutions Charter School investigation, however, may be subject to appropriate discipline.

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.

Reporting Prohibited Conduct

Any student who believes that he or she has experienced Prohibited Conduct or retaliation, or believes that another student has experienced Prohibited Conduct or retaliation should immediately report the alleged acts to a teacher, counselor, the Principal, or other school employee. The report may also be made by the student's parent. Alternatively, a report may be made directly to the appropriate Compliance Coordinator identified in this Handbook.

Upon receiving a report of potential Prohibited Conduct, Positive Solutions Charter School will determine whether the allegations, if proven, would constitute prohibited discrimination, harassment, dating violence, or retaliation. If not, Positive Solutions Charter School will determine if the allegations, if proven, would constitute bullying. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying, an investigation of bullying will also be conducted.

****NOTE**** Positive Solutions Charter School process concerning formal complaints of sexual harassment is outlined in "Freedom from Sexual Harassment" below.

Investigation

To the extent possible, Positive Solutions Charter School will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law.

Allegations of Prohibited Conduct will be promptly investigated. The investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by Positive Solutions Charter School, such as an attorney. When appropriate, the Principal or the student's teacher(s) will be involved in or informed of the investigation.

If a law enforcement or other regulatory agency notifies Positive Solutions Charter School that it is investigating the matter and requests that the school delay its investigation, Positive Solutions Charter School will resume the investigation at the conclusion of the agency's investigation.

During the course of an investigation and when appropriate, Positive Solutions Charter School will take interim action to address the alleged Prohibited Conduct.

If the school's investigation indicates that Prohibited Conduct occurred, appropriate disciplinary action and, in some cases, corrective action, will be taken to address the conduct. Positive Solutions Charter School may take disciplinary and corrective action even if the conduct that is the subject of the complaint was not unlawful.

All involved parties will be notified of the outcome of the investigation within the parameters and limits allowed under the Family Educational Rights and Privacy Act ("FERPA").

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the school's student and parent complaint process, beginning at Level Two.

Freedom from Sexual Harassment

Positive Solutions Charter School prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer, or another student.

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

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

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

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.

General Definitions

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

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

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

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

Reporting Sexual Harassment

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

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

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

Notice of Allegations

Upon receipt of a formal complaint, Positive Solutions Charter School must provide the following written notice to the parties who are known:

- Notice of Positive Solutions Charter School’s grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.

- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the parties may inspect and review evidence related to the complaint.
- Notice that Positive Solutions Charter School prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during an investigation, Positive Solutions Charter School decides to investigate allegations about the complaint or respondent that is not included in the initial notice of the complaint, Positive Solutions Charter School must provide notice of the additional allegations to the parties whose identities are known.

Grievance Process

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of Positive Solutions Charter School.

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

- Positive Solutions Charter School will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- Any individual designated by Positive Solutions Charter School as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or responsible. Positive Solutions Charter School will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and Positive Solutions Charter School’s sexual harassment policy.
- Positive Solutions Charter School recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.
- Positive Solutions Charter School shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- Positive Solutions Charter School shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.

- Positive Solutions Charter School may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Consolidating Formal Complaints

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

Dismissal of Formal Complaints

Positive Solutions Charter School must investigate the allegations in a formal complaint.

Positive Solutions Charter School must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in Positive Solutions Charter School's education program or activity; or
- Did not occur against a person in the United States.

Positive Solutions Charter School may dismiss a formal complaint or any allegations therein if, at any time during the investigation:

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

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

Investigating Formal Complaints

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

- Positive Solutions Charter School will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on Positive Solutions Charter School and not on the parties.
- Positive Solutions Charter School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of

treatment to the party, unless Positive Solutions Charter School receives that party's voluntary, written consent to do so.

- Positive Solutions Charter School will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Positive Solutions Charter School will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Positive Solutions Charter School will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. Positive Solutions Charter School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- Positive Solutions Charter School will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- Positive Solutions Charter School will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, Positive Solutions Charter School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completing the investigative report.
- Positive Solutions Charter School must create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.

After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the

Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a written determination, based on the preponderance of the evidence standard, regarding responsibility. The written determination must include:

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

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

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Positive Solutions Charter School will offer both parties an appeal from a determination regarding responsibility, and from Positive Solutions Charter School's dismissal of a formal complaint or any allegations therein, on the following bases:

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

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

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

A party who is dissatisfied with the appeal decision may file an appeal through the student and parent complaint process, beginning at Level Two.

Emergency Removals

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

Informal Resolution

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

Prior to facilitating an informal resolution process, Positive Solutions Charter School must:

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

Positive Solutions Charter School may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

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

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

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

Confidentiality

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

Non-Sexual Harassment Sex Discrimination

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

Freedom from Bullying and Cyberbullying

Positive Solutions Charter School prohibits bullying as defined by this section, as well as retaliation against anyone involved in the complaint process. Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

Bullying also includes cyberbullying, which means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

The school’s bullying policy applies to:

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

Reporting Procedures

Any student who believes that he or she has experienced any form of bullying or believes that another student has experienced bullying should immediately report the alleged acts to the Principal or designee, a teacher, counselor, or other school employee. A report may be made orally or in writing and may be submitted anonymously. Any school employee who receives notice that a student has or may have experienced bullying shall immediately notify the Principal or designee. The Principal or designee will notify the victim, the student who engaged in bullying, and any student witnesses of available counseling options.

The Principal or designee shall provide notice of an incident of alleged bullying to:

- A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
- A parent or guardian of the alleged bully within a reasonable amount of time after the incident.

Investigation of Report

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

The Principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred. If the results of an investigation indicate that 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. Positive Solutions Charter School 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 bullying under this policy.

Discipline for bullying of a student with disabilities shall comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 *et seq.*). Positive Solutions Charter School may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

The Principal, or the Principal's designee, may make a report to the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if, after an investigation is completed, the Principal or designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment), Texas Penal Code.

Confidentiality

To the greatest extent possible, Positive Solutions Charter School shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation.

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the Positive Solutions Charter School grievance procedure.

Law Enforcement Agencies

Questioning of Students

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the Principal or designee will cooperate fully regarding the conditions of the interview if the questioning or interview is part of a child abuse investigation. In other circumstances:

1. The Principal or designee shall verify and record the identity of the official and request an explanation of the need to question or interview the student at school.
2. The Principal or designee ordinarily will make reasonable efforts to notify the student's parent, unless the interviewer raises what the Principal or designee considers to be a valid objection.
3. The Principal or designee ordinarily will be present during the questioning or interview, unless the interviewer raises what the Principal or designee considers to be a valid objection.

When the investigation involves allegations of child abuse, special rules apply.

Students Taken into Custody

State law requires Positive Solutions Charter School to permit a student to be taken into legal custody:

1. By a law enforcement officer if there is probable cause to believe the student has engaged in conduct that violates a penal law, delinquent conduct or conduct in need of supervision, or conduct that violates a condition of probation imposed by the juvenile court.
2. By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court. Pursuant to a properly issued directive to apprehend.
3. By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (FPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in Texas Family Code § 262.104 relating to the student's physical health or safety.
4. Pursuant to a properly issued directive to apprehend.
5. Pursuant to an order of the juvenile court.
6. Pursuant to the laws of arrest.
7. To comply with a properly issued directive from a juvenile court to take a student into custody.

Before a student is released to a law enforcement officer or other legally authorized person, the Principal or designee will verify the officer's identity and, to the best of his or her ability, verify the official's authority to take custody of the student.

The Principal or designee will immediately notify the Superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the Principal or designee considers to be a valid objection to notifying the parents. Because the Principal or designee does not have the authority to prevent or delay a student's release to a law enforcement officer, any notification will most likely be after the fact.

Child Abuse Reporting and Programs

Positive Solutions Charter School provides child abuse anti-victimization programs and cooperates with official child abuse investigators as required by law. Positive Solutions Charter School also provides training to its teachers and students in preventing and addressing incidents of sexual abuse and other maltreatment of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse or maltreatment. Assistance, interventions and counseling options are also available.

The school's administration shall cooperate with law enforcement investigations of child abuse, including investigations by the Texas Department of Protective and Family Services. School officials may not refuse to permit an investigator to interview a student who is alleged to be a victim of abuse or neglect at school. 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 parent, if necessary.

Plan for Addressing Sexual Abuse and Other Maltreatment of Children

What is Sexual Abuse of a Child?

The Texas Family Code defines "sexual abuse" as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as, in certain circumstances, failure to make a reasonable effort to prevent sexual conduct harmful to a child.

What is Other Maltreatment of a Child?

Under State law, "other maltreatment" of a child includes "abuse" or "neglect," as defined by Texas Family Code sections 261.001 and 261.401.

Reporting Obligation

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to the Texas Department of Family and Protective Services ("DFPS"). Reports may be made by contacting one of the following:

- Texas Abuse Hotline: 1-800-252-5400 or, in non-emergency situations only:
<http://www.txabusehotline.org>;
- Your local police department; or
- Call 911 for emergency situations.

Positive Solutions Charter School has established a plan for addressing child sexual abuse and other maltreatment of children (the "Plan"). The Plan is addressed in this section of the Handbook.

Methods for Increasing Awareness Regarding Sexual Abuse or Other Maltreatment

For Staff: Positive Solutions Charter School trains staff in all content areas addressed in the Plan. Training is provided by campus staff, administrative staff, or outside agencies as determined by the campus administration.

For Students: Student Coordinators will address issues to increase awareness regarding sexual abuse and other maltreatment of children and anti-victimization programs with age appropriate conversation and materials no less than once per school year. These discussions will occur in classroom group settings.

For Parents: Parents must be aware of warning signs indicating that their child may have been or is being sexually abused or otherwise maltreated. A child who has experienced sexual abuse or other maltreatment should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that evidence of sexual abuse or other maltreatment may be more indirect than disclosures or signs of physical abuse. It is important to remain calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing in coming to you.

The fact that the abuser is a parent or other family member does not remove your obligation to protect the child. Parents who permit their child to remain in a situation where he or she may be injured or abused may

also be subject to prosecution for child abuse. And, if you are frightened for your own safety or that of your child, you should call 911 or 1-800-252-5400.

Also remember that parents are legally responsible for the care of their children and must provide their children with safe and adequate food, clothing, shelter, protection, medical care and supervision, or arrange for someone else to provide these things. Failure to do so may be considered neglect.

The Principal or designee will provide information regarding counseling options available in your area for you and your child if your child is a victim of sexual abuse or other maltreatment. The DFPS also provides early abuse intervention through counseling programs. Services available in your county can be accessed at the following web address:

http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp.

These websites are also helpful:

- Child Welfare Information Gateway Factsheet:
<https://www.childwelfare.gov/pubPDFs/whatiscan.pdf>
- KidsHealth, For Parents, Child Abuse:
<http://kidshealth.org/en/parents/child-abuse.html>
- Texas Association Against Sexual Assault, Resources:
<http://taasa.org/resources/>
- Texas Education Agency – Prevention of Child Abuse Overview:
http://tea.texas.gov/Texas_Schools/Safe_and_Healthy_Schools/Child_Abuse_Prevention/Child_Abuse_Prevention_Overview/
- Sexual Abuse Prevention Programs:
<https://www.childwelfare.gov/topics/preventing/programs/sexualabuse/>
- Promoting Healthy Families in Your Neighborhood:
<https://www.childwelfare.gov/pubPDFs/packet.pdf>
- Signs of Child Abuse:
<http://kidshealth.org/en/parents/child-abuse.html>
- DFPS – Prevent Child Abuse (HelpandHope.org)
<http://helpandhope.org>
- DFPS – How to Report Child Abuse or Neglect
http://www.dfps.state.tx.us/Contact_us/report_abuse.asp
- Texas Attorney General – What Can We Do About Child Abuse? (Part 1)
<https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-1>
- Texas Attorney General – What Can We Do About Child Abuse? (Part 2)
<https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-2>
- Texas Association for the Protection of Children
<http://www.texprotects.org/about/PCAT/>
- Texas Council on Family Violence – Abuse Prevention Links
<http://www.tcfv.org/>

Likely Warning Signs of Sexual Abuse or Other Maltreatment

Psychological and behavioral signs of possible sexual abuse or other maltreatment may include:

- Nightmares, sleep problems, extreme fears without an obvious explanation.
- Sudden or unexplained personality changes; becoming withdrawn, angry, moody, clingy, “checking out” or showing significant changes in eating habits.

- Depression or irritability.
- An older child behaving like a young child, for example, bedwetting or thumb sucking.
- Developing fear of certain places or resisting being alone with an adult or young person for unknown reasons.
- Resistance to routine bathing, toileting, or removing clothes, even in appropriate situations.
- Play, writing, drawings, or dreams of sexual or frightening images.
- Refusal to talk about a secret he or she has with an adult or older child.
- Leaving clues that seem likely to provoke a discussion about sexual issues.
- Using new or adult words for body parts.
- Engaging in adult-like sexual activities with toys, objects or other children.
- Developing special relationships with older friends that may include unexplained money, gifts, or privileges.
- Intentionally harming him or herself, for example, drug/alcohol use, cutting, burning, running away, and sexual promiscuity.
- Thinking of self or body as repulsive, dirty, or bad.
- Becoming increasingly secretive about Internet or telephone use.

Physical symptoms of possible sexual abuse or other maltreatment include:

- Stomach aches or illness, often with no identifiable reason.
- Difficulty in walking or sitting.
- Stained or bloody underwear.
- Genital or rectal pain, itching, swelling, redness, or discharge.
- Bruises or other injuries in the genital or rectal area.
- Unexplained soreness, pain or bruises around mouth, sexually transmitted disease, or pregnancy.

Any one sign does not necessarily mean that a child has been sexually abused or maltreated, but the presence of several signs is the time you should begin asking questions and seeking help. Often signs first emerge at other times of stress, such as during a divorce, death of a family member or pet, problems at school or with friends, or other traumatic or anxiety-inducing events.

Actions That a Child Who Is a Victim of Sexual Abuse or Other Maltreatment Should Take

During student awareness sessions concerning sexual abuse and other maltreatment issues, students will be encouraged to tell a trusted adult in a private and confidential conversation if they have been a victim of sexual abuse or other maltreatment or have been in situations that make them feel uncomfortable in any way. School employees are trained to take appropriate actions to help the child obtain assistance and to follow proper reporting procedures. Older students will also be provided with local crisis hotline numbers to obtain assistance.

Available Counseling Options

A list of counseling providers can be found at:

http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp.

Interrogations and Searches

In the interest of promoting student safety and attempting to ensure that Positive Solutions Charter School 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 have no claim to the right not to incriminate themselves.

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.

A search is reasonable if (1) the school official has reasonable grounds for suspecting that the search will uncover evidence of a rule violation or a criminal violation and (2) the scope of the search is reasonably related to the circumstances justifying the search, such as the extent of the search, the objectives of the search, the age and sex of the student, and the nature of the infraction.

Desk and Backpack Searches

Students should have no expectation of privacy in the contents of backpacks brought onto the Positive Solutions Charter School campus, desks, or other school property. Desks assigned to students remain at all times under the control and jurisdiction of Positive Solutions Charter School. Positive Solutions Charter School will make periodic inspections of desks at any time, with or without notice or student consent. Backpacks can be searched if the principal or designee has reasonable cause to believe students are concealing material prohibited by law or by the policies of Positive Solutions Charter School. School officials will remove any item that violates school policy or that may potentially be dangerous.

Students have full responsibility for the security of their backpacks and desks and shall be held responsible for any prohibited items found therein. A student's parent and local authorities shall be contacted if any prohibited articles or materials are found in a student's backpack or desk, or on the student's person.

Vehicles on Campus

Vehicles parked on school property and property under school control are under the jurisdiction of Positive Solutions Charter School and may be searched at any time if reasonable suspicion exists to believe that the search will result in evidence that school rules or other laws have been violated. If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle and consent to a search of the vehicle. If the student refuses to permit the vehicle to be searched, Positive Solutions Charter School may contact the student's parents and/or law enforcement officials. A student may be held responsible for and in possession of prohibited items found in his or her vehicle parked on school property or at a school-related event.

Random Drug Searches

In order to ensure a drug-free learning environment, Positive Solutions Charter School conducts random drug searches of all school facilities. Positive Solutions Charter School may use or contract for specially trained nonaggressive dogs to sniff out and alert school officials to the current presence of concealed prohibited or illegal items, including drugs and alcohol. Canine visits may be unannounced. The dogs shall be used to search vacant classrooms, vacant common areas, the areas around student backpacks, and the areas where vehicles are parked on Positive Solutions Charter School property or at school-related events. The dogs shall not be asked to alert on students. A dog alert to a backpack, vehicle, or item in a classroom, constitutes reasonable grounds for a search by school officials.

Procedures for Use of Restraint and Time-Outs

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

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

At no time, however, may a student be placed in seclusion.

A student with a disability may not be confined in a locked box, locked closet or other specially designated locked space as either a discipline management practice or a behavior management technique.

Visitor and Volunteer Policy

Positive Solutions Charter School encourages parents and family members to regularly visit the school and become involved in student activities. The impact that positive parental involvement has on the learning and development of students is immeasurable. With that in mind, the following policies must be adhered to so that a safe, secure, and productive learning environment can be ensured for all.

- Visitors MUST sign in at the main office whenever they are on campus. They will be provided with a visitor ID that must be worn while on campus. Visitors are not permitted to make unscheduled or drop-in visits to classrooms.
- When visiting campus to meet with teaching staff, visitors must have a pre-arranged time set up with the teacher(s) in question except for urgent matters. Times are best arranged via phone call with the student coordinator by contacting the school office. With few exceptions, conferences are scheduled during teacher/team planning time, and/or immediately before or after school. Under no circumstances can a teacher be interrupted while providing instruction before, during, or after the school day to meet with a parent.
- Visitors to campus must be the parent, guardians, or other adult family members with permission of the parent/guardian. Students' friends, younger siblings, and other non-related individuals cannot visit the campus during school hours.
- Volunteers MUST go through a background check conducted by our district office. Once the check is cleared, volunteers are notified and may begin helping on campus. Until this clearance is obtained, they are not to be involved in any educational or extra-curricular activities.

Additionally, the Principal or designee may take the following actions whenever there is a school visitor:

- Establish an electronic database for storing information concerning visitors. Information stored in the electronic database may be used only for school security and may not be sold or otherwise disseminated to a third party for any purpose.
- Verify whether the visitor is a sex offender registered with the computerized central database maintained by the Department of Public Safety or any other database accessible by Positive Solutions Charter School.

Any visitor identified as a sex offender shall be escorted by school personnel at all times during a school visit and shall have access only to common areas of the campus.

Disruptions

To protect student safety and sustain an educational program free from disruption, state law permits Positive Solutions Charter School to act against any person – student or nonstudent – who:

- Disrupts classes while on school property or on public property that is within 500 feet of school property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; entering a classroom without authorization; and disrupting the activity with profane language or any misconduct.
- Interferes with an authorized activity by seizing control of all or part of a building.
- Interferes with the movement of people at an exit or an entrance to school property.
- Interferes with the movement of people in an exit, an entrance, or a hallway of a school building without authorization from an administrator.
- Interferes with the transportation of students in school vehicles.
- Uses force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Uses force, violence, or threats in an attempt to prevent people from entering or leaving school property without authorization from an administrator.
- Uses force, violence, or threats to cause disruption during an assembly.

Emergency Closings

Generally, Positive Solutions Charter School dismisses classes for weather-related events on the same days as surrounding local independent school districts. Any closures for weather will be broadcast on local television and/or radio stations. Positive Solutions Charter School may also need to close during certain emergency situations beyond the control of school officials. The announcement of non-weather-related school closings will be broadcast on local television and/or radio stations as early as possible. Any emergency closures will also be posted on the Positive Solutions Charter School website.

Drills: Fire, Tornado, and Other Emergencies

Students, teachers, and other staff will participate in drills of emergency procedures. When the alarm is sounded, students should follow the direction of school staff quickly, quietly, and in an orderly manner. Order rather than speed shall be stressed. Defined instructions for vacating each room will be posted in each room, and students should familiarize themselves with these instructions.

Pest Control Information

Positive Solutions Charter School periodically applies pesticides inside school buildings and on school grounds. Except in an emergency, signs will be posted 24 hours before application. Students may not reenter a treated area inside a building or use an area on school grounds for at least 12 hours following application. Parents who want to be notified prior to pesticide application may contact the Superintendent or designee.

SECTION 3: ACADEMICS AND GRADING

Academic Programs

The Principal will provide students and parents with information regarding academic programs to prepare for higher education and career choices.

A student removed from the regular classroom to in-school suspension or another setting will have an opportunity to complete his or her daily work just as if they were in the regular learning center.

Students and parents are encouraged to discuss options for ensuring that students complete all work required with a teacher or the Principal.

Required Curriculum

Positive Solutions Charter School offers instruction in the TEKS of the appropriate grade levels in the following required curriculum:

Positive Solutions Charter School utilizes the Edgenuity online curriculum of accelerated learning. The basic unit of instruction is a learning unit. Student progress is measured by satisfactory completion of unit objectives better known as unit competencies. Students must achieve 70% mastery level in order to receive credit for a course. Student performance is monitored by teachers and school administrators. Teachers utilize progress charts to track progress. Unit grades, along with mid-term and/or final exam grades are averaged to determine the student's final grade.

The evaluation of student achievement is one of the important functions of all instructors. The grading system for Positive Solutions Charter School unit assignments is as follows:

A = 90 – 100	Passing	C = 70-79	Passing
B = 80 – 89	Passing	F = 69 & ↓	Not Passing

Students are expected to complete one or more units per week. Students having difficulty in completing their coursework should seek the assistance of his or her teacher, as well as the student coordinator. Completing three credits in a semester ensures that students remain on target for graduation.

All students are required to prepare for and meet state testing assessments. The assessed areas include English I, English II, Algebra, Biology, and U.S. History; therefore, direct teach courses in these core areas will be assigned to students needing to pass the STAAR End of Course (EOC) state assessments. All EOC core area courses will be assigned for the entire semester.

The grading system for Positive Solutions Charter School's EOC courses is as follows:

A = 90 – 100	Passing	C = 75-79	Passing	F = 69 & ↓	Not Passing
B = 80 – 89	Passing	D = 70-74	Passing		

Students' six-week grading reports will be mailed to parents and kept on file. A parent portal is available, and any parent interested in using the portal should contact the main office.

Academic Integrity

All students are expected to be honest and to display a high standard of integrity in the preparation and presentation of work for credit in classes. A student's attempt to present the work of another as his or her own will be viewed as a serious offense, and the student may be subject to a grading penalty and/or discipline in accordance with the Student Code of Conduct.

Career and Technology Programs

Positive Solutions Charter School offers career and technical education programs in Business, Education, and Human Services. Admission to these programs is based on enrollment. It is the policy of Positive Solutions Charter School not to discriminate on the basis of race, color, national origin, sex, handicap in its CTE programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, as amended.

Positive Solutions Charter School will take steps to ensure that lack of English language skills will not preclude a student from participating in all educational and career and technology programs.

College Days

High school students who meet the following criteria will be allowed to have two excused days of absence for a college visit during their junior year and two excused days of absence for a college visit during their senior year:

- The student must have passed the required parts of the STAAR/equivalent state assessment for the previous year.
- The student must be on track to graduate on time.
- The student must be classified as a junior or senior based upon credits earned.
- The student must be passing all course work.
- The student must have no truancy or other attendance problems.

Students must submit a written request to the student coordinator at least two days prior to the day requested for a college visit so that eligibility criteria for an excused day of absence can be verified and approval granted prior to the student participating in a college visit. Approval will not be granted for a college visit on a day when major exams are scheduled, and no partial days will be approved.

Computer Resources

To prepare students for an increasingly computerized society, Positive Solutions Charter School has made a substantial investment in computer technology for instructional purposes. Use of these resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and parents must read and agree to abide by the Student Acceptable Use Policy found in this Handbook.

Counseling

Academic Counseling

Students and parents are encouraged to talk with the academic coordinator to learn about course offerings, graduation requirements, and early graduation procedures. Each spring, students in 9th–12th grade will be provided with information on anticipated course offerings for the next year and other information that will help to make the most of academic and vocational opportunities.

To plan for the future, including attendance at a college, university, or training school or pursuing some other type of advanced education, students should work closely with the academic coordinator to take the courses that best prepare them for the future. The academic coordinator can also provide information about entrance exams and application deadlines, as well as information about automatic admission to state colleges and universities, financial aid, housing, and scholarships.

Personal Counseling

The Principal and the student coordinator are available to assist students with a wide range of personal concerns, including social, family, or emotional issues, and substance abuse. The Principal or student coordinator may also provide information about community resources to address these concerns. A student who wishes to meet with the Principal or student coordinator should set an appointment through the student coordinator.

Please note: Positive Solutions Charter School will not conduct a psychological examination, test, or treatment without first obtaining the parent's written consent, unless required by state or federal law for special education purposes or by the Texas Education Agency for child abuse investigations and reports.

Credit by Exam

If a Student has Prior Instruction

A student in grades 9–12 who has previously taken a course or subject (but did not receive credit for it) may, in circumstances determined by the Principal or designee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for the course or subject. To receive credit, a student must score at least 70% on the exam.

The Attendance Review Committee may also offer a student with excessive absences an opportunity to receive credit for a course by passing an exam.

If a Student Has Not Taken the Course

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction or to accelerate to the next grade level. The exams offered by Positive Solutions Charter School are approved by the Board of Directors. The dates on which exams are scheduled during the school year will be published in an appropriate school publication and on the Positive Solutions Charter School website.

A student in grade 9 or above will earn course credit with a passing score of at least 80 on the exam, or a score designated by the state for an exam that has alternate scoring standards. A student may take an exam to earn course credit no more than twice. If a student fails to achieve the designated score on the approved exam before the beginning of the school year in which the student would need to enroll in the course according to the school's course sequence, the student must complete the course.

If a student plans to take an exam, the student (or parent) must register with the Principal no later than 30 days prior to the scheduled testing date. Positive Solutions Charter School will not honor a request by a parent to administer a test on a date other than the published dates. If Positive Solutions Charter School agrees to administer a test other than the one chosen by the school, the student's parent will be responsible for the cost of the exam.

Dual Credit Opportunities

A dual credit course is a college course taken by a high school student for which the student earns both college and high school credit. Dual credit is also known as concurrent enrollment.

A student is eligible to enroll in dual credit courses in the 9th grade, 10th grade, 11th grade, or 12th grade if the student:

- Demonstrates college readiness by achieving the minimum passing standards under the Texas Success Initiative as set forth in 19 Texas Administrative Code § 4.85, on relevant section(s) of an assessment instrument approved by the State Board of Education; or
- Demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth in 19 Texas Administrative Code § 19.54.

An 11th grade student is also eligible to enroll in dual credit courses in reading, writing, and/or mathematics if he or she satisfies standards set by the Texas Higher Education Coordinating Board. As these requirements may change from time to time, students and parents are encouraged to contact the Director of College and Career Readiness and/or Chief Academic Officer of the participating college for current requirements.

Students in grades 11 and/or 12 are eligible to enroll in workforce education dual credit courses if the student demonstrates that he or she achieved the designated minimum standards set by the Texas Higher

Education Coordinating Board. A student may enroll only in those workforce education dual credit courses for which he or she has demonstrated eligibility.

Students may not enroll in more than two dual credit courses per semester. A student may be exempt from this requirement only through approval by the Director of College and Career Readiness and the Chief Academic Officer of the participating college if the student demonstrates outstanding academic performance and capability.

All courses should be taken outside of school hours, unless approved by the Superintendent.

Students and parents are responsible for any fees for dual credit courses.

Extracurricular Activities, Clubs, and Organizations

Participation in school-related activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships with other students. Participation, however, is a privilege and not a right. Eligibility for participation in many school-related activities is governed by state law and rules of the University Interscholastic League (“UIL”), a statewide association overseeing interscholastic competition between public schools. Additional information regarding extracurricular activities, clubs, and organizations may be obtained from the Principal.

Participation in these activities may result in events that occur off-campus. When Positive Solutions Charter School arranges transportation for these events, students are required to use the transportation provided by Positive Solutions Charter School to and from the event. Exceptions may only be made with approval from the activity’s coach or sponsor.

Please note: Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior – including consequences for misbehavior – that are stricter than those for students in general. If a violation of organization rules is also a violation of school rules, the consequences specified by the Student Code of Conduct or by local policy will apply in addition to any consequences specified by the organization.

Graduation (High School Grades Only)

Positive Solutions Charter School shall ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education (“SBOE”) for the foundation high school program, or the recommended or advanced high school program.

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

Beginning with students who enter grade 9 in the 2014–2015 school year, in order to graduate under the 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 Positive Solutions Charter School;
2. Complete any locally required courses in addition to the courses mandated by the State;
3. Achieve passing scores on certain EOC assessments or approved substitute assessments, unless specifically waived as permitted by State law; and
4. Demonstrate proficiency, as determined by Positive Solutions Charter School, in the specific communication skills required by the State Board of Education.

Testing Requirements for Graduation

Students are required, with limited exceptions, to perform satisfactorily on the following end-of-course (“EOC”) assessments: English I, English II, Algebra I, Biology, and United States History. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment should a student choose this option. See the Principal for more information on the State testing requirements for graduation.

If a student fails to perform satisfactorily on an EOC assessment, Positive Solutions Charter School 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.

In limited circumstances, a student who fails to demonstrate proficiency on two or fewer of the required assessments may be eligible to graduate, if an individual graduation committee, formed in accordance with state law, unanimously determines that the student is eligible to graduate. Please see the Principal for more information on the makeup of an individual graduation committee and all other requirements for graduation.

Foundation Graduation Program

Students who enter grade 9 in the 2014–2015 school year and thereafter will graduate under the foundation school program. Within the foundation graduation program are “endorsements,” which are paths of interest that include Science, Technology, Engineering, and Mathematics (“STEM”); Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies. Endorsements earned by a student will be noted on the student’s transcript and diploma. The foundation graduation program also involves the term “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits.

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.

Graduating under the foundation graduation program will also provide opportunities to earn “performance acknowledgements” that will be acknowledged on a student’s diploma and transcript. Performance acknowledgements are available for outstanding performance in bilingualism and biliteracy, in a dual credit course; on an AP or IB exam; on the PSAT, ACT-Plan, SAT, or ACT exam; or for earning a nationally or internationally recognized license or certificate. The criteria for earning these performance acknowledgements are prescribed by state rules, and the Principal can provide more information about these acknowledgments.

Students with Disabilities: Upon the recommendation of the admission, review, and dismissal (“ARD”) committee, a student with a disability who receives special education services may be permitted to graduate under the provisions of his or her individualized education program (“IEP”) and in accordance with state rules.

A student who receives special education services and has completed four years of high school, but has not met the requirements of his or her IEP, may participate in graduation ceremonies and receive a certificate

of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will only be allowed to participate in one graduation ceremony.

ARD committees for students with disabilities who receive special education services will make instructional and assessment decisions for these students in accordance with state law and rules. To earn an endorsement under the foundation program, a student must perform satisfactorily on the EOC assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily on no more than two EOC assessments but meets the other requirements for graduation under state law.

Standardized Testing

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

STAAR end-of-course (“EOC”) assessments are administered for the following courses:

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

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 or as otherwise allowed by applicable law.

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.

STAAR Alternate 2 is available for eligible students receiving special education services and who meet certain state-established criteria, as determined by the student's ARD committee. The student's ARD committee will determine whether successful performance on the EOC assessments will be required for a student receiving special education services to graduate, in accordance with parameters set in state regulations.

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 may be required before a student enrolls in a dual-credit course offered through San Antonio College.

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.

Community Service

All seniors must complete 30 hours of community service to satisfy graduation requirements with Positive Solutions Charter School. Community service must be completed with any nonprofit organization. Please see the principal or academic coordinator for further information (i.e. timesheets, nonprofit organization list, etc.).

Promotion and Retention

A student may be promoted on the basis of academic achievement and/or demonstrated proficiency in the subject matter of the course or grade level. To earn credit in a course, a student must demonstrate mastery on grade level standards and meet Positive Solutions Charter School's requirements for attendance. A student in grades 9–12 will be advanced a grade level based on the number of course credits earned.

In addition, at certain grade levels a student – with limited exceptions – will be required to pass the State of Texas Assessments of Academic Readiness (“STAAR”), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

- In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the Mathematics and Reading sections of the grade 8 assessment exam in English.

If a student in grades 3–8 is enrolled in a course that earns high school credit and for which an end-of-course (“EOC”) assessment will be administered, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. However, for federal accountability purposes, the student may be required to take both the grade level and EOC assessment.

If a student in grade 8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

Parents of students who do not perform satisfactorily on their STAAR or EOC assessments will be notified that their child will participate in an Accelerated Instructional Program designed to improve performance. Students will also have multiple opportunities to retake EOC assessments.

If a student fails after a third attempt, the student will be retained at his or her current grade level. The parent, however, may appeal this decision to the Committee. A decision to promote a student to the next grade level must be unanimous. Regardless of whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year.

<u>Credits Earned</u>	<u>Grade Level</u>
0-5 credits	9 th Grade
5.5-9.5 credits	10 th Grade
10-17 credits	11 th Grade
17.5 & up credits	12 th Grade

Report Cards

Report cards with each student's grades or performance and absences in each class or subject are issued to parents at least once every six weeks. If the student receives a grade below passing in any class or subject at the end of a grading period, the parent will be requested 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 parent or student may request a conference with the Principal. State law provides that a test or course grade issued by a teacher cannot be changed unless the Board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the school's grading policy.

Special Programs

Students Who Speak a Primary Language Other than English

A student whose primary language is not English may be eligible to receive specialized support if the student has difficulty performing regular class work in English. A Language Proficiency Assessment Committee ("LPAC") will determine if this specialized support is needed and, if so, the accommodations or modifications the student will receive for classroom instruction, local assessments, and state-required testing, as appropriate.

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

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

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

Special Education Referrals

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

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

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

There is an exception to the 45-school-day timeline. If a district or charter school receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the

school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

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

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

Contact Person for Special Education Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is: Carrie Burns at 210-299-1025.

Section 504 Referrals

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

Contact Person for Section 504 Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is: Carrie Burns at 210-299-1025.

Additional Information

The following websites provide information and resources for students with disabilities and their families:

- [Legal Framework for the Child-Centered Special Education Process](#)
- [Partners Resource Network](#)
- [Special Education Information Center](#)
- [Texas Project First](#)

Notification to Parent of Intervention Strategies for Learning Difficulties Provided to General Education Students

Positive Solutions Charter School will annually notify parents that it provides assistance to students, other than those already enrolled in a special education program, who need assistance for learning difficulties, including intervention strategies.

Services for Title I Participants

Information regarding Positive Solutions Charter School's Title I program may be obtained from Carrie Burns at 210-299-1025.

SECTION 4: STUDENT CODE OF CONDUCT

Purpose of the Student Code of Conduct

To function properly, education must provide an equal learning opportunity for all students by recognizing, valuing, and addressing the individual needs of every student. In addition to the regular curriculum, principles and practices of good citizenship must also be taught and modeled by school staff. To foster an orderly and distraction-free environment, Positive Solutions Charter School has established this Student Code of Conduct (“the Code”) in accordance with state law and the Positive Solutions Charter School open-enrollment charter. The Code has been adopted by the Board of Directors and provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code will be posted at each Positive Solutions Charter School campus and/or will be available for review at the campus office. Parents will be notified of any violation that may result in a student being suspended or expelled from Positive Solutions Charter School. Students must be familiar with the standards set forth in the Student Code of Conduct, as well as campus and classroom rules.

The Code does not define all types and aspects of student behavior, as Positive Solutions Charter School may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code. When students participate in student activities, they will also be expected to follow the guidelines and constitutions that further specify the organization’s expectations, student behavior and consequences.

Authority and Jurisdiction

Positive Solutions Charter School has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school on Positive Solutions Charter School transportation;
2. During lunch periods (between sessions) in which a student is allowed to leave campus;
3. While the student is attending any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. For any expulsion offense committed while on Positive Solutions Charter School property or while attending a school-sponsored or school-related activity of Positive Solutions Charter School or another school in Texas;
6. For any expulsion offense committed away from Positive Solutions Charter School property and not at a school-sponsored or school-related event, if the misconduct creates a substantial disruption to the educational environment;
7. While the student is in transit to or from school or to or from school-related activities or events;
8. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
9. When the student commits a felony, including those provided by Texas Education Code §§ 37.006 or 37.0081, regardless of time or location; and
10. When criminal mischief is committed on, off Positive Solutions Charter School’s property, or at a school-related event.

Reporting Crimes

In addition to disciplinary consequences, misdemeanor and felony offenses committed on campus or while attending school-sponsored or school-related activities will be reported to an appropriate law enforcement agency.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet Positive Solutions Charter School's standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other Positive Solutions Charter School staff and volunteers.
- Respect the property of others, including Positive Solutions Charter School property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

Discipline Management Techniques

Disciplinary techniques are designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Because of these factors, discipline for a particular offense, unless otherwise specified by law, may bring into consideration varying techniques and responses.

Techniques

The following discipline management techniques may be used—alone or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Assignment of school duties such as cleaning or picking up litter.
- Behavioral contracts.
- Cooling-off time or "time-out."
- Counseling by teachers, coordinators, or administrative personnel.
- Rewards for positive behavior.
- Demerits.
- Detention.
- Expulsion from Positive Solutions Charter School, as specified in the expulsion section of the Code.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- In-school suspension, as specified in the suspension section of the Code.
- Out-of-school suspension, as specified in the suspension section of the Code.
- Parent-teacher conferences.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by Positive Solutions Charter School.
- School-assessed and school-administered probation (final warning contracts).
- Seating changes within the classroom.
- Sending the student to the student coordinator's office or other assigned area.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.
- Temporary confiscation of items that disrupt the educational process.

- Verbal correction, oral or written.
- Withdrawal of privileges, such as participation in extracurricular activities, field trips, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Withdrawal or restriction of bus privileges.
- Other strategies and consequences as determined by school officials.

Corporal Punishment

Positive Solutions Charter School will NOT administer corporal punishment upon a student for misconduct.

Student Code of Conduct Offenses

The categories of conduct below are prohibited at school and all school-related activities.

Level I Offenses:

1. Being in an unauthorized area.
2. Causing an individual to act through the use of threat or coercion.
3. Computer system violations.
4. Damaging or vandalizing property owned by others.
5. Defacing or damaging school property, including textbooks, lockers, furniture, and other equipment, with graffiti or by other means.
6. Disobeying conduct rules regarding school transportation.
7. Disrespect of school staff and persons in authority.
8. Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
9. Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
10. Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or a school employee.
11. Engaging in threatening behavior toward another student or school employee on or off school property.
12. Failure to complete assigned homework.
13. Failure to comply with directives of school staff (insubordination).
14. Failure to comply with school dress code policies and grooming standards.
15. Failure to leave campus within 30 minutes of school dismissal (unless involved in an activity under supervision).
16. Failure to report known hazing, harassment, or bullying of students.
17. Improperly discharging a fire extinguisher.
18. Inappropriate behavior (not abusive, threatening, violent).
19. Inappropriate or indecent exposure of a student's private body parts.
20. Inappropriate public display of affection: (Public displays of affection deemed inappropriate by public standards such as lewd or inappropriate—kissing, touching, fondling, holding hands, etc.).
21. Insensitivity to others.
22. Making false accusations or hoaxes regarding school safety.
23. Persistent tardiness (tardy, without excuse, on four or more days within a period of 45 rolling school days).
24. Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
25. Possessing any electronic devices without permission.
26. Possessing matches, lighters, etc.

27. Possessing aerosol canisters or any other object used to set off fire alarms.
28. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety; using e-mail or Web sites at school to encourage illegal behavior; or threatening school safety.
29. Refusing to accept discipline management techniques assigned by a teacher, student coordinator, or the principal.
30. Repeatedly violating campus or classroom standards of behavior.
31. Skipping class, detention, or mandatory tutorial sessions.
32. Throwing objects that can cause bodily injury or property damage.
33. Using a skateboard, scooter, and/or roller blades while on campus.
34. Using any telecommunications or other electronic devices, without permission, during school hours.

Disciplinary Consequences (may not necessarily be followed in order and progressive disciplinary measures are not required)

1. After school detention.
2. Application of one or more Discipline Management Techniques listed above.
3. Confiscation of cell phones or other electronic devices.
4. Grade reductions for academic dishonesty.
5. In-school suspension.
6. Out-of-school suspension.
7. Removal from the classroom and/or placement in another classroom.
8. Restitution/restoration, if applicable.
9. After School/Saturday school.
10. School-assessed and school-administered probation.
11. Temporary confiscation of items that disrupt the educational process.
12. Verbal correction.
13. Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.

Level II Offenses

1. Academic dishonesty (cheating or copying the work of another).
2. Assault – student on student.
3. Being a member of, pledging to become a member of, joining, or soliciting another person to join, or pledge to become a member of a public-school fraternity, sorority, secret society, or gang, as defined in Texas Education Code § 37.121.
4. Bypassing of internet blocks on school computers or networks to enter unapproved sites.
5. Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person).
6. Creation of a “hit list” under Texas Education Code § 37.001(b)(3)
7. Engaging in conduct on campus that constitutes dating violence, including intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
8. Engaging in offensive conduct of a sexual nature (verbal or physical).
9. Failure to comply with conditions of in-school suspension placement.
10. Failure to comply with school medication policies.
11. False accusation of conduct that would constitute a misdemeanor or felony.
12. Falsifying records, passes, or other school-related documents.

13. Fighting/mutual combat.
14. Gambling.
15. Gang activity (nonviolent).
16. Hazing, meaning a knowing, intentional, or reckless act, occurring on or off the 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.
17. Inappropriate behavior (e.g., violent; threat of being violent; racially, ethnically, or culturally motivated actions).
18. Interference with school activities or discipline.
19. Involvement in a felony offense not listed in Title 5, Texas Penal Code, and Positive Solutions is notified by the police.
20. Leaving classroom, school property, or school-sponsored events without permission.
21. Making an obscene gesture.
22. Persistent Level I offenses (two or more Level I offenses within a semester).
23. Possessing any Prohibited Items, including but not limited to:
 - a. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic or explosive device;
 - b. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
 - c. A “look-alike” weapon (includes but is not limited to BB guns, CO2 guns, air pistols or rifles, pellet guns, or any other device designed to appear to be a firearm or other weapon);
 - d. An air gun or BB gun;
 - e. Ammunition;
 - f. A stun gun;
 - g. A pocketknife or any other small knife with a blade less than 1.5” in length;
 - h. Mace or pepper spray;
 - i. Matches or a lighter;
 - j. A laser pointer for other than an approved use;
 - k. Any articles not generally considered to be weapons, including school supplies, when the Principal or designee determines that a danger exists.
24. Possessing drug paraphernalia.
25. Possessing or being under the influence of another person’s prescription drug.
26. Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
27. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
28. Possessing or using alcohol.
29. Possessing prescription drugs, giving a prescription drug to another student.
30. Possessing, smoking, or using tobacco products and/or e-cigarettes at school or a school-related or school-sanctioned activity on or off school property.
31. Possessing, viewing, or distributing pictures, text messages, emails, or other material of a sexual nature in any media format.
32. Refusing to allow lawful student search.
33. Sexual harassment/sexual abuse not defined as a Level III offense.
34. Theft.
35. Threats (nonviolent/verbal or written).
36. Throwing object not considered an illegal weapon that can cause bodily injury or property damage.
37. Unruly, disruptive, or abusive behavior that interferes with the teacher’s ability to communicate effectively with the students in the class.
38. Use of profanity or vulgar/offensive language (orally or in writing).
39. Using the Internet or other electronic communications to threaten students or employees, or cause disruption to the school program.
40. Verbal or written abuse (e.g., name calling, racial or ethnic slurs, or derogatory statements that may

disrupt the school environment, etc.).

41. Willful destruction of school or personal property and/or vandalism.

Disciplinary Consequences (may not necessarily be followed in order and progressive disciplinary measures are not required)

1. Any applicable Level I Disciplinary Consequence or Discipline Management Technique listed above, including multiple consequences as deemed appropriate by Positive Solutions Charter School.
2. Out-of-school suspension for up to five days.

Level III Offenses

1. Abusing a student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug while on school property or at a school-related event. (See glossary for "abuse.")
2. Aggravated assault.
3. Aggravated kidnapping.
4. Aggravated robbery.
5. Aggravated sexual assault
6. Any offense listed in Sections 37.006(a) or 37.007 (a), (b), and (d) of the Texas Education Code, no matter when or where the offense takes place.
7. Arson.
8. Assault.
9. Burglary of a motor vehicle on campus.
10. Capital murder.
11. Committing or assisting in a robbery or theft, even if it does not constitute a felony according to the Texas Penal Code.
12. Commission of a felony offense listed under Title 5, Texas Penal Code. (See glossary.)
13. Committing the following offenses on school property or within 1,000 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - a. Engaging in conduct punishable as a felony.
 - b. Committing an assault (see glossary) under Texas Penal Code 22.01(a)(1).
 - c. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (See glossary for "under the influence.")
 - d. Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; or possessing, using, or being under the influence of alcohol, if the conduct is not punishable as a felony offense.
 - e. Behaving in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - f. Behaving in a manner that contains the elements of the offense of public lewdness or indecent exposure.
14. Conduct endangering the health and safety of others.
15. Criminal attempt to commit murder or capital murder.
16. Criminal mischief.
17. Criminally negligent homicide.
18. Deliberate destruction or tampering with school computer data or networks.
19. Engaging in bullying and/or cyberbullying.
20. Engaging in bullying that encourages a student to commit or attempt to commit suicide.

21. Engaging in conduct punishable as a felony.
22. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.
23. Engaging in conduct punishable as a Level III expulsion offense when the conduct occurs off school property and not at a school-sponsored or school-related event, and the conduct creates a substantial disruption to the educational environment.
24. Engaging in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - a. The student receives deferred prosecution (see glossary);
 - b. A court or jury finds that the student has engaged in delinquent conduct (see glossary); or
 - c. The Principal or designee has reasonable belief (see glossary) that the student engaged in the conduct.
25. Engaging in conduct that constitutes discrimination or harassment, including conduct motivated by race, color, religion, national origin, gender, disability, or age and directed toward another student or Positive Solutions Charter School employee.
26. Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a Positive Solutions Charter School student, employee, or volunteer.
27. Engaging in conduct that contains the elements of retaliation against any Positive Solutions Charter School employee or volunteer, whether on or off of school property.
28. Engaging in inappropriate or indecent exposure of private body parts.
29. Engaging in online impersonation.
30. Felony criminal mischief against school property, another student, or school staff.
31. Gang activity (violent or likely to cause harm to another or disrupt the educational environment in any way).
32. Inappropriate sexual conduct.
33. Inciting violence against a student through group bullying.
34. Indecency with a child.
35. Indecent exposure of body parts.
36. Inhalant abuse.
37. Issuing a false fire alarm.
38. Manslaughter.
39. Murder.
40. Persistent Level I offenses (four or more Level I offenses committed in any one school year).
41. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
42. Possessing, selling, distributing, or being under the influence of inhalants.
43. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
44. Possession, use, transfer or exhibition of any firearm, location-restricted knife, club, or any other prohibited weapon or harmful object (as determined by Positive Solutions Charter School).
45. Public lewdness.
46. Releasing or threatening to release “intimate visual material” of a minor or a student who is 18 years of age or older without the student’s consent. (See glossary.)
47. Required registration as a sex offender.
48. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage.
49. Setting or attempting to set fire on school property.
50. Sexual abuse of a young child or children.
51. Sexual assault.
52. Stealing from students, staff, or Positive Solutions Charter School.
53. Targeting another individual for bodily harm.

54. Use, exhibition, or possession of a knife with a blade more than 1.5” in length, including but not limited to switchblade knives or any other knife not defined as a location-restricted knife.
55. Use, exhibition, or possession of a hand instrument designed to cut or stab another by being thrown, including but not limited to a dagger; dirk; stiletto; poniard; bowie knife; sword; spear; or as otherwise defined by Board policy.
56. Vandalism or conduct constituting criminal mischief with respect to school facilities or property.
57. Violating computer use policies, rules, or agreements of Positive Solutions Charter School, such as the Student Acceptable Use policy, including but not limited to:
 - a. Attempting to access or circumvent passwords or other security-related information of Positive Solutions Charter School or its students or employees, and uploading or creating computer viruses, including such conduct off school property if the conduct causes a substantial disruption to the educational environment.
 - b. Attempting to alter, destroy, or disable Positive Solutions Charter School computer equipment, Positive Solutions Charter School data, the data of others, or other networks connected to the Positive Solutions Charter School system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment.
 - c. Using the Internet or other electronic communications to threaten Positive Solutions Charter School students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
 - d. Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
 - e. Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.
58. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.

Disciplinary Consequences (may not necessarily be followed in order and progressive disciplinary measures are not required)

1. Out of school suspension for five–ten days.
2. Expulsion.

Student Code of Conduct Consequences

Detention

Detention may be held on each day during school for up to eight hours. Students who serve detention must make arrangements to be picked up from school. Parents may request in person a delay of the detention; no phone calls or notes will be accepted.

After School Detention

The following rules apply to students assigned to after school detention:

1. Students will bring materials to work on. Classroom materials may also be sent by a teacher.
2. Students will not be permitted to go to their backpacks during detention; all materials must be brought to the detention room when reporting.
3. Sleeping is not permitted.
4. Students will follow all rules concerning classroom behavior. Failure to comply will mean suspension from school.
5. Any student assigned to detention must stay the entire time. Students refusing to complete their time will be suspended from school.

Suspension

Positive Solutions Charter School utilizes out of school suspension.

The Principal will give notice of suspension and the reasons for the suspension to the student. In deciding whether to order out-of-school suspension, the administrator may take into consideration factors including self-defense, prior discipline history, intent or lack of intent and other appropriate or mitigating factors determined by the administrator.

Removal from School Transportation

A student being transported by Positive Solutions Charter School transportation to or from school or a school-sponsored or school-related activity may be removed from a school vehicle for conduct violating the school's established standards for conduct in a school vehicle.

Conferences, Hearings, and Appeals

All students are entitled to conferences, hearings, and/or appeals of disciplinary matters as provided by applicable state and federal law, and Positive Solutions Charter School policy.

Process for Suspensions Lasting Up to Five Days

In addition to the above list of Code of Conduct violations, the Principal has authority to suspend a student for a period of up to five school days for any of the following additional reasons:

1. The need to further investigate an incident,
2. A recommendation to expel the student, or
3. An emergency constituting endangerment to health or safety.

Prerequisites to Suspension

Prior to suspending a student for up to five days, the Principal or designee must attempt to hold an informal conference with the student to:

1. Notify the student of the accusations against him/her,
2. Allow the student to relate his or her version of the incident, and
3. Determine whether the student's conduct warrants suspension.

Notification to Parents/Guardians

If the Principal or designee determines the student's conduct warrants suspension during the school day for up to five days, the Principal or designee will make reasonable effort to notify the student's parent(s) that the student has been suspended before the student is sent home. The Principal or designee will notify a suspended student's parent(s) of the period of suspension, the grounds for the suspension, and the time and place for an opportunity to confer with the Principal.

Credit During Suspension

A student shall receive credit for work missed during the period of suspension if the student makes up work missed during the period of suspension within the same number of school days the student was absent on suspension.

Process for Out-of-School Suspensions Over Five Days (extended suspension) and Expulsion Notice

When the Principal or designee determine that a student's conduct warrants suspension for more than five days (extended suspension) or expulsion, but prior to taking any such action, the Principal or designee will provide the student's parent(s) with written notice of:

1. The reasons for the proposed disciplinary action; and
2. The date and location for a hearing before the Principal, within five school days from the date of the disciplinary action.

The notice shall further state that, at the hearing, the student:

1. May be present;
2. Shall have an opportunity to present evidence;
3. Shall be apprised and informed of Positive Solutions Charter School's evidence;
4. May be accompanied by his or her parent(s); and
5. May be represented by an attorney.

Hearing Before the Principal

Positive Solutions Charter School shall make a good faith effort to inform the student and the student's parent(s) of the time and place for the hearing, and Positive Solutions Charter School shall hold the hearing regardless of whether the student, the student's parent(s) or another adult representing the student attends. The Principal may audio record the hearing.

Immediately following the hearing, the Principal will notify the student and the student's parent(s) in writing of his or her decision. The decision shall specify:

1. The length of the extended suspension or expulsion, if any;
2. When or if the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period if at all; and
3. The right to appeal the Principal's decision to the Board of Directors or the Board's designee.

The notice shall also state that failure to timely request such a hearing constitutes a waiver of further rights in the matter.

Appeal to the Board of Directors

The student or his or her parent(s) may appeal the extended suspension or expulsion decision to the Board of Directors by notifying the Principal in writing within five calendar days of the date of receipt of the Principal's decision. The Board will review the audio or transcribed record from the hearing before the Principal at a regular or specially called meeting in closed session. The Board will notify the student and his or her parent(s) of its decision within five calendar days of the meeting. The decision of the Board is final and may not be appealed.

Please note that discipline consequences will not be deferred pending the outcome of an appeal of an extended suspension or expulsion to the Board.

No Credit Earned

Except when required by law, students will not earn academic credit during a period of expulsion.

Emergency Placement and Expulsion

If the Principal or designee reasonably believes a student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with students in a class, with the ability of a student's classmates to learn, or with the operation of Positive Solutions Charter School or a school-sponsored activity, the Principal or designee may order immediate removal of the student. The Principal or designee may impose immediate suspension if he or she reasonably believes such action is necessary to protect persons or property from imminent harm. At the time of such an emergency removal, the student will be given verbal notice of the reason for the action and appropriate hearings will be scheduled within a reasonable time after the emergency removal.

Placement of Students with Disabilities

All disciplinary actions regarding students with disabilities (504 or special education under the IDEA) shall be conducted in accordance with applicable federal and state laws.

Suspension/Expulsion Requirement

A student with a disability shall not be removed from his or her current placement for disciplinary reasons and/or pending appeal to the Board of Directors for more than ten days without ARD Committee action to determine appropriate services in the interim and otherwise in accordance with applicable law. If a special education due process appeal to a TEA special education hearing officer is made, the student with a disability shall remain in the then current education setting in place at the time such appeal is noticed to Positive Solutions Charter School, unless Positive Solutions Charter School and the student's parents agree otherwise.

Gun-Free Schools Act

In accordance with the Gun-Free Schools Act, Positive Solutions Charter School shall expel, from the student's regular program for a period of one year, any student who is determined to have brought a firearm, as defined by federal law, to school. The Principal may modify the term of expulsion for a student or assess another comparable penalty that results in the student's expulsion from the regular school program on a case-by-case basis and in accordance with legal requirements.

For the purposes of this section, "firearm" means:

1. Any weapon – including a starter gun – which will, or is designed to, or which may readily be converted to expel a projectile by the action of an explosive from the frame or receiver of any such weapon;
2. Any firearm muffler or firearm silencer;
3. Any destructive device. "Destructive device" means any explosive, incendiary or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or device similar to any of the preceding described devices. It also means any type of weapon – other than a shotgun shell or a shotgun that is generally recognized as particularly suitable for sporting purposes – by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2 inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described, and from which a destructive device may be readily assembled.

Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Abuse is improper or excessive use.

Abusable Volatile Chemical Offense, as defined by Health and Safety Code § 485.001 and 485.031. No student shall inhale, ingest, apply, use, or possess an abusable volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to the directions for use, cautions, or warnings appearing on a label of a container of the chemical; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination, or elation, or change, distort, or disturb the person's eyesight, thinking process, balance, or coordination.

No student shall knowingly deliver to a person younger than 18 an abusable volatile chemical. Health and Safety Code § 485.032

No student shall knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body an abusable volatile chemical. No student shall knowingly deliver, sell, or possess with intent to deliver or sell inhalant paraphernalia knowing that that person who receives it intends to use it to inhale, ingest, apply, use, or otherwise introduce into the human body an abusable volatile chemical. Health and Safety Code § 485.033

Armor-piercing ammunition is handgun ammunition used principally in pistols and revolvers and that is designed primarily for the purpose of penetrating metal or body armor.

Arson is defined by Texas Penal Code § 28.02 and occurs when a person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

- Any vegetation, fence, or structure on open-space land; or
- Any building, habitation, or vehicle:
 - Knowing that it is within the limits of an incorporated city or town,
 - Knowing that it is insured against damage or destruction,
 - Knowing that it is subject to a mortgage or other security interest,
 - Knowing that it is located on property belonging to another,
 - Knowing that it has located within it property belonging to another, or
 - When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Arson also occurs when a person:

- Recklessly starts a fire or causes an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
- Intentionally starts a fire or causes an explosion and in so doing recklessly damages or destroys a building belonging to another, or recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Texas Penal Code § 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or the School; or (4) infringes on the rights of the victim at school. Bullying also includes "cyberbullying," which means bullying that is done through the use of any electronic communication device including 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. Bullying conduct includes conduct (1) that occurs on or is delivered to School property or to the site of a school-sponsored or school-related activity on or off school property; (2) that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and (3) cyberbullying that occurs off School property or outside of a school-sponsored or school-related activity if the cyberbullying (i) interferes with a student's educational opportunities or (ii) substantially disrupts the orderly operation of a classroom, the School, or a school-sponsored or school-related activity.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Texas Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a public school; and the student knowingly alters, damages, or deletes school property or information; or commits a breach of any other computer, computer network, or computer system.

Chemical dispensing device is a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.

Club is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death, including but not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substances or dangerous drugs include but are not limited to marijuana; any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, barbiturate; anabolic steroid; or prescription medicine provided to any person other than the person for whom the prescription was written. The term also includes all controlled substances listed in Chapters 481 and 483 of the Texas Health and Safety Code.

Criminal street gang means three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Dating violence is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Texas Family Code § 71.0021.

Deadly conduct occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, and includes but is not limited to knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that:

- Violates either state or federal law, other than a traffic offense, and is punishable by imprisonment or confinement in jail;
- Violates a lawful order of a court under circumstances that would constitute contempt of that court in a justice or municipal court, or a county court for conduct punishable only by a fine;
- Constitutes an intoxication and alcoholic beverage offense under Chapter 49 of the Texas Penal Code; or
- Violates Texas Alcoholic Beverage Code § 106.041 relating to driving under the influence of alcohol by a minor (third or subsequent offense).

Discretionary means that something is left to or regulated by a local decision maker.

E-Cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking.

Explosive weapon is any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

False Alarm or Report occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. § 921(a)) as:

- 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;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm weapon; or
- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Firearm silencer means any device designed, made, or adapted to muffle the report of a firearm.

Graffiti means making marks with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Texas Penal Code § 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment is:

- Conduct that meets the definition established in Board policy and/or the Student Handbook; or
- Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating or obscene, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

Hazing is an intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, that is directed against a student and endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

Hit list is a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Texas Penal Code § 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent Exposure means exposing one's anus or genitals with intent to arouse or gratify the sexual desire of any person while being reckless about whether another is present who will be offended or alarmed by the act.

Intimate Visual Material means visual material that depicts a person (a) with the person's intimate parts exposed; or (b) engaged in sexual conduct.

Knuckles means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Location-Restricted Knife means a knife with a blade over five and one-half inches.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Online Impersonation occurs when a person, without obtaining the consent of another person and with the intent to harm, defraud, intimidate, or threaten any persons, uses the name or persona of another person to:

- Create a web page on a commercial social networking site or other Internet website; or

- Post or send one or more messages on or through a commercial social networking site or other Internet website, other than on or through an electronic mail program or message board program.

Online impersonation also occurs when a person sends an electronic mail, instant message, text message, or similar communication that reference a name, domain address, phone number, or other item of identifying information belonging to any person:

- Without obtaining the other person's consent;
- With the intent to cause a recipient of the communication to reasonably believe that the other person authorized or transmitted the communication; and
- With the intent to harm or defraud any person.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body. It also includes equipment, products, or materials used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance.

Possession means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; or any other school property used by the student, including but not limited to a locker or desk.

Prohibited Weapon means an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; knuckles; armor-piercing ammunition; a chemical dispensing device; a zip gun; an improvised device; a tire deflation device; or a firearm silencer.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student.

Public lewdness occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

Reasonable belief is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

Self-defense is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

Short-barrel firearm is 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 that, as altered, has an overall length of less than 26 inches.

Switchblade Knife is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or by the application of centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

Terroristic threat is a threat of violence to any person or property with intent to:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
- Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state, or a public charter school (including Positive Solutions Charter School).

Tire deflation device means a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 offenses are those that involve injury to a person and include murder; manslaughter; criminally negligent homicide; trafficking in persons; unlawful transport; kidnapping; assault (on a public servant); aggravated assault; sexual assault; aggravated sexual assault; unlawful restraint; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment of a public servant; improper photography; smuggling persons; and tampering with a consumer product.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

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

SECTION 5: FOR PARENTS

Parent Contact Information

Parents are responsible for notifying Positive Solutions Charter School of any changes in their address, telephone number, and/or email address so that we can update our records accordingly. Parents are encouraged to check their electronic devices on a regular basis for voicemail or text messages as it is our primary means of communication. It is important for parent communication that Positive Solutions Charter School has a valid, working parent email address, as this is another form of communication between Positive Solutions Charter School and parents.

Your Involvement as a Parent

A child's education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. Your involvement in this partnership may include:

1. Encouraging your student to put a high priority on education and working with your student on a daily basis to make the most of the educational opportunities the school provides. Be sure your child comes to school each day prepared, rested, in appropriate attire, and ready to learn.
2. Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered by Positive Solutions Charter School. Discuss with the Principal any questions you may have about the options and opportunities available to your child.
3. Monitoring your student's academic progress and contacting teachers as needed.
4. Attending scheduled conferences and requesting additional conferences as needed. To schedule a conference or in-person conference with a teacher or Principal, please call the school office for an appointment. A teacher will usually return your call or meet with you at a mutually convenient time before or after school.
5. Becoming a school volunteer. For further information, contact the Principal. All volunteers must complete a Volunteer Application and criminal background check prior to volunteering.
6. Offering to serve as a parent representative on a planning committee to assist in the development of educational goals and plans to improve student achievement. For further information, contact
7. Attending Board meetings to learn more about Positive Solutions Charter School's operations.
8. Attending Family Night events to meet with teachers and staff concerning your child's progress.

Surveys and Activities

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. Department of Education – that concerns:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sexual behavior or attitudes;
4. Illegal, antisocial, self-incriminating or demeaning behavior;
5. Critical appraisals of individuals with whom the student has close family relationship;
6. Relationships privileged under law, such as relationships with lawyers, physicians and ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, except when the information is required by law and will be used to determine the student's eligibility to participate in a special program or to receive financial assistance under such a program.

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.

“Opting Out” of Surveys and Activities

Parents have the right to receive notice of and deny permission for their student's participation in:

1. Any survey concerning the private information listed above, regardless of funding;
2. School activities involving the collection, disclosure, or use of personal information gathered from their student for the purpose of marketing or selling that information;
3. A non-emergency, invasive physical examination, or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student (exceptions are hearing, vision, or scoliosis screenings, or any physical exam of screening permitted or required under state law.)

Notice of Teacher Qualifications

Positive Solutions Charter School will provide parents with the qualifications of each teacher employed by the school. Parents may also request, and Positive Solutions Charter School will provide in a timely manner,

information regarding the professional qualifications of their student's classroom teachers. Information provided in response to a parent request will include, at a minimum:

1. Whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher has an emergency permit or other provisional status through which state qualification or licensing criteria have been waived;
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

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 Positive Solutions Charter School. The school 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

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

The Board of Directors encourages parents and the public to discuss their concerns and complaints through informal meetings with the Principal. Concerns and complaints should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Neither the Board of Directors nor any School employee shall unlawfully retaliate against a parent or student for voicing a concern or complaint.

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

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

Informal Conferences

A parent or student may request an informal conference with the Principal, teacher, or other campus administrator within seven school days of the time the parent or student knew or should have known of the event(s) giving rise to the complaint. If the person is not satisfied with the results of the informal conference,

he or she may submit a written grievance form to the Principal. Grievance forms may be obtained from the Principal's office.

Formal Grievance Process

The formal grievance process provides all persons with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, a person can bring concerns or complaints to the Board, as outlined below.

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

Level One Complaint –Principal or Designee Review

A parent or student shall submit a written Level One Grievance Form to the Principal or designee within the later of (1) 3 school days from the time the event(s) causing the complaint were or should have been known, or (2) within 3 school days following an informal conference with the Principal or designee. The school reserves the right to require the grievant to begin the grievance process at Level Two.

The Principal or designee must meet with the complaining parent or student. Following this conference, the Principal or designee shall issue a written Level One Decision. The Level One Decision must be issued within ten school days of the Principal's or designee receipt of the complaint.

Note: A complaint against the Superintendent shall begin at Level Three.

Level Two Complaint –Level Two Hearing Officer Review

If the parent or student is not satisfied with the Level One Decision, or if no Decision is provided, the parent or student may file a written appeal to the Level Two Hearing Officer. The appeal must include a signed statement of the complaint, any evidence supporting the complaint, and a copy of the written complaint to the Principal and a copy of the Level One Decision, if issued. The appeal shall not include any new issues or complaints unrelated to the original complaint. The appeal must be filed within ten school days of the Level One Decision or the response deadline if no Decision is made.

The Level Two Hearing Officer or designee will meet with the complaining parent or student. Following this conference, the Level Two Hearing Officer or designee shall issue a Level Two Decision. The Level Two Decision must be issued within ten school days of the written appeal.

Level Three – Board of Directors Review

If the student or parent is not satisfied with the Level Two Decision, or if no decision is provided, the parent or student may submit to the Superintendent of Schools a written appeal to the Board of Directors. The request must be filed within ten school days of the Level Two 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 Positive Solutions Charter School 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 decision being appealed 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.

If the complaint involves concerns or charges regarding a student or Positive Solutions Charter School employee, it shall be heard by the Board in closed meeting unless the student or employee to whom the complaint pertains requests that it be heard in public.

Additional Complaint Procedures

This Parent and Student Complaints and Grievances process does not apply to all complaints:

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, religion, or any other characteristic protected by law shall be submitted as described in “Freedom from Discrimination, Harassment, and Retaliation,” page 27 of this Handbook.
2. Complaints concerning retaliation related to discrimination and harassment shall be submitted as described in “Reporting Procedures,” page 29 of this handbook.
3. Complaints concerning bullying or retaliation related to bullying shall be submitted as described in “Freedom from Bullying and Cyber-Bullying,” page 30 of this Handbook.
4. For complaints concerning loss of credit on the basis of attendance.
5. For complaints concerning disciplinary long-term suspensions and/or expulsions.
6. Complaints concerning the identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted as described in “Student or Parent Complaints and Concerns” above, except that the deadline for filing an initial Level One grievance shall be 30 calendar days and the procedural safeguards handbook.
7. Complaints concerning the identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with applicable Board policy and the procedural safeguards provided to parents of all students referred to special education.
8. Complaints regarding the Free and Reduced Price Meal Program. In accordance with federal law and U.S. Department of Agriculture policy, the school is prohibited from discriminating on the basis of race, color, religious creed, sex, political beliefs, age, disability, national origin, or limited English proficiency. (Not all bases apply to all programs.) Reprisal is prohibited based on prior civil rights activity. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which is available online at the following website: http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339, or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

SECTION 6: IMPORTANT NOTICES

Annual Notice of Parent and Student Rights (Annual FERPA Confidentiality Notice)

The Family Education Rights and Privacy Act (“FERPA”) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s educational records. These rights include the following:

The Right to Inspect and Review

Parents and/or eligible students have the right to inspect and review the student's educational records within 45 days of the day the school receives an access. Parents or eligible students should submit to the Principal or designee a written request that identifies the record(s) they wish to inspect. Positive Solutions Charter School will make arrangements for access and notify the parent or eligible student for the time and place where the records may be inspected.

If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's educational records, Positive Solutions Charter School shall provide the parent or eligible student with a copy of the records requested to make arrangements for the parent or eligible student to inspect and review the requested records.

If the student's educational records contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information about that student.

The Right to Seek Amendment of the Student's Educational Records

Parents or eligible students may ask Positive Solutions Charter School to amend a record that they believe is inaccurate, misleading, or in violation of the student's privacy rights. Parents or eligible students should submit to the Principal or designee a written request that clearly identifies the part of the record they want changed, and specifies why it is inaccurate, misleading, or in violation of the student's privacy rights. Positive Solutions Charter School will decide whether to amend the record as requested within a reasonable time after receiving the request. If Positive Solutions Charter 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 advise them of their right to a hearing to challenge the content of the student's educational records on the grounds that the information contained in the educational records is inaccurate, misleading, or in violation of the student's privacy rights.

If, as a result of the hearing, Positive Solutions Charter School decides that the information in the educational record is not inaccurate, misleading, or in violation of the student's privacy rights, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of Positive Solutions Charter School. If the school places an amended statement in the student's educational records, Positive Solutions Charter School is obligated to maintain the amended statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

The Right to Consent Prior to Disclosure

Parents and/or eligible students have the right to consent to disclosures of personally identifiable information contained in the student's educational 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 interest. A "school official" is a person employed by Positive Solutions Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Directors; a person or company with whom Positive Solutions Charter School has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving 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 educational record in order to fulfill his or her professional responsibility.

Upon request, Positive Solutions Charter School discloses educational records without consent to officials of another school in which a student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer.

The Right to File a Complaint

Parents and/or eligible students have the right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education ("Office") concerning alleged failures by Positive Solutions Charter School to comply with the requirements of FERPA. These complaints should be addressed as follow:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW.
Washington, D.C. 20202

Access to Medical Records

Parents are entitled to access their student's medical records.

Notice for Directory Information

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

Positive Solutions Charter School 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 and sports; and
- Weight and height of members of athletic teams.

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

- Extracurricular programs or events (school plays, concerns, athletic events, graduation ceremony, etc.).
- Publications (newsletters, yearbook, etc.).
- Honor roll and other student recognition lists.
- Marketing materials of Positive Solutions Charter School (print media, website, videos, newspaper, etc.).

Positive Solutions Charter School 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.

Positive Solutions Charter School has designated the following categories of information as directory information for purposes of responding to requests for general student information made by law enforcement officials and authorities:

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

Positive Solutions Charter School shall not release directory information except for the purposes indicated above, namely, disclosure relating to school-sponsored/school-affiliated purposes; for the purpose of disclosure to military recruiters and institutions of higher education for secondary students; and for the purpose of disclosure upon request by law enforcement officials and authorities.

A PARENT OR ELIGIBLE STUDENT MAY OPT OUT OF THE RELEASE OF DIRECTORY INFORMATION FOR EITHER OR BOTH OF THESE PURPOSES BY SUBMITTING A WRITTEN OBJECTION TO THE SCHOOL OFFICE WITHIN 15 DAYS AFTER RECEIVING THIS "NOTICE OF PARENT AND STUDENT RIGHTS (ANNUAL FERPA CONFIDENTIALITY NOTICE)."

Student Acceptable Use Policy

Computer Resources

To prepare students for an increasingly computerized society, Positive Solutions Charter School has made a substantial investment in computer technology for instructional purposes. Use of those resources is restricted to students working under a teacher's supervision and for approved proposed only. Students with access to Positive Solutions Charter School computers and their parents agree to follow the following user agreement regarding use of these resources. Violations of this agreement may result in withdrawal of computer privileges and other disciplinary action. Electronic communications, such as e-mail using Positive Solutions Charter School computers, are not private and may be monitored by school staff.

Technology Mission Statement

Positive Solutions Charter School is committed to utilizing the maximum potential of technology to enhance student learning and increase teacher effectiveness by providing students with technology-related experiences. Recognizing the ever-changing influences of technology on all aspects of our lives, Positive Solutions Charter School is dedicated to providing an integrated technological curriculum for all students and staff. Students will have access to the technology necessary to produce, manage, communicate, and retrieve information in an efficient manner for educational use. In the attainment of both present and future goals, Positive Solutions Charter School will provide a continually evolving staff development program oriented toward the integration of technology in areas of curriculum.

Instructional Resource

Positive Solutions Charter School is proud to bring network and Internet access to school staff and students. Positive Solutions Charter School believes the Internet offers many diverse and unique resources to both student and staff. Positive Solutions Charter School's goal in providing these services to staff and students is to promote educational excellence by facilitating resource sharing innovative teaching, and communication skills.

Students and staff have access to numerous research oriented and instructional resources via the Internet. Online encyclopedias, professional journals, and databases filled with timely information on thousands of topics are just a few of the resources provided. School computers have the technology necessary to support student research and to promote academic achievement.

Student Safety

Positive Solutions Charter School is aware that resources which are inappropriate or not designed for use in the educational setting may be accessed on the Internet. To protect students and staff from such inappropriate material, the school's Internet access is filtered with one of the highest rated Internet filtering systems available. However, users must recognize that it is impossible for Positive Solutions Charter School to restrict access to all controversial material and individuals must be responsible for their own actions in navigating the network.

Purpose

The purpose of this policy is to ensure school-level compliance with all procedures and regulations regarding the local area network and Internet usage. All students, parents, teachers, administrators, and school staff who obtain their Internet access through the school are expected to use these services appropriately.

User Responsibilities

The use of the Internet is a privilege. Abusive conduct will lead to the privilege being revoked. Positive Solutions Charter School is providing Internet resources for educational purposes only. Student/staff use of Internet resources must be related to an expressed educational and/or administrative goal or objective.

1. The use of the school's Internet and computer network must be in support of educational goals, research, and class assignments and be consistent with the educational objectives of Positive Solutions Charter School.
2. Users must have a valid, authorized account to access the network, and use only those computer resources that are authorized. Accounts may be used only in accordance with authorized purposes.
3. Individual accounts may be used only by the owner of the account, except where specifically authorized by administrators. In the case of class accounts, all use must be under the supervision of the sponsoring teacher/supervisor.
4. The user is responsible for safeguarding the computer account. Users are expected to protect access to accounts by periodically changing the password and keeping it confidential. They must respect the privacy of others by not tampering with their files, passwords, or accounts.

Policy Terms and Conditions

Acceptable Use

Users are to properly use Positive Solutions Charter School network resources for educational and/or administrative purposes. Respectful and responsible network etiquette and behavior should be in keeping with the school's mission statement. Students and staff are expressly prohibited from accessing obscene, profane, vulgar, or pornographic sites or materials.

Students are prohibited from sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation or illegal. This prohibition applies to conduct off school property if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring or sharing obscene, sexually oriented, lewd or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, students involved in "sexting" or the

sharing of inappropriate images or other content may also be disciplined for violating the school's anti-harassment and bullying policies.

Monitored Use

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by designated Positive Solutions Charter School staff to ensure appropriate use for educational or administrative purposes. Forgery or attempted forgery of electronic mail messages is prohibited. Only the school's authorized IT Manager may read, delete, copy or modify the electronic mail of other system users.

Vandalism

Vandalism is defined as any malicious attempt to harm, disrupt or destroy data of another user of Positive Solutions Charter School's network or any other agencies or networks that are connected to the Internet. This includes, but is not limited to, the uploading or creating of computer viruses. Any of these actions may be viewed as violations of school policy, administrative regulations and, possibly, as criminal activity under applicable state and federal laws. Users must respect the privacy of other users, and will not intentionally seek information on, obtain copies of, or modify any file, data, or password belonging to another user, or represent themselves as another user unless explicitly authorized. Deliberate attempts to degrade or disrupt system performance and/or degrade, disrupt or bypass system security are violations of school policy and administrative regulations, and may constitute criminal activity under applicable laws.

Any prohibited behavior under this policy will result in the cancellation of technology privileges. Positive Solutions Charter School will, in accordance with school policy, cooperate with local, state, or federal officials in any investigation concerning or relating to misuse of the school's network.

Network Etiquette

Each network user is expected to:

- Be polite (i.e., an all-caps message implies shouting);
- Use appropriate language;
- Refrain from any activity that may be considered "cyber bullying," including but not limited to threats of violence, extortion, obscene or harassing messages, harassment, stalking, child pornography, and sexual exploitation;
- Maintain confidentiality of the user, colleagues, and students;
- Respect copyright laws; and
- Be respectful in all aspects of network use.

Consequences

Violation of Positive Solutions Charter School policies and procedures concerning use of the computer on the network will result in the same disciplinary actions that would result from similar violations in other areas of school policy, including the Student Code of Conduct. Any or all of the following consequences may be enforced if a student violates the terms of this policy:

- Loss of computer privileges/Internet access, with length of time to be determined by campus administration.
- Any disciplinary consequence, including suspension or expulsion, as deemed appropriate by the administration.
- Suspension may be considered for flagrant violations or violations that corrupt the educational value of the computers or the Internet.

- Expulsion may be considered in instances where students have used the school's Internet access to engage in conduct that constitutes felony criminal mischief, and/or have deliberately attempted to bypass installed security software or copy/modify another student's work files.

Violations of law may also result in criminal prosecution as well as disciplinary action by Positive Solutions Charter School.

SECTION 7: BACK TO SCHOOL GUIDANCE-COVID 19

COVID-19 GUIDELINES

Positive Solutions Charter School is providing notice to parents, families, and the community regarding back-to-school plans and instruction through this initial document. As further required, one week prior to the start of school, a plan to mitigate COVID-19 will be disseminated to all families and posted school websites. Preliminary information is posted in this guidance and is subject to change based on state and local decisions and will also be updated every six months.

COVID-19 Response Team

Positive Solutions Charter School has developed a COVID-19 Response Team to respond to concerns and communicate district decisions. Members of the team are listed below:

Maya Yruegas	Human Resources Manager
Carrie Burns	Principal
Sandra Vasquez	Academic Coordinator
Vacancy	Student Coordinator

Positive Solutions Charter School must identify and implement practices to prevent the virus from entering the school and mitigate or reduce the likely spread inside the school; therefore, Positive Solutions has developed a Safe Return to In-Person Instruction and Continuity of Services Plan. This plan must be reviewed and updated of every six months or whenever changes are made at the state and/or local level. The areas that are addressed in this plan are as follows: Mask Wearing, Social Distancing, Handwashing, Cleaning/Maintaining Healthy Facilities, Diagnostic Testing/Screening, Vaccination Efforts, and Continuity of Services. The information will be reviewed with parents/guardians and students upon enrollment and when there are changes. This information is posted and updated on the website: <https://positivesolutionsinc.net>

SECTION 8 IMPORTANT ACKNOWLEDGEMENTS

Parents/Guardians/Students: Please read, sign, date, and detach the following forms. Once you have completed signing and dating the forms, return them to the school office or school administrator.

FORMS INCLUDED IN THIS SECTION

- Family Educational Rights and Privacy Act/Directory Information Opt Out Form
- Use of Student Work in School Publications
- Acceptable Use Agreement Acknowledgment Form
- Electronic Communication Device Commitment Form
- Food Allergy Notification Form
- Acknowledgement and Approval of Parent – Student Handbook and Code of Conduct

Family Educational Rights and Privacy Act
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 Positive Solutions Charter School to designate certain personal information as “directory information,” which may be released to anyone who follows the procedures for requesting it as proscribed in school policy.

To prohibit Positive Solutions Charter School 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 Positive Solutions Charter School policy.

If you have more than one student enrolled, you must complete a separate for each student.

PLEASE CIRCLE YES OR NO

For all students:

YES	NO	I give permission for my student’s name and photograph to be included in the Positive Solutions Charter School yearbook.
YES	NO	I give permission for my student to be videoed, photographed, or interviewed at school by local media or Positive Solutions Charter School 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 Positive Solutions Charter School communication devices. Examples include media coverage, printed materials, marketing, and websites.
YES	NO	I give permission for my student’s name, address, and telephone number to be provided upon request by law enforcement officials and authorities.

For secondary students only:

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
or Eligible Student Full Legal Name

Parent/Guardian Signature
or Eligible Student Signature

Date

Use of Student Work in School Publications

Occasionally, Positive Solutions Charter School wishes to display or publish student artwork, photos taken by the student, or other original work on the school's website, a website affiliated or sponsored by the school (such as a classroom website), and in school publications. Positive Solutions Charter School agrees to use these student projects in this manner.

Parents: Please circle one of the choices below:

I, parent of _____ (student's name), **(do give)** **(do not give)** Positive Solutions Charter School permission to use my child's artwork, photos, or other original work in the manner described above.

Parent Signature: _____

Date: _____

Acceptable Use Agreement Acknowledgment Form

I have read and agree to abide by the Positive Solutions Charter School Student Acceptable Use Policy. I further understand that any violation of this policy may constitute a criminal offense. Should I commit any violation, my Internet and computer access privileges may be revoked, and disciplinary action and/or appropriate legal action may be taken.

Student Name

Student Signature

Date

(If you are under the age of 18 a parent or guardian must also read and sign this agreement.)

As the parent or guardian of this student, I have read the Positive Solutions Charter School Student Acceptable Use Agreement. I understand that this access is designed for educational purposes Positive Solutions Charter School has taken precautions to eliminate controversial material. However, I also recognize it is impossible for Positive Solutions Charter School to restrict access to all controversial materials and I will not hold Positive Solutions Charter School responsible for materials transmitted on the network. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent/Guardian

Date

Electronic Communication Device Commitment Form

Electronic communications at school and at school-related functions are subject to regulation by Positive Solutions Charter School.

This Electronic Communication Device Commitment Form grants authority and permission to Positive Solutions Charter School 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 and 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 subject to regulation by Positive Solutions Charter School.
- If a student possesses such devices on school property or while attending school-related events, Positive Solutions Charter School 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 Positive Solutions Charter School is not liable for any loss of or damage to confiscated devices. (*second offense and thereafter a \$10 fee will be imposed and released to parent once fee is paid)

SIGNATURE LINES AND DATES

(Signature of student)

(Printed name of student)

(Signature of parent/guardian) Date: _____

Food Allergy Notification Form

Dear Parents,

Positive Solutions Charter School is required by law to request, at the time of enrollment, that the parent or guardian of each student attending Positive Solutions Charter 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 Positive Solutions Charter School 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. Positive Solutions Charter 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:

Positive Solutions Charter School will maintain the confidentiality of this form and the information provided above, and may disclose the information to teachers, school counselors, school nurses, and other appropriate school personnel only within the limitations of the Family Educational Rights and Privacy Act ("FERPA") and Board policy. **Positive Solutions Charter School 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 form received by Positive Solutions Charter School: _____

**Acknowledgement and Approval of Parent – Student Handbook
and Code of Conduct**

My signature below acknowledges that Positive Solutions Charter School has made its Parent–Student Handbook and Code of Conduct available to me; that I have been given notice of the rules, responsibilities and consequences outlined in the Student Code of Conduct; that I have been informed that when I or my child is enrolled in Positive Solutions Charter School, all information herein is applicable to me, my child, and all school staff; and that I have expressed intent to review this Handbook and the Student Code of Conduct contained within and to abide thereby.

Printed Name of Student: _____

Grade: _____

Signature of Student: _____

Date: _____

Signature of Parent: _____

Date: _____

Positive Solutions Charter School does not discriminate on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability or the district the child would attend according to TEC §12.111(6). *Positive Solutions Charter School no discriminara en base a sexo, origen nacional, etnicidad, religion, diabilidad, o en sus programas academic, artistico, atletico, oe el distrito donde el estudiante deberia asistir segun TEC §12.111(6).*