



# Board Policy Series

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MODULE 400 - STUDENTS

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## **400.020. ADMISSIONS & ENROLLMENT**

The Board adopts the following policy, which shall be effective on the date of adoption.

### **SECTION 1. Admissions**

SECTION 1.1. Non-Discrimination Policy. RMA's admissions and enrollment shall be free from discrimination based on race, color, or national origin; sex, gender, or gender identity; disability, or relationship or association with an individual with a disability; religion; academic, artistic, or athletic ability; or the district the child would otherwise attend under state law.

SECTION 1.2. Non-resident Transfer Students. Students who reside outside RMA's approved, geographic boundaries may not be admitted.

### **SECTION 2. Enrollment**

SECTION 2.1. Eligibility. The Superintendent or designee shall establish procedures that ensure that appropriate measures are taken to verify, on enrollment, that a student is entitled to enroll in the School. Areas to be verified include, but are not limited to, a student's residency and grade level.

SECTION 2.2. Enrollment Documentation. Upon a student's enrollment a bona fide effort shall be made to secure all records and required documentation pertaining to the student.

SECTION 2.3. Residency Qualifying for Enrollment. Upon enrollment, it shall be confirmed that:

- the student and either parent reside within the geographic boundary stated in the charter;
- the student does not reside within the geographic boundary stated in the charter but has a parent who does and that parent is a joint or the sole managing conservator or possessory conservator of the student;
- the student and the student's guardian or other person having lawful control of the person under a court order reside within the geographic boundary stated in the charter;
- the student has established a separate residence under the TEC, [§25.001\(d\)](#), the person's presence within the boundary is not for the primary purpose of participation in extracurricular activities, and the person has not engaged in conduct for which exclusion was permitted and deemed warranted by the School;
- the student is homeless, regardless of the residence of the student, of either parent, or of the person's guardian or other person having lawful control of the person;
- the student is a foreign exchange student placed with a family that resides within the geographic boundary stated in the charter by a nationally recognized foreign exchange program, unless a waiver has been granted per TEC [§25.001\(e\)](#);

- the student resides at a residential facility that is located within the geographic boundary stated in the charter;
- the student resides within the geographic boundary stated in the charter and either is 18 years old or older or has had the disabilities of minority removed;
- the student does not reside within the geographic boundary stated in the charter but has a grandparent who does and who provides a substantial amount of after-school care for the student; or
- the student is placed in foster care by an agency of the state or a political subdivision, and person's foster parents reside within the geographic boundary stated in the charter.

SECTION 2.4. Establishing Residency. The Superintendent or designee may make reasonable inquiries to determine whether a student qualifies as a resident for purposes of enrollment. The Superintendent or designee may request utility bill, receipts, lease information and other items verifying that the applicable residence is within the boundary stated in the charter.

### **SECTION 3. State Conservatorship Liaison**

The School Director is appointed the liaison with the Department of Family and Protective Services to facilitate the enrollment in the School, or the transfer to another public school, of a child who is in the conservatorship of the state. The School Director shall cause for his or her name and contact information to be submitted to the Texas Education Agency in the time and manner and time required by agency rules.

SECTION 3.1. Continued Enrollment of Student in Conservatorship of State. A student who is placed in the conservatorship of the Department of Family and Protective Services and at a residence outside the geographic boundary served by RMA shall be entitled to continue to attend the School.

### **400.030 Student Transportation**

The Board adopts the following policy, which shall be effective on the date of adoption.

#### **SECTION 1. Transportation to and from School**

RMA does not provide direct transportation services to and from school except as may be required by law. RMA shall provide appropriate transportation services to any eligible homeless student and to any student with a disability whose ARD committee determines that the student needs transportation as a related service.

### **400.040. ATTENDANCE**

The Board adopts the following policy, which shall be effective on the date of adoption.

#### **SECTION 1. Compliance**

The Superintendent or designee shall ensure that RMA's student attendance accounting system is in compliance with all laws, regulations, and Texas Education Agency rules governing attendance. The Superintendent or designee shall ensure that attendance policies are distributed to staff, students, and parents/guardians.

## **SECTION 2. Documented Absences**

SECTION 2.1. Leaving Campus During School Hours. A student younger than 18 years old must have prior, written parent or guardian approval, before that student may leave the school campus during school hours.

SECTION 2.2. Absences. A student absent from school for any portion of the day, upon his or her return, must provide a written note to the school that explains the absence. A parent, guardian, or the student must either sign the note if the student is 18 years old or emancipated.

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

## **SECTION 3. Warning Notice**

At the beginning of each school year the parents of currently enrolled students shall receive notice that parents and students are subject to prosecution for violation of attendance laws.

## **SECTION 4. School Attendance Officer**

RICHARD MILBURN ACADEMY shall have a school attendance officer (SAO). The Superintendent or designee, shall determine the duties and responsibilities of the SAO, all of which should be in line with the maintenance of student attendance.

## **400.050 DISTRICT WIDE PARENTAL INVOLVEMENT POLICY**

### **PART I. GENERAL EXPECTATIONS**

RICHARD MILBURN ACADEMY agrees to implement the following statutory requirements:

- RICHARD MILBURN ACADEMY will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with SECTION 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- Consistent with SECTION 1118, RICHARD MILBURN ACADEMY will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of SECTION 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with SECTION 1118(d) of the ESEA.
- RICHARD MILBURN ACADEMY will incorporate this district wide parental involvement policy into its LEA plan developed under SECTION 1112 of the ESEA.

- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, RICHARD MILBURN ACADEMY and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under SECTION 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- If the RICHARD MILBURN ACADEMY plan for Title I, Part A, developed under SECTION 1112 of the ESEA, is not satisfactory to the parents of participating children, RICHARD MILBURN ACADEMY will submit any parent comments with the plan when RICHARD MILBURN ACADEMY submits the plan to the Texas Education Agency.
- RICHARD MILBURN ACADEMY will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
- RICHARD MILBURN ACADEMY will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

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

- i. that parents play an integral role in assisting their child's learning;
  - ii. that parents are encouraged to be actively involved in their child's education at school;
  - iii. that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
  - iv. the carrying out of other activities, such as those described in SECTION 1118 of the ESEA.
- RICHARD MILBURN ACADEMY will inform parents and parental organizations of the purpose and existence of the Parental Information and Resource Center in the State.

- RICHARD MILBURN ACADEMY will include descriptions of how the LEA will implement or accomplish each of the required components as described in SECTION 1118(a)(2), ESEA.

## **PART II. DISCRETIONARY DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS**

NOTE: The District wide Parental Involvement Policy may include additional paragraphs listing and describing other discretionary activities that the LEA, in consultation with its parents, chooses to undertake to build parents' capacity for involvement in the school and school system to support their children's academic achievement, such as the following discretionary activities listed under SECTION 1118(e) of the ESEA:

- involving parents in the development of training for teachers, directors, and other educators to improve the effectiveness of that training;
- providing necessary literacy training for parents from Title I, Part A funds, if the school district has exhausted all other reasonably available sources of funding for that training;
- paying reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- training parents to enhance the involvement of other parents;
- in order to maximize parental involvement and participation in their children's education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend those conferences at school;
- adopting and implementing model approaches to improving parental involvement;
- establishing a district wide parent advisory council to provide advice on all matters related to parental involvement in Title I, Part A programs;
- developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parental involvement activities; and
- providing other reasonable support for parental involvement activities under SECTION 1118 as parents may request.]

## **PART III. COMMUNICATIONS**



**Section 1. Telephone Communication**

As part of RICHARD MILBURN ACADEMY communication with parents, adult students, employees, and community members, RICHARD MILBURN ACADEMY may use an automated calling system such as SCHOOL REACH to share important information. These calls may include information about upcoming events, attendance, or disciplinary responses. In regards to automated phone calls and text messages, RICHARD MILBURN ACADEMY shall comply with the Telephone Consumer Protection Act (“TCPA”).

Section 2.1. Written Consent. Written consent will be obtained before RICHARD MILBURN ACADEMY sends any automated phone calls or texts of a non-emergency manner. Written consent forms will include

- a. clear disclosure of what messages are permitted
- b. notification that participation is voluntary
- c. a signature of the person consenting

Section 2.2. Opt-out of Automated Calls. Consent for automated calls can be revoked in writing at any time. In order to revoke consent, parent, adult student, or employee must provide written notice to RICHARD MILBURN ACADEMY. Consent will automatically end one year after written consent is provided.

Section 2.3. Updating Contact Information. RICHARD MILBURN ACADEMY will send notice to parents, adult students, and employees at the beginning of the year and after the winter break to update contact information, including cell phone numbers. Parents are expected to update RICHARD MILBURN ACADEMY any time a cell phone number is changed or no longer used by the parent.

Section 2.4. Consent Form

RICHARD MILBURN ACADEMY uses an automated phone system to call and/or text parents/guardians/adult students/employees via home phones and/or cell phones to inform you of emergencies and general information, including:

- weather closures/delays
- unverified absences
- school events

Under Federal law, the school may not send automated messages for non-emergency purposes without prior consent.

Please complete this form to indicate your approval to receive non-emergency messages. This form is only for the [YEAR] school year and will need to be completed every year.

\*\*\*\*\*  
\*\*\*\*\*

Student Name:

Parent/Guardian Name:

Preferred Contact Number: ( )

Landline or  Mobile/Cell

Secondary Contact Number: ( )

Landline or  Mobile/Cell

***If any of this contact information changes, please notify the school immediately***

\_\_\_\_\_ I give permission to send non-emergency messages to the phone numbers listed above via call or text by way of an automated system. I understand that I may opt out at any time by contacting the school in writing to have my number(s) removed. I am providing my current phone number(s) and will update the school if there are any changes.

\_\_\_\_\_ I do not give permission to send non-emergency messages to the phone numbers listed above. \*\*\*I understand this will remove my number from all call lists and I will not receive ANY automated messages, including those regarding emergencies.\*\*\*

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Section 2. Electronic Signatures**

RICHARD MILBURN ACADEMY may request a digital or electronic signature from a parent, guardian, or adult student. However, a parent, guardian, or adult student must have the option to provide a handwritten signature if preferred.

### **400.060. FERPA**

The Board adopts the following policy, which shall be effective on the date of adoption.

#### **SECTION 1. Compliance**

In regards to student records, RMA shall comply with the Family Educational Rights and Privacy Act ("FERPA").

#### **SECTION 2. Custodian of Records**

The Superintendent is designated the custodian of all student records. The director of each school is designated as an agent of the Superintendent for the purposes of the receipt of requests concerning the disclosure of student records.

#### **SECTION 3. Annual Notice**

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

#### **SECTION 4. Directory Information**

SECTION 4.1. Definition. Directory information is the following: (1) student's name, (2) address,

(3) telephone number, (4) date and place of birth, (5) photograph, (6) electronic mail

address,

(7) participation in officially recognized activities and sports, (8) weight and height of members of athletic teams, (9) dates of attendance, (10) awards received, (11) the most recent school attended by the student, (12) grade level, (13) enrollment status, (14) and other similar information.

SECTION 4.2. Disclosure. Directory information will be released to the public at the discretion of RMA, in compliance with FERPA, unless a parent or student over 17 years old objects to part or all of its release in writing within 10 school days after receiving the annual notice described in SECTION 3 of this policy. Written objections shall be collected and maintained by the director.

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

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

1. The right to inspect and review the student's education records within 45 days after the day the [Name of school ("School")] receives a request for access.

Parents or eligible students should submit to the school director [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

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

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

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

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement

unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

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

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

The following is directory information: (1) student's name, (2) address, (3) telephone number, (4) date and place of birth, (5) photograph, (6) electronic mail address, (7) participation in officially recognized activities and sports, (8) weight and height of members of athletic teams, (9) dates of attendance, (10) awards received, (11) the most recent school attended by the student, (12) grade level, (13) enrollment status, (14) and other similar information.

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

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) -

(a)(1)(i)(B)(2) are met. (§99.31(a)(1))

- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to:
  - (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency,

subject to  
§99.36. (§99.31(a)(10))

- Information the school has designated as “directory information” under §99.37.  
(§99.31(a)(11))

#### **400.70 ADOPTION OF A MAJOR CURRICULUM INITIATIVE**

Before the adoption of a major curriculum initiative, including the use of a curriculum management system, the Board shall, in accordance with the Texas Open Meetings Law, hold a meeting during which:

1. Members of the public and employees of the school shall be given an opportunity to comment on the proposed initiative; and
2. Information regarding the initiative is presented to the Board, including the cost of the curriculum initiative and any alternatives that were considered.

Prior to the adoption of the curriculum initiative by the Board, the Superintendent or designee, shall provide teachers and other employees of the School an opportunity to express opinions regarding the initiative. Any opinions received by the Superintendent or designee shall be provided to the Board for their review and consideration.

#### **400.80 REQUIRED INSTRUCTION AND GRADUATION**

The Board adopts the following policy, which shall be effective on the date of adoption.

##### **SECTION 1. Compliance**

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

##### SECTION 1.2. Pledge of Allegiance.

The director or designee of each campus shall ensure compliance with all state laws and regulations governing recitation of the Pledge of Allegiance to the United States and Texas flags and the regulations governing proper flag display in each classroom in which the pledges of allegiance are recited.

##### SECTION 1.3 Observance of Moment of Silence.

The director or designee of each campus shall ensure compliance with state law governing the observance of one minute of silence following the recitation of the pledges of allegiance to the United States and Texas flags.

##### SECTION 1.4. Commemoration of the Events of September 11, 2001.

The director or designee of each campus shall ensure compliance with state law governing the commemoration of the events of September 11, 2001.

##### SECTION 1.5. Instruction in Cardiopulmonary Resuscitation (CPR).

The director or designee of each secondary campus shall ensure compliance with the state law and regulations governing instruction in cardiopulmonary resuscitation (CPR) and that each student receives CPR instruction at least once prior to graduation.

## **SECTION 2. Graduation**

The Superintendent shall ensure compliance with all state laws and regulations governing graduation requirements.

### SECTION 2.1 Endorsements.

RICHARD MILBURN ACADEMY shall offer the following endorsements:

1. Business and Industry
2. Public Services
3. Arts and Humanities
4. Multidisciplinary Students
5. Others based on certified staff at campuses

The Superintendent or designee shall implement procedures to ensure that each student indicates in writing the endorsement the student intends to earn.

### SECTION 2.2 Distinguished Level of Achievement.

The Superintendent or designee shall ensure that RMA offers the curriculum requirements for a student to earn a distinguished level of achievement.

### SECTION 2.3 Performance Acknowledgements.

The Superintendent or designee shall ensure that RMA offers the requirements adopted by the SBOE for a student to earn a performance acknowledgment on his or her diploma.

### SECTION 2.4 High School Graduation Plan.

The director of each high school campus of RICHARD MILBURN ACADEMY shall designate a school counselor or school administrator responsible for developing and reviewing personal graduation plans with each 9th grade student and his or her parent or guardian in accordance with state law and regulations. The designee shall ensure that the student and the student's parent or guardian conform and sign the personal graduation plan.

The Superintendent shall ensure that the information provided by the Texas Education Agency explaining the advantages of the distinguished level of achievement and each endorsement is posted on the school's website.

### SECTION 2.5 Individual Graduation Committee.

An Individual Graduation Committee (IGC) shall be developed for each student who has failed not more than two End-Of Course assessments (EOCs), is in their 12<sup>th</sup>

grade year, and has successfully completed at least the Foundation High School Program.

The IGC shall be composed of the following persons:

1. Director or director's designee,
2. The teacher of the course for each EOC the student failed;
3. The department chair or lead teacher supervising the teacher described above;
4. The student's parent or guardian; or
5. A designated advocate if the parent or guardian is unable to serve; or
6. The student (at the student's option) if the student is 18 years of age or is emancipated.

The Superintendent shall implement procedures for the establishment of, and graduation determinations made by, an IGC. Such procedures shall include the following:

1. The process for appointing a designated advocate if the parent or guardian of a student is unable to serve on the IGC;
2. The method for providing notice to the parent or guardian of the student or designated advocate, if applicable, of the time, place, and purpose of the IGC;
3. The method for documenting the student's satisfaction of the additional remediation requirements and demonstration of proficiency in the subject matter of the EOC exam failed by the student;
4. The academic criteria considered by the IGC to determine if a student is qualified to graduate;
5. The vote of the IGC on the graduation decision of an individual student; and
6. A timeline for the IGC's determination of the graduation decision.

### **SECTION 3. End-of-Course Assessments**

SECTION 3.1. End-of-Course Exams. Students shall take end-of-course (EOC) exams for secondary-level courses in Algebra I, Biology, English I, English II and United States History. A student's performance on such assessments shall not be used in determining class ranking or to account for a percentage of the student's final grade for the course.

1. RMA shall not administer more than two benchmark assessment instruments to prepare a student for an end-of-course exam.
2. The director, or designee, of each shall implement procedures to ensure that each teacher receives the results of the end-of-course exam administered to students taught by that teacher in the subject for which the exam is administered.
3. The director, or designee, of each campus shall ensure that each student who fails to perform satisfactorily on an end-of-course exam receives accelerated instruction in the applicable subject area.

SECTION 3.2. Retakes. A student who fails to achieve the requisite score on an end of course exam may retake the exam.



SECTION 3.3. Students with Disabilities. The admission, review, and dismissal committee shall determine the type of assessment to be administered to a student receiving special education services. A parent or guardian of a student with special needs may request administration of additional benchmark assessments.

#### **SECTION 5. Notification Regarding Automatic College Admission and Financial Aid**

Each campus shall post signs in the counselor's office, in each director's office and in each administrative building, the requirements for automatic admission to a Texas public college or university and the curriculum requirements for federal financial aid.

The director of each campus shall ensure that each student, at the time the student registers for one or more classes required for high school graduation, receives a notice regarding the requirements for automatic admission to a Texas public college or university and the curriculum requirements for federal financial aid, and shall ensure that the notice is signed by the student's counselor, the student and the student's parent or guardian.

#### **400.90. BILINGUAL / ESL EDUCATION PROGRAM**

The Board adopts the following policy, which shall be effective on the date of adoption.

##### **SECTION 1. Program Principles**

SECTION 1.1. Board Commitment. The Board is committed to meeting the needs of non-English speaking students who are English Language Learners (ELL) or students of limited English proficiency (LEP) and to providing every ELL student with a full opportunity to participate in a bilingual education or English as a Second Language (ESL) program. Throughout this Policy ELL students and LEP students shall have the same meaning.

SECTION 1.2. Compliance with State and Federal Requirements. The Superintendent shall ensure that the bilingual and/or ESL programs operate in compliance with federal and state law.

##### **SECTION 2. Program Responsibilities**

RMA shall:

1. Identify ELL students based on criteria established by the state;
2. Provide bilingual education and/or ESL programs as integral parts of the School's regular program;
3. Assess achievement for essential knowledge and skills in accordance with Education Code Chapter 39 to ensure accountability for ELL students.

##### **SECTION 3. Establishment of Language Proficiency Assessment Committee (LPAC)**

RMA shall establish and operate Language Proficiency Assessment Committee(s) in accordance with this policy and any applicable LPAC procedures established. RMA shall

follow the LPAC Legal Framework developed by the Region 20 Education Service Center.

The Superintendent or designee shall ensure that a sufficient number of LPACs are established to discharge LPAC duties within 20 school days of enrollment of an ELL student. This policy and all LPAC procedures shall be kept on file in the School's records.

**SECTION 3.1 Selection of LPAC Members.** RMA shall establish procedures for the selection, appointment and training of members of the LPAC for its special language program(s). Selection of parent members of LPAC(s) shall be made after soliciting volunteers and upon the recommendation of professionals involved in the bilingual/ESL programs. No parent serving on the LPAC shall be an employee of RMA. Professional staff members of the LPAC(s) shall be assigned those duties in accordance with the LPAC procedures.

**SECTION 3.2. General Responsibilities of LPAC.** The Superintendent or designee shall establish procedures governing the fulfillment of LPAC responsibilities and duties. The LPAC shall accomplish the following general responsibilities:

1. Review of all pertinent information on ELL students upon initial enrollment and at the end of the school year;
2. Make recommendations concerning the most appropriate placement for the advancement of an ELL student;
3. Review each ELL student's progress at the end of the school year in order to determine future appropriate placement;
4. Monitor the progress of former ELL students who have transferred out of the special language program and designate the most appropriate placement for such student;
5. Determine the appropriateness of a program that extends beyond the school year based on the needs of each ELL student.

#### **SECTION 4. Training**

RMA shall provide orientation and training for all members of the LPAC, which shall include a discussion of the committee's duties and a thorough explanation and review of all laws and rules governing the confidentiality of information regarding individual students. In performing their duties, committee members shall be acting for RMA and shall observe requirements regarding confidentiality of student records. Each LPAC member shall receive a Certificate of Training, which shall be retained on file by the School.

#### **SECTION 5. Home Language Survey**

**SECTION 5.1 Administration of Survey.** A Home Language Survey shall be included as part of the student enrollment documentation to determine the language normally used in the home and the language normally used by the student. The home

language survey shall be conducted in English and in the home language, and signed by the student's parents if the student is in pre-kindergarten through grade 8, or by the student if the student is in grades 9 through 12. An original copy of the survey shall be retained in the student's permanent record.

SECTION 5.2 Language Classification. The LPAC shall use the home language survey to establish the student's language classification for determining whether the school is required to provide a bilingual education or ESL program. If a student is identified through the home language survey as normally speaking a language other than English, the LPAC will ensure that the student is tested in accordance with 19 Administrative Code §89.1225 and additionally for students with disabilities, 19 Administrative Code §89.1230, within 20 school days of the student's enrollment.

## **SECTION 6. ELL Classification and Instructional Placement**

SECTION 6.1. ELL Classification. The LPAC may classify a student as an ELL student if:

1. The student's ability in English is so limited or the student's disabilities are so severe that assessment procedures cannot be administered;
2. The student's score or relative degree of achievement on the Texas Education Agency (TEA)-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;
3. The student's primary language proficiency score as measured by a TEA-approved test is greater than the student's proficiency in English; or
4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student's primary language proficiency is greater than the student's proficiency in English or that the student is not reasonably proficient in English.

SECTION 6.2 Report to Board. Within the first four weeks of the first day of school, the LPAC shall determine and report to the Board the number of ELL students on each campus and shall classify each student according to the language in which the student possesses primary proficiency. The Superintendent or designee shall report this information to TEA, on behalf of the Board, before November 1st of each year.

SECTION 6.3. Instructional Placement. Students shall be identified as ELL students and enrolled in the required bilingual or ESL program within 20 days of their initial enrollment. Students enrolled in bilingual or ESL programs shall be placed in classes with other students of approximately the same age and level of education. The LPAC is responsible for ensuring that instruction given to each student is appropriate to the student's level of educational attainment.

SECTION 6.4 Program Evaluation. The LPAC shall conduct periodic assessments of the School's special language programs to determine program impact and student outcomes in all subject areas. The LPAC shall make annual reports of the educational performance of ELL students that shall be retained in the School records addressing:

1. the academic progress in either language of the ELL students and the extent to

which they are becoming English proficient;

2. the number of students who have been exited from the bilingual education and ESL program; and
3. the number of teachers and aides trained in the frequency, scope, and results of the training.

## **SECTION 7. PARENTAL NOTICE AND CONSENT**

SECTION 7.1. Parental Notice. Within ten days of the LPAC's classification of a student as ELL, the LPAC shall provide written notice to the student's parent or legal guardian. The notice must be in English and in the parent's primary language. The notice shall inform the parents/ legal guardian of the benefits of the program for which the student is recommended and that it is an integral part of the school program.

SECTION 7.2. Parental Consent Of Entry Or Placement. A student shall not be placed in the bilingual education or ESL program without approval in writing by the student's parent or legal guardian. If the parent or guardian denies permission to enroll the student in the bilingual education or ESL program, the LPAC will ensure that a conference is held with an administrator, the parent or guardian, and another member of the LPAC. The conference will address, and strive to ensure that parents/guardians understand the purpose and content of the bilingual education or ESL program. If the parents/guardians continue to deny enrollment in the program, RMA shall notify parents of a student's reclassification as English proficient and his or her exit from the bilingual or ESL program.

SECTION 7.2. Parental Request for Exit. The LPAC shall facilitate the exit of the student from bilingual education or an ESL program if the student's parent or guardian makes such request in writing.

SECTION 7.3. Parental Notice of Exit. The LPAC is responsible for informing parents in writing when their student meets the exit criteria and exits from a bilingual education or ESL program. The notice shall be made in English and the home language of the student.

SECTION 7.4 Annual Progress Report. The LPAC is responsible for providing parents with an annual report on the progress of their ELL child in the bilingual or ESL program. The report shall be made in English and the home language of the student.

## **SECTION 8. Documentation**

The LPAC shall be responsible for ensuring that the ELL student's permanent record contains documentation of all actions impacting the ELL student, including adequate records of the educational level and progress of each ELL student.

## **SECTION 9. Personnel**

Teachers assigned to bilingual education and ESL programs shall be appropriately

certified in bilingual education or ESL, respectively.

#### **SECTION 10. Bilingual/ESL Program**

RICHARD MILBURN ACADEMY shall offer a ESL program if RICHARD MILBURN ACADEMY has an enrollment of 20 or more students classified as ELL students in any language classification in the same grade level. The Superintendent shall ensure that the ESL program offered by RMA complies with applicable regulations.

SECTION 10.1 ESL Program. RMA shall offer an ESL program for students in Grades 9-12 using the ESL/content-based or ESL/pull-out program model.

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

The Board adopts the following policy, which shall be effective on the date of adoption.

##### **SECTION 1. Legal Framework**

It is the policy of RMA to follow the Legal Framework for the child Centered Process developed through the Region 18 Education Service Center. Additional policies may be adopted by the Board to evidence RMA's commitment to the framework and uploaded to Region 18's Legal Framework website.

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

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

##### **SECTION 3. Special Education Video Surveillance**

In an effort to promote student safety in certain self-contained classrooms and other special education settings, it is the policy of RICHARD MILBURN ACADEMY to install, maintain, and operate video equipment in the required classrooms upon request of a parent, staff member, or board member.

Section 3.1. Requesting Video/Audio Surveillance. A parent, any staff member, or board member may make a request for installation and operation of video/audio recording equipment by submitting a written request to the Director of Special Education.

All written requests must identify the self-contained or other special education setting where equipment is being requested. A request for installation and operation of video equipment will be valid until the classroom no longer meets the definition of a self-contained classroom or other special education setting as defined by TEC §29.022 and TAC §103.1301(b).

Section 3.2. Responding to Requests. Upon receipt of a written request, the Director of Special Education of RICHARD MILBURN ACADEMY will determine whether the location requested meets the definition of a self-contained classroom or other special education setting as defined in TEC §29.022 and TAC §103.1301(b).

RICHARD MILBURN ACADEMY will provide a written response to the requestor within 10 school days and inform the Superintendent.

Section 3.3. Notification. After a request for video equipment installation is approved, Superintendent will provide written notice, at least 5 days prior to installation of video equipment, to the parents of all students receiving special education services in a self-contained or other special education setting that will receive video equipment.

Section 3.4. Installation of Video. Upon approval of a written request for installation of video equipment, the video equipment will be purchased by RICHARD MILBURN ACADEMY.

RICHARD MILBURN ACADEMY is not permitted to use IDEA, Part B funds or state special education funds to implement the requirement of TEC §29.022.

Installation and operation will take place within a reasonable time after approval and after written notification has been provided to parents of students in the designated classrooms.

Video equipment will cover all areas in the classroom, except the inside of bathrooms or areas used for toileting or diapering a student, or removing or changing a student's clothes. Audio recordings will cover all areas in the classroom including the bathroom and changing area.

Following installation, RICHARD MILBURN ACADEMY will ensure the video equipment is properly operating, and then disable all live monitoring capabilities.

Section 3.5. Operation of Video Equipment and Maintaining Recordings. Video and audio equipment will operate at all times during the instructional day, during the regular school year and during extended school year (ESY) services. Recording will begin approximately 15 minutes before students arrive in the classroom, and end once all students are off campus.

RICHARD MILBURN ACADEMY will continue to operate the video equipment in a classroom for as long as the classroom or setting continues to meet the definition of self-contained classroom or other special education setting. If a classroom no longer meets the definition, RICHARD MILBURN ACADEMY will send written notice to all parents of the students in that classroom that the video equipment will be discontinued.

All recordings will be stored and kept for at least 6 months.

Section 3.6. Reporting an Incident. A person can notify a campus administrator of an alleged incident by providing written notice to the campus administrator. All written notices must include:

- a. Date or timeframe of alleged incident
- b. Location of alleged incident
- c. Teacher, personnel, or alleged student involved
- d. Student name

The campus administrator will provide written notice of receipt of the report within 48 hours to the person reporting. The campus administrator will review the video and audio recording within 5 school days of receiving the report and determine if the incident occurred. During those 5 days, and during any subsequent investigation, the campus administrator will take any necessary measures to protect the student from possible harm. These steps may include:

- a. Changing classroom instructors or classroom assignment
- b. Provide counseling to student
- c. Add additional staff support to classroom

After reviewing the video recording, the campus administrator will provide written notice to the person reporting the incident of whether the alleged incident is recorded. Written notice will be sent within 10 school days after receipt of report.

Written notice does not suffice to meet the required reporting of abuse or neglect by the campus administrator or other personnel who views the recording. Any alleged abuse or neglect must be reported to the Texas Department of Family and Protective services immediately, or not later than 48 hours of becoming aware of the incident.

If an alleged incident is recorded, the campus administrator shall notify RICHARD MILBURN ACADEMY's Director of Special Education and a formal investigation in accordance with school policy will begin.

Section 3.7. Access and Review of Video. All recordings made under this section are confidential and are not subject to regular or continual monitoring. Only campus administrators will have access to the recordings, and will grant access as outlined in this section.

Recordings will not be used for teacher evaluations or monitoring. Recordings will only be used for the promotion of student safety.

Following the receipt of an incident report, filed in accordance with Section 3.6, only the following will have access to view the recordings:

- a. Campus administrator trained in de-escalation and restraint techniques;
- b. A peace officer;
- c. A school nurse;
- d. A human resources staff member assigned to investigate;
- e. An employee who is involved in an incident documented by the recording and who requested to view the recording;
- f. A parent/guardian of a student involved in an incident documented by the recording and who requested to view the recording;
- g. Texas Department of Family and Protective Services personnel as part of an investigation under Texas Family Code §261.406;

- h. Appropriate TEA or SBOE Certificate personnel or agents, as part of an investigation

This section does not limit a parent's rights under FERPA if a student is involved in a significant incident recorded by the video equipment. If RICHARD MILBURN ACADEMY receives a request to view a recording under FERPA, RICHARD MILBURN ACADEMY will provide notice to parents within 10 school days of whether the video is a student record defined by FERPA and will be available for viewing.

Section 3.8. Grievance Process. If a person believes that RICHARD MILBURN ACADEMY is not implementing TEC §29.022 or is in violation of TEC §29.022, the person may file a local grievance in accordance with RICHARD MILBURN ACADEMY's grievance policy. The grievance policy can be found RICHARD MILBURN ACADEMY's Board Policy Series 300.

The special education dispute resolution procedures in 34 Code of Federal Regulations do not apply to complaints alleging RICHARD MILBURN ACADEMY is not in compliance with TEC §29.022.

#### **400.110 SECTION 504**

The Board adopts the following policy, which shall be effective on the date of adoption.

##### **SECTION 1. Policy of Nondiscrimination**

It is a policy of RMA not to discriminate based on disability in its educational programs as required by SECTION 504 of the Rehabilitation Act of 1973 (SECTION 504).

##### **SECTION 2. SECTION 504 Coordinator**

The following position is designated as SECTION 504 compliance coordinator:

Jesse Riojas

Regional Director RICHARD MILBURN ACADEMY  
1263 Terminal Loop, McQueeney, TX 78123

##### **SECTION 3. SECTION 504 Committee**

The SECTION 504 committee shall be composed of at least two persons, including persons knowledgeable about the student, the meaning of the evaluation data, the placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

##### **SECTION 4. Training**

The SECTION 504 coordinator and members of the SECTION 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services to those students who have disabilities but who are not in need of special education in accordance with IDEA.

##### **SECTION 5. Notice of Nondiscrimination Policy**

SECTION 5.1. Notification of Nondiscrimination. RMA shall take appropriate steps to notify the parents or guardian of students and students seeking enrollment, and employees, including those with impaired vision or hearing, that it does not



discriminate on the basis of disability.

SECTION 5.2. Contents of Notice. The notice shall state that the school does not discriminate in its educational programs and activities and shall state the identity of the school's 504 coordinator.

SECTION 5.3. Methods of Notification. Methods of initial and continuing notification shall include:

1. Posting of notices;
2. Publication in newspapers and magazines;
3. Placing notices in school publications; and
4. Distributing memoranda or other written communications.

If the School publishes or uses recruitment materials containing general information that it makes available to applicants or employees, it shall include in those materials a statement of its nondiscrimination policy.

**SECTION 6. Identification of Students with Disabilities under SECTION 504 (Child Find)**

SECTION 6.1. School Responsibility. RMA will undertake to annually identify every student with a disability qualifying under SECTION 504 who is enrolled in the school or has contacted the school about enrollment. Identification will occur through routine and periodic screening as well as other means. The school will take appropriate steps to notify the parents or guardians of such students of the school's duty under SECTION 504.

SECTION 6.2. Referrals. A student may be referred by parents, teachers, counselors, administrators, or any other school employee for evaluation to determine if the student has disabilities and is in need of special instruction or services. In accordance with SECTION 10.1, parents shall be given written notice of the school's refusal to evaluate a student or to provide specific aids and services the parents have requested.

**SECTION 7. Free and Appropriate Public Education**

SECTION 7.1. School Responsibility. RMA shall provide a free appropriate public education to each student with a disability who enrolls in the school or program regardless of the nature or severity of the student's disability.

SECTION 7.2. Appropriate Education.

1. For the purpose of compliance with this policy, the provision of an appropriate education is the provision of regular or special education and related aids and services that are:

- a. Designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met; and
  - b. Based upon adherence to procedures that satisfy the requirements of SECTION 9.
2. RMA may implement an Individualized Education Program or Individualized SECTION 504 Plan developed in accordance with SECTION 504 as a means of meeting the standard established in SECTION 7.2(a).
3. RMA may place a student with a disability or refer such a student for aid, benefits, or services other than those that it operates or provides as its means of carrying out the requirements of SECTION 504.
4. RMA shall facilitate accommodations for a SECTION 504 student taking the state-mandated assessments when the accommodations have been determined not to destroy the validity of the test, are necessary for the student to take the test, are consistent with modifications provided the student in the classroom, and are approved by TEA.

SECTION 7.3. Free Education. For the purpose of compliance with this policy, the provision of a free education means the provision of educational and related services without cost to the student with a disability or to his or her parents or guardian, except for those fees that are imposed on students without disabilities or their parents or guardians.

## **SECTION 8. Education Setting**

SECTION 8.1. Academic Setting. RMA shall provide for the education of each enrolled disabled student, within the meaning SECTION 504, in the same setting with students who are not disabled to the maximum extent appropriate to the needs of the disabled student. A disabled student shall be placed in the regular educational environment operated by the school unless it is demonstrated by the school that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever the school places a student in a setting other than the regular educational environment pursuant to this paragraph, the School shall take into account the proximity of the alternate setting to the student's home.

SECTION 8.2. Nonacademic Settings. RMA shall ensure that students with disabilities participate with students who are not disabled in nonacademic activities and services to the maximum extent appropriate to the needs of the handicapped person in question.

SECTION 8.3. Comparable Facilities. If RMA, in compliance with SECTION 8.1, operates a facility that is identifiable as being for handicapped persons, the school shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the school.

## **SECTION 9. Evaluation and Placement**

SECTION 9.1. Preplacement Evaluation. RMA shall conduct an evaluation in accordance with the requirements of SECTION 9.2 and SECTION 9.3 of any student who, because of disability, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement.

SECTION 9.2. Parental Consent. In accordance with SECTION 10.1, the SECTION 504 Committee chairperson shall notify parents prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the student. Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.

SECTION 9.3. Evaluation Procedures. The Superintendent or designee shall establish standards and procedures for the evaluation and placement of students who, because of disability need or are believed to need special education or related services that ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
3. Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

SECTION 9.4. Placement Procedures. In interpreting evaluation data and in making placement decisions, the SECTION 504 Committee shall:

1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
2. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
3. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data,

and the placement options; and

4. Ensure that the placement decision is made in conformity with specifications for educational settings in SECTION 8.

SECTION 9.5. Reevaluation. The Superintendent or designee shall establish procedures, in accordance with SECTION 9.3, for periodic reevaluation of students who have been provided special education and related services. Periodic reevaluation for a student eligible for services under SECTION 504 may be conducted in accordance with the IDEA regulations.

## **SECTION 10. Procedural Safeguards**

### SECTION 10.1. Notification Requirements.

1. Prior to Evaluation. The SECTION 504 Committee chairperson shall notify parents in writing prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the student.
2. Determination of Eligibility/Ineligibility. The SECTION 504 Committee chairperson shall notify parents in writing when a student has been determined to be eligible or ineligible for services under SECTION 504.
3. Significant Change in Services. The SECTION 504 Committee chairperson shall notify parents in writing prior to a significant change in a student's status or services.
4. Refusal of Parental Request. The SECTION 504 Committee chairperson shall notify parents in writing if the school has determined that it will not evaluate a student or to provide specific aids and services the parents have requested.
5. Right to Impartial Hearing. The SECTION 504 Committee chairperson shall notify in writing parents of all students with disabilities of their right to an impartial hearing under SECTION 10.3.

SECTION 10.2. Parental Review of Records. The SECTION 504 Coordinator or designee shall ensure that a parent or guardian is able to examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement upon request.

### SECTION 10.3. Impartial Hearing.

1. Right to a Hearing. RMA shall establish a process that ensures that a parent or guardian has the opportunity for an impartial hearing if they have a concern or complaint about the school's actions regarding the identification, evaluation, or educational placement of a student with disabilities.

2. Impartial Hearing Officer. The impartial hearing shall be conducted by a person who is knowledgeable about the issues involved in SECTION 504 and who is not employed by the school or related to a member of the Board in a degree that would be prohibited under state laws and rules relating to nepotism. The impartial hearing officer is not required to be an attorney.
3. Timeline. The RICHARD MILBURN ACADEMY shall conduct hearings within twenty (20) instructional days after it receives the request, unless the hearing officer grants an extension, and at a time and place reasonably convenient to you.
4. Appeal. If a parent or guardian is dissatisfied with the outcome of the hearing and requests an appeal, the parent or guardian must specify the objections in writing and file them with the Superintendent or designee and the opposing party within twenty (20) instructional days of the date the hearing officer's decision is received. The Superintendent or designee shall appoint an independent appeals officer to conduct a review of the record as a whole. The officer may, at his/her election, conduct the review with or without oral argument. Such review shall be conducted within twenty (20) instructional days of the receipt of the petition to review, unless either party requests an extension of time.

SECTION 10.4. Complaint to Office of Civil Rights. Nothing in this policy shall be construed to deny the right of a parent or guardian to file a formal complaint with the Office of Civil Rights at the U.S. Department of Education.

### **Section 11. Students with Diabetes**

To meet the needs of students with diabetes, RICHARD MILBURN ACADEMY adopts the following policy.

Section 11.1. Diabetes Management and Treatment Plan (DMNT): If a student needs diabetic care while at school, RICHARD MILBURN ACADEMY must have a Diabetes Management and Treatment Plan (DMTP) on file at school. The DMTP must:

1. Identify the health-care services the student may receive at school;
2. Evaluate the student's ability to manage and level of understanding of the student's diabetes; and
3. Be signed by the parent or guardian and the physician. The parent or guardian must submit the DMTP to the school.

Once a DMTP is received by the school, RICHARD MILBURN ACADEMY must review and update the plan prior to the beginning of the school year, upon enrollment, or as soon as practicable following a diagnosis of diabetes for the student.

Section 11.2. Individual Health Plan (IHP): An individual health plan (IHP) for the student will be developed by the campus Director. The IHP must be developed in

collaboration with the student's parent or guardian and, to the extent practicable, the physician responsible for the student's diabetes treatment and one or more of the student's teachers. A student's IHP will incorporate components of the student's DMTP.

In accordance with the student's IHP, student is permitted to attend to the management and care of the student's diabetes, which may include:

1. Performing blood glucose level checks;
2. Administering insulin through the insulin delivery system the student uses;
3. Treating hypoglycemia and hyperglycemia;
4. Possessing on the student's person at any time any supplies or equipment necessary to monitor and care for the student's diabetes; and
5. Otherwise attending to the management and care of the student's diabetes in the classroom, in any area of the school or school grounds, or at any school-related activity.

Section 11.3. Trained personnel: RICHARD MILBURN ACADEMY will ensure that a trained individual is present and available to provide the required care to a student with diabetes during the regular school day.

Section 11.4. Placement: RICHARD MILBURN ACADEMY may not restrict the placement of a student with diabetes to a particular setting on the basis that the campus does not have the required personnel.

Section 11. 5. Extracurricular Activities: Students with diabetes may not be excluded from extracurricular activities or school programs because of their diagnosis. Additionally, a student with diabetes may attend field trips and RICHARD MILBURN ACADEMY cannot require the student's parent to attend.

## **400.120 HEALTH**

The Board adopts the following policy, which shall be effective on the date of adoption.

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

The Superintendent or designee shall ensure compliance with laws and regulations related to immunizations and reportable diseases.

#### **SECTION 1.2. HIV/AIDS STATUS.**

- a. Equitable Treatment. Students with HIV/AIDS have the right to attend school and expect equitable treatment. HIV/AIDS is not a communicable condition for which a child must be excluded from school. A student may not be excluded child from attendance at school or school-related activities solely because of the child's known or suspected HIV status.
- b. Confidentiality. Disclosure of a student's HIV status is a violation of federal and state law. Knowledge of the HIV status of a child shall be kept

confidential by school personnel and shall not be released without the consent of the parent or legal guardian of the child except where release is required or authorized by law. A school teacher does not have a right to know the HIV/AIDS status of a student and may not ask the HIV/AIDS status of a student. Administrators and nurses should help teachers to understand the district's policy regarding students with HIV/AIDS.

- c. Reporting. The Superintendent or designee shall determine if the school has an obligation to report a student's HIV status. The Superintendent or designee must make a report to the Department of State Health Services or other local health authority if he/she determines that the school has an obligation to report a student's HIV status.

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

### **SECTION 2.1. Food Allergy Management in the School Setting.**

- a. Food Allergy Management Team. The Superintendent or designee shall create a food allergy management team to implement, coordinate, and monitor food allergy management at each campus. Members of the team may include: a school nurse, the director, food service staff, custodial staff, a counselor, classroom teacher, and bus driver. The food allergy management team will work with parents in supporting students with food allergies on the campus as well as assist campus staff in implementing procedures and student specific strategies.
- b. Point of Contact. An employee who is knowledgeable about food allergies shall be designated to serve as the point of contact for parents, healthcare providers, and the campus food allergy management team. The designee shall receive ongoing training in the management of food allergies in the school setting, including the provision of administration of epinephrine. The designated employee shall ensure that moderate to severe allergic reactions known to RMA are documented and submitted in an annual report to the Superintendent, who shall present this report to the Board during the annual review of the policies and procedures concerning food allergies and anaphylaxis.
- c. Storage of Medications. The Superintendent or designee shall develop procedures, in accordance with applicable laws, for the storage of medications that are relevant to food allergies and anaphylaxis.

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

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

child has a food allergy or a severe food allergy that, in the judgment of the parent, or legal guardian, should be disclosed to RMA so that any necessary precautions regarding the child's safety may be taken. Such information shall be kept confidential according to law and maintained in accordance with law.

- b. Parent Consent. The Superintendent or designee shall ensure that the School documents and keeps current parent consent for medication administration on file (e.g., epinephrine).
- c. Students Who's Disabilities Restrict Their Diets. Procedures shall be developed to ensure that a student receives substitutions or modifications in school meals whenever RMA receives a licensed physician's assessment indicating that food substitutions or modifications must be made for a student because of food allergies that may result in severe, life-threatening (anaphylaxis) reactions. RMA must receive a signed statement by a licensed physician that identifies: (1) the child's disability; (2) an explanation of why the disability restricts the child's diet; (3) the major life activity affected by the disability; and (3) the food or foods to be omitted from the child's diet and the food or choice of foods that must be substituted.

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

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

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

- a. Procedures. The food allergy management team shall develop procedures that outline district-wide, campus-wide, classroom-wide, and individual



strategies that are to be utilized for managing students with food allergies at-risk for anaphylaxis. In developing these procedures, consideration shall be given in promoting safety in the following areas, including, but not limited to: the cafeteria, all classrooms, hallways, common areas in the school, on the bus, and during all school-sponsored activities, including field trips, athletic events, on-campus, off-campus, and before and after school activities.

- b. Environmental Controls. The food allergy management team shall develop and implement appropriate environmental controls to help minimize the risk of exposure to a food allergen. Environmental controls include, but are not limited to, consideration of the following:
  - i. Identifying high-risk areas in the school and implementing strategies to limit exposure to food allergens and implementing general risk reduction strategies throughout the school and at school-sponsored activities. Students at-risk for anaphylaxis should not be excluded from the classroom activities based on their food allergies.
  - ii. Limiting, reducing, and/or eliminating food from the classroom(s) and other learning environments used by children with food allergies at-risk for anaphylaxis.
  - iii. Notifying and educating school staff and parents of the need to limit foods as needed on the campus, in the classroom, or at school sponsored activities.
  - iv. Developing procedures for the management of parent-provided classroom snacks as allowed by Texas statute, with consideration given to students with food allergies at-risk of anaphylaxis.
  - v. Implementing appropriate cleaning protocols in the school, with special attention to identified high-risk areas.
  - vi. Providing training to the school food service departments to reduce the risk of cross-contamination during food preparation and food service, as well as minimizing foods served in the cafeteria that may contain food allergens.
  - vii. Providing training on food allergy awareness to teachers, staff, and parents.
  - viii. Posting of visual reminders promoting food allergy awareness.
  - ix. Educating children about not trading or sharing food, snacks, drinks, or utensils.

- x. Implementing hand-washing protocols before and after meals. Hand washing should be done with soap and water, as hand sanitizers are not sufficient for removing allergens.
- xi. Assign staff trained in the administration of epinephrine as monitors in the food service area, as appropriate.
- xii. Provide ready access to epinephrine in an accessible, secure but unlocked area.
- xiii. Consider risk reduction strategies for the school bus, during extracurricular activities, on field trips, during before-and after school activities, and at sporting events.
- xiv. Reinforce rules and expectations about bullying, including bullying of students with food allergies.

SECTION 2.5. Training for School Staff on Anaphylaxis and Emergency Response. At a minimum, all school staff shall be annually trained to recognize and manage a life threatening anaphylactic reaction. The School may implement a tiered approach including an “awareness training” for all staff and a more “comprehensive training” for the campus food allergy management team and school staff members that will be responsible for the care of individual students.

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

plans on the campus.

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

- a. Identify, if possible, the source of allergen exposure and take steps to prevent future reactions.
- b. Review accurate and updated information on the allergic reaction including any new medication(s), which would require new consent forms to be signed by the parents.
- c. Identify and interview those who were involved in the emergency care of the student and those that witnessed the event.
- d. Meet with school staff to review the implementation of procedures.
- e. If the allergic reaction is thought to be from food provided by the school food service, work with the school food service department to ascertain what potential food item was served/consumed, how to reduce risk in the cafeteria by reviewing food labels, minimizing cross-contamination and other strategies.
- f. Review of the FAAP/EAP, IHP, and/or 504 Plan and amend to address any changes that were made by the student's healthcare provider.
- g. If an epinephrine auto-injector was utilized during the reaction, ensure that the parent/guardian replaces it with a new one.

SECTION 2.7. Review of Policies & Procedures. Policies and procedures associated with food allergies and anaphylaxis shall be reviewed and updated, when necessary, at least annually. The review shall include, but is not limited to, looking at the following information: the current science on management of food allergies in the school setting; a review of the school district's annual incident report summaries; a review of current policies and procedures; and recommendations brought forth by the campus food allergy management team.

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

SECTION 3.1. Written Request Required. Unless otherwise authorized by this policy, employees, agents, and volunteers are prohibited from administering any medication to students, including vitamins and food supplements.

The director of each campus shall ensure that a written request to administer

prescription medication to a student is received from the student's parent, legal guardian, or person having legal control of the student before prescription medication may be administered by any employee.

SECTION 3.2. Authorized Employees. Employees authorized to administer prescription medication include:

- a. A registered nurse;
- b. Director
- c. Campus Instructional Coordinator
- d. Counselor

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

- a. A container that appears to be in the original container and properly labeled; or
- b. From a properly labeled unit dosage container filled by an authorized employee from a container described by SECTION 2.3(a).

SECTION 3.4. Self-Administration of Prescription Asthma or Anaphylaxis Medicine. The director of each campus shall ensure that a student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine in accordance with legal requirements.

#### **SECTION 4. Psychotropic Medication**

SECTION 4.1. Employee Prohibition. An employee may not:

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

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

- a. Making an appropriate referral under the Individuals with Disabilities in

Education Act;

- b. Recommending that a child be evaluated by an appropriate medical practitioner if the employee is a registered nurse, advance nurse practitioner, physician, or certified/credentialed mental health professional;
- c. Discussing any aspect of a student's behavior or academic progress with the student's parent/guardian or an appropriate RMA employee.

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

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

Students are also prohibited from possessing tobacco products at a school-related or school-sanctioned activity, on or off school property. See the RMA Student Code of Conduct.

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

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

### **400.140 STUDENT SAFETY**

The Board adopts the following policy, which shall be effective on the date of adoption.

#### **SECTION 1. Discipline**

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

SECTION 1.2. Distribution of Code of Conduct. The director of each campus shall ensure that the student code of conduct is distributed or otherwise made available to each student and parent at the beginning of the school year. Transfer students shall receive a student code of conduct upon enrollment.

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

#### **SECTION 2. Transfer Option for Victims of Violent Acts**

The School may allow for the transfer of a student to attend a safe school if the student becomes a victim of a violent criminal offense while on a school campus or on any school property, or while attending a school-sponsored or school-related activity. A request for transfer under this provision should be submitted to the campus director.

### **SECTION 3. Child Abuse, Maltreatment and Neglect**

SECTION 3.1. Sexual Abuse of Children, Neglect and Maltreatment of Children. The Superintendent or designee shall:

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

SECTION 3.2. Required Child Abuse Training.

- a. As part of new employee orientation, new employees and those existing employees who have not yet received such training, shall receive training concerning prevention techniques for, and recognition of, sexual abuse, neglect and all other maltreatment of children. Any employee may annually receive training in these areas, as determined appropriate by RMA.
- b. Training under this SECTION shall comport with legally mandated criteria.

SECTION 3.3. Reporting Child Abuse. An employee, volunteer, or agent of RMA that believes a child has been, is being, or will be adversely affected by physical or mental abuse or neglect shall make a report within 48 hours of first suspecting such abuse or neglect. The report shall be made to law enforcement or the Department of Family and Protective Services, Child Protective Services. Notice of this requirement is disseminated to all employees, volunteers, and agents.

RMA shall post a sign in English and in Spanish that contains the toll-free number operated by the Department of Family and Protective Services to receive reports of child abuse or neglect in a clearly visible location in a public area of each campus that is readily accessible to students.

### **SECTION 4. School Visitors**

SECTION 4.1. Visitors. Conspicuous signs shall be posted at each campus entrance requiring all visitors to sign-in at the school campus administrative office. All visitors must present a form of identification or at a minimum their name and date of birth. Each visitor shall be processed through the Texas Department of Public Safety's Sex Offender Registry Search or other database system which checks for sex offender status. All visitors will be issued a badge that is to be worn at all times while visiting the school campus. Upon their departure each visitor must sign-out at the campus administrative office and return the visitor's badge.

Visitors who do not submit a form of identification or their name and date of birth for

the purpose of checking sex offender status shall not be allowed on school grounds.

SECTION 4.2. Registered Sex Offenders. Except as provided below, registered sex offenders are prohibited from entering school grounds.

- a. A parent/guardian who is also a registered sex offender may enter school grounds for the following limited purposes:
  - i. To meet with campus employee(s) and discuss the academic and/or social progress of the parent/guardian's child;
  - ii. When the director has requested the parent/guardian's presence for any other reason concerning the parent/guardian's child; or
  - iii. To pick up their child from school.
- b. Requirements for the Exception to Apply:
  - i. Before entering school grounds, the parent/guardian must notify the director of the purpose of the visit and when the visit will occur, including date and time.
  - ii. The director shall notify the campus administrative offices of the parent/guardian's visit.
  - iii. The parent/guardian must check in at the campus administrative office upon arrival and departure from the school.
  - iv. The parent/guardian must remain under the direct supervision of staff at all times.

SECTION 4.3. Protective Orders. Employees shall comply with all legally issued and binding court orders pertaining to RMA students.

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

SECTION 5.1. Weapons Prohibited. RMA prohibits the use or possession of any firearm, illegal knife, club, or other weapon while on the premises of the school or any school grounds or building in which a school activity is being conducted.

SECTION 5.2. Handgun Prohibition. RMA prohibits the use or possession of a handgun (concealed or open carry) on all RMA-controlled campuses and property, even if the handgun is carried by a licensed handgun holder. Signs containing the statutorily required notice language shall be placed on RMA-controlled property in accordance with the law.

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

Industrial-quality, eye-protective devices, meeting the recommended guidelines adopted

by the Texas Department of Health, shall be worn by all employees, students, and visitors participating in activities and programs that involve:

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

### **SECTION 8. Internet Use**

SECTION 8.1. Computer System Access. Access to all RMA computers, computer networks, electronic mail, and the Internet is for educational and administrative purposes. All users shall be required to agree in writing to comply with the policies and procedures in regards to such access. Failure to comply may result in disciplinary action.

SECTION 8.2. Protection Measure. RMA shall utilize a filtering device or software that prevents any computer, electronic device, and Internet service, from accessing material that is obscene, child pornography, or harmful to minors.

SECTION 8.3. Internet Safety. RMA shall implement a safety plan that ensures:

- a. Online activities of minors are monitored;
- b. Students' Internet access to inappropriate material is controlled;
- c. Students' safety is ensured when using electronic communication,



including, but not limited to electronic mail, social networking sites, and chat rooms;

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

SECTION 8.4. Monitored Computer Use. The use of RMA computers, other electronic devices, and/or Internet system is not confidential and users do not have a reasonable expectation of privacy in regards to their activities while using RMA equipment, systems, and networks. RMA may from time to time monitor user activity to ensure appropriate use.

### **SECTION 9. Prohibition Against Harassment, Intimidation, or Bullying**

RMA strives to provide students and staff with a school environment free from harassment, intimidation and bullying.

SECTION 9.1. Prohibition. RMA explicitly prohibits harassment, intimidation, and/or bullying on the basis of race, color, national origin, sex, disability, age, sexual orientation, and/or religion. RMA prohibits harassment, intimidation, or bullying in any form at school, school-related events, including off-campus events, school-sponsored activities, school buses or any event related to school business.

SECTION 9.2. Definition. Harassment, intimidation, or bullying means engaging in written or verbal expression, expression through electronic means, through the use of cell phones, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the school and that:

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

SECTION 9.3. Reporting. RMA encourages students who believe they are being subjected to harassment, intimidation, or bullying and students who have first-hand knowledge of such harassment, to report the matter promptly to any RMA employee, adult volunteer, contractor, or agent who is not involved in the alleged harassment, intimidation or bullying. Any RMA employee, adult volunteer, contractor or agent who

witnesses, overhears or receives a report, formal or informal, written or oral, of harassment, intimidation, or bullying shall promptly report it in accordance with procedures developed under this policy. All reports shall be made in good faith.

The Superintendent shall ensure that the following additional steps are taken in order to ensure implementation and compliance with this policy:

- a. This policy and any associated procedures shall be annually disseminated to all students, parents, employees, volunteers, contractors and agents.
- b. Annually disseminating age-appropriate information to students on the recognition and prevention of harassment, intimidation, or bullying;
- c. Provide annual staff development training in harassment, intimidation, and bullying prevention, awareness, and reporting.
- d. Identify of school officials responsible for investigating reports and making decisions based on the outcome of the investigation;
- e. Procedures for reporting incidents and the immediate, appropriate, and impartial investigation of incidents which includes:
  - i. conducting interviews of all students involved;
  - ii. conducting interviews of witnesses; and
  - iii. investigating the circumstances of the incident, including events or incidents that preceded the incident;
- f. Prompt notification of the parents of all students involved;
- g. Procedures for resolving complaints that include proper application of consequences consistent with policy and with consideration for state and federal IDEA requirements;
- h. Procedures for parties to appeal the determination of the investigation;
- i. Sets out available counseling options for a student who is a victim of harassment, intimidation, and/or bullying; and
- j. Sets out available counseling options for a student who engaged in conduct that was harassing, intimidating, and/or bullying.

If an investigation reveals that harassment, intimidation, or bullying has occurred, the appropriate administrator shall take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent harassment from recurring.

SECTION 9.5. Consequences. Any person found to have engaged in harassment, intimidation, and/or bullying in violation of this policy may be subject to disciplinary action up to and including expulsion from the School. Any staff member who permits harassment, intimidation, or bullying of a student may be subject to disciplinary

action up to and including termination of employment. Any employee who receives complaints of harassment, intimidation, and bullying and does not act promptly or does not forward the complaint to the employee's supervisor shall be subject to disciplinary action up to and including termination of employment.

SECTION 9.6. Retaliation Prohibited. RMA prohibits retaliation against any person who in good faith reports an act of, or participates in an investigation into allegations of, harassment, intimidation, or bullying.

#### **400.160 MISCELLANEOUS PROVISIONS RELATING TO STUDENTS**

The Board adopts the following policy, which shall be effective on the date of adoption.

##### **SECTION 1. Religious Discrimination Prohibited**

RMA prohibits discrimination, harassment, or retaliation on the basis of religion. Students have the right to silently pray or meditate so long as it does not disrupt the instructional or other activities of the school. No student shall be required, encouraged, or coerced to engage in or to refrain from prayer or meditation during any school activity.

##### **SECTION 2. Homeless Children**

SECTION 2.1. Homeless Liaison. The school director is appointed the homeless liaison, and shall be responsible for working with and assisting homeless students and their parents/guardians, and ensuring legal compliance with the McKinney-Vento Homeless Assistance Act of 1987.

##### **SECTION 3. The Texas Virtual School Network (VSN).**

SECTION 4.1. Enrollment in VSN Courses. Students shall have the opportunity to enroll in courses through the Texas Virtual School Network (VSN) in accordance with this Policy. A student enrolled full-time shall not be denied enrollment in an electronic course through the VSN unless RMA determines:

- a. The student requests to enroll in a VSN course(s) that is inconsistent with the student's graduation plan, the requirements for college admission or the requirements for earning an industry certification (as applicable to the student);
- b. The student seeks to enroll in a VSN course prior to, or after the expiration of, the course enrollment period;
- c. RMA offers a substantially similar course;
- d. The student seeks to enroll in more than three electronic courses through the VSN at no cost to the student.

SECTION 4.2. Inducements Prohibited. No employee, Board member or other representative of RMA shall promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the Texas VSN.

SECTION 4.3 Fees for Enrollment in Additional VSN Courses.

RMA shall charge a fee for a student seeking to enroll in a course through the VSN if the Superintendent or designee determines:

- a. the student seeks to enroll in a course through the VSN that is beyond the normal course load taken by students in the equivalent grade level; or
- b. the student is currently enrolled in three (3) full-time courses through the VSN and the student seeks to enroll in an additional course through the VSN.

The fee charged for enrollment in a course through the VSN under this policy shall not exceed the lesser of the cost of providing the course or \$400.

SECTION 4.4 Parental Notification. The director of each campus shall be responsible for annually distributing a copy of this policy to a parent of each student enrolled in the school.