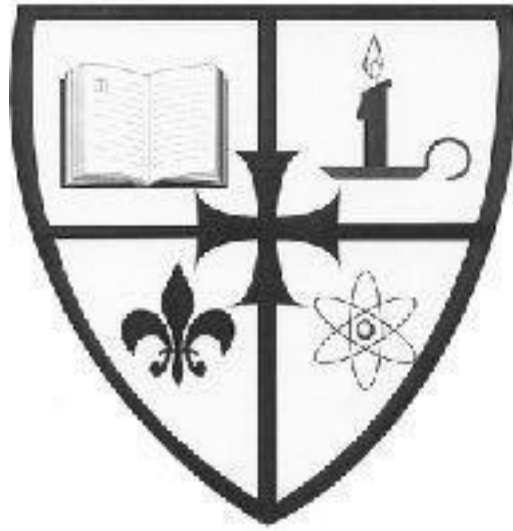


# St. Mary's Academy Charter School



2020-2021

**PARENT AND STUDENT HANDBOOK**

**AND**

**STUDENT CODE OF CONDUCT**

## **Important Items to Know about OUR School**

**Official Name: St. Mary's Charter School**

Unofficial Name: St. Mary's Academy Charter School (SMACS)

### **MISSION STATEMENT**

**The mission of St. Mary's Academy Charter School is to establish a challenging curriculum taught in a safe, nurturing, educational environment where children are free to reach their fullest potential**

### **ST. MARY'S ACADEMY CHARTER**

#### **SCHOOL VISION STATEMENT**

**Students at St. Mary's Academy Charter School will achieve academic excellence, act as responsible citizens and have a strong moral foundation.**

**The long-range vision of St. Mary's Academy Charter School is to prepare students for the challenges they will meet living in the 21st century. In order to accomplish this the school will have rigorous academic standards, a code of conduct.**



St. Mary's Academy Charter School  
507 North Filmore • Beeville, Texas 78102  
School Office (361)358-5601 • Fax (361) 358-7939

## Welcome Back

The beginning of the year always holds such excitement and promise for us. It is an annual practice of opening our doors to share with you our hopes and dreams for the year. I speak for all of St. Mary's Academy Charter School (SMACS) staff when I say, "What a blessing and a privilege it is to serve you, and the sky's the limit – especially if you're an Eagle!"

This is the time of year when we identify our goals and determine how we will spend our time, energy, and resources in the service of our students. Our teachers and our school Campus Improvement Committee are already working on our official Campus Plan. I'll spare you the details and hit some important highlights. I would like to outline what I believe to be the three most critical measures for SMACS, and how these will manifest themselves this year.

The 2019-2020 School Year with the COVID-19 virus brought more challenges than usual. Many of these changes will be carried into the 2020-2021 School Year.

- Student Wellness:

SMACS is a place where we build relationships and create a sense of wellness. We will work with students on self-esteem, respecting differences among each other, and becoming aware that all students have their own uniqueness they bring to our school community. COVID -19 has not changed the above objectives. It has, however given us additional guidance and procedures to follow in order to provide a safe environment to our faculty, staff, students and families. These include mandatory procedures which are outlined in the "Covid-19 Plan which is hereby incorporated into this document.

- Academic Growth:

SMACS is a place where all students will grow academically. The 2019-2020 School Year was especially challenging. Unofficial early year testing showed the possibility of exciting gains school wide. STAAR This year we are faced with the challenge of ensuring that any academic losses from COVID-19 are resolved while returning to our usual outstanding academic growth during the year.

- Technology:

SMACS is a place where all students have meaningful opportunities to solve authentic, and relevant problems. Our world is changing, and the classroom of the future is vastly different from that of the past. Our generation Z children have grown up Googling everything they need to know. Using technology to link their curiosity and innovative ideas to the "real world" will create leaders. The world has certainly changed in the past year, but together we will meet the challenges. This year students will continue to utilize technology to respond to the pandemic.

Fostering student wellness, academic growth, and technology advancement will send our students forward with the skills to succeed in our ever changing world.

Thank you,

*Hirma Elizondo*

Hirma Elizondo  
St. Mary's Academy Charter School Principal

## HANDBOOK OVERVIEW

This Handbook is an overview of our school's goals, services, and rules. It is an essential reference book describing what we expect of our students and parents, what they can expect of us, and how we will achieve our educational mission. We have attempted to make the language in this Handbook as straightforward as possible. Please note that the term "parent" is used to refer to the parent, legal guardian, or other adult who has agreed to assume school-related responsibility for a student. Additionally, you will notice throughout this Handbook symbols that indicate whether a policy applies only to students at certain grade levels.

This Handbook is divided into multiple sections. The first section includes general information regarding school policy and procedures. The second section provides important health and safety information. The third section provides information about academics and grading. The fourth section is the Student Code of Conduct and is required by state law and intended to promote school safety and an atmosphere for learning. In addition to its inclusion in this document, it is also posted on the school website. The fifth section is especially for parents, with information regarding parental rights, including the St. Mary's Academy grievance policy. Finally, the sixth section contains important notices regarding student information, computer resources, and electronic communication devices.

This Handbook is written to be consistent with Board Policy. While this Handbook is updated yearly, Board policy revisions and adoptions may occur throughout the year. Changes in policy that affect Handbook provisions will be made available to students and parents through newsletters, the school website, and other communications. *Should there be a conflict between Board Policy and any provision of this Handbook, the provision that was most recently adopted by the Board of Directors will be followed.*

**NOTE: All references to parent are to be construed to include the legal guardian as appropriate.**

Please review the entire Handbook and use it as reference during this school year. Parents or students with questions regarding this Handbook should contact the Principal or designee. Understanding the information in our Handbook will help us all to be better parents, students and staff of St. Mary's Academy and lead to a successful year by working together. The Handbook is online on the SMACS webpage. [www.smacs.net](http://www.smacs.net). Click on the Students and parents tab and it will be there.

**Finally, you must complete and return the last page of the Handbook – "Acknowledgment of Student/Parent Handbook" – to the school office within five days of the receipt of the attached forms.** This year the Handbook is being printed only upon request. You may obtain or review a hard copy of the Handbook at the School Office. The **Acknowledgement** has been modified to reflect this change.

On behalf of the entire St. Mary's Academy staff and community, welcome again and best wishes for a great **2020-2021**.

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# SECTION I — GENERAL POLICIES AND PROCEDURES

## Notice of Non-Discrimination

St. Mary's Academy Charter School does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing educational services, activities, and programs, including vocational and career and technical education programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendment of 1972; Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended; and any other legally-protected classification or status protected by applicable law.

The following staff members have been designated to coordinate compliance with these requirements:

Section 504 Coordinator, for concerns regarding discrimination on the basis of disability:

Name: **Hilda Elizondo**  
Position: Chair, Section 504 Committee  
Address: 507 N Filmore, Beeville TX 78102  
Phone: 361-358-5601 ext. 1270

## General Admissions and Enrollment Information

Admission and enrollment of students shall be open to persons who reside within the geographic boundaries stated in the School's charter and who are eligible for admission based on lawful criteria identified in the charter and in state law. The total number of students enrolled in the School shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by St. Mary's Academy based on occupancy limitations, code compliance and staffing requirements as deemed necessary. For admission after August 1, 2020, the State is requiring that all charter schools open-enrollment charter schools use a Charter Student Admission Application (CSAA). These forms will be available online and may be requested through the SMACS' Registrar's Office.

In accordance with State law, St. Mary's Academy does not discriminate in its admissions policy on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic or athletic ability, or the district a student would otherwise attend.

## Exception to Admission No Longer Exists

**Effective August 1, 2020, there is no longer an exception to admission. This will apply whether or not there is a COVID-19 issue. Information regarding the applicant's criminal, juvenile court adjudication, or disciplinary history is not collected on the CSAA.**

**Exclusion of a student who has a documented history of a criminal offense, a juvenile court adjudication, or certain discipline problems in accordance with the Texas Education Code and the school's charter may still be excluded from enrolling in the school if the issues are in accordance with the SMACS' charter and Tex Educ. Code section 12.111(t)(A).**

## Submission of Applications and Admissions Lottery

The School requires applicants to submit a completed CSAA application form in order to be considered for admission. An admissions lottery will be conducted if the total number of applicants exceeds the number of open enrollment spots. Each applicant will be assigned a number, and all numbers will be placed in a container and randomly drawn one number at a time by the Principal or designee. Each applicant whose number is drawn will be offered admission. Notification will be made by telephone, e-mail or U.S. Postal Service. Failure of an applicant to respond within 48 hours of the date of the telephone call or e-mail, or within three business days of a post-marked letter, will result in the forfeiture of his or her position in the application process. Parents notified by mail should call the admitting campus immediately upon receipt of the notice in order to preserve their child's position in the lottery.

Once all enrollment spots have been filled by the lottery, the remaining numbers will be drawn, and the applicants assigned to these numbers will be placed on a waiting list in the order in which they were drawn. If a vacancy arises before the commencement of the school year, the individual on the waiting list with the lowest number assignment will be offered admission and then removed from the waiting list.

If an application is received after the application period has passed, the applicant's name will be added to the waiting list behind the names of the applicants who timely applied.

**Exceptions:** Federal guidelines permit the School to exempt from the lottery students who are already attending the School; siblings of students already admitted to or attending the School; and children of the School's founders, teachers and staff, so long as the number of these students constitutes only a small percentage of the School's enrollment.

## Student Information

Any student admitted to the School must have records such as report card and/or transcript from the previous school attended to verify his or her academic standing. Verification of residency and current immunization records are also required. Every student enrolling in the School for the first time must present documentation of immunizations as required by the Texas Department of State Health Services. Any student includes both

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

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

## Food Allergy Information

The parent of each student enrolled at the School must complete a form provided by the School that discloses (1) whether the child has a food allergy or a severe food allergy that should be disclosed to the School to enable the School to take any necessary precautions regarding the child's safety and (2) specifies the food(s) to which the child is allergic and the nature of the allergic reaction. This information will be required of students whether or not they are enrolled in remote only classes as the possibility of on campus meals exists.

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

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

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

## Residency Verification

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

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

(permits will serve as evidence of residency for the school year in which admission is sought only).

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

# Withdrawals

## Voluntary Withdrawal

A student under 18 years of age may be withdrawn from school only by a parent. St. Mary's Academy requests notice from the parent at least three days in advance so that records and documents may be prepared. Parents may obtain a withdrawal form from the main office. The parent shall also provide the name of the new school in which the student will be enrolled, and must sign the withdrawal request to document that the student will continue to be enrolled in a school as required by compulsory attendance laws.

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

Withdrawing students and parents are expected to:

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

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

## Involuntary Withdrawal

St. Mary's Academy may initiate withdrawal of a student under the age of 18 for non-attendance if:

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

## Changes Required by COVID-19

**Note the Official Calendar has changed to an Intersessional Calendar**

**The Current Calendar can be found at <http://www.smacs.net/>**

# PARENTAL RESPONSIBILITIES

## Leaving Campus During the School Day

Because class time is important, doctors' appointments should be scheduled, if possible, at times when the student will not miss instructional time.

Any student attending class whether remotely or on campus who will need to be absent during designated class time must submit a note to the School office from his or her parent providing the following information:

1. Student's name,
2. Reason for student's need to be absent from instruction,
3. Time student will need to be gone from campus or instruction.
4. Phone number where parent may be reached to confirm parent's permission,
5. Parent's name, and
6. Parent's signature.

No student will be permitted to leave campus before the School office confirms the student's need to leave campus with the student's parent by phone.

Students who fail to check in or out before leaving and/or returning to instruction will be considered truant from any instructional hours missed.

Students will not be allowed to leave in the custody of any person not named on the Student Registration Card. Photo identification is required to pick up a student.

## **Conferences with Teachers and Principal or Designee**

Because the Principal or designee and teachers serve students during the school day, they are often unable to accommodate unscheduled telephone calls or in-person conferences. When parents feel it necessary to contact the Principal or a teacher, they are encouraged to leave their telephone numbers with the School office so that the Principal or teacher may return the call later. Personal conferences are also welcome and may be scheduled through the School office. Parents may also communicate with the Principal or teachers via e-mail regarding school-related business.

Due to the Covid-19 pandemic, visits to campus are restricted in order to provide for the health of our students and staff.

Procedures are addressed in [Visitors](#)

[Visitors](#)

## **Pledges of Allegiance and Moment of Silence**

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the Principal or designee at the School office to excuse their student from reciting a pledge. This applies to students in group instruction when the pledge is done.

State law requires that one minute of silence will follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. In addition, state law requires that the School provide for the observance of one minute of silence at the beginning of the first class period when September 11 falls on a regular school day in remembrance of those who lost their lives on September 11, 2001.

## **Recitation of the Declaration of Independence**

State law requires students in social studies classes in grades 3–6 to recite a portion of the text of the Declaration of Independence during “Celebrate Freedom Week.” A student will be exempted from this requirement if a parent provides a written statement requesting that the student be excused, the School determines that the student has a conscientious objection to the recitation, or the parent is a representative of a foreign government to whom the United States extends diplomatic immunity.

## **Respect for All**

The School has a diverse student population and strives to maintain an environment of respect and acceptance. Students must not engage in harassing behaviors toward students and school staff that are motivated by race, ethnicity, gender, sexual orientation, color, religion, national origin, disability or age.

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

## **School Calendar**

The School operates according to the school calendar adopted annually by the Board of Directors. Holidays may be used as school make-up days for days lost due to bad weather. The latest changes to the calendar will be available on the School website.

## **Daily Schedule**

**The School Day for ALL** grades will run from 8:00 A.M. to 3:45 P.M.

## **Textbooks and Curriculum Materials**

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

Students must return all textbooks and supplemental materials to the teacher at the end of the school year or when the student withdraws from school. Any student failing to return issued materials in an acceptable condition loses the right to free textbooks and educational materials until the student and/or parent pays for the damages. However, a student will be provided textbooks and educational materials for use during the school day. The School may reduce or waive the payment

requirement if the student is from a low-income family. Release of student records, including official transcripts, will be delayed pending payment for lost or severely damaged textbooks.

## Transcripts

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

## Tutorials

Students are encouraged and may be required to see teachers for tutoring. Parents desiring information concerning their student's tutoring should contact the student's teacher.

## School Facilities Use

Students should not arrive at school prior to 7:00 am. However, for the benefit of students and parents, certain areas of the School will be accessible to students before and after school for specific purposes. These areas include the cafeteria and any other area designated by the Principal or designee for students who arrive early or stay after school.

Students must leave campus immediately after school dismisses in the afternoon, unless they are involved in an activity under the supervision of a teacher or sponsor. If a student is involved in an after-school activity, he or she must remain in the area where their activity is scheduled to take place. The student may not go to another area of the school without permission by the teacher or sponsor overseeing the activity.

## School Functions

Teachers and administrators have full authority over student conduct during before or after-school activities on School premises and at School-sponsored events off school property, including but not limited to rehearsals, club meetings, athletic practices, and special study groups and tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the Student Code of Conduct. Students may also be subject to any rules of conduct established by the activity's sponsor.

## School-Sponsored Trips

**While the COVID-19 VIRUS DOES NOT ALLOW FOR FIELD TRIPS, ONCE WE ARE ABLE TO RESUME SCHOOL-SPONSORED TRIPS, THE FOLLOWING INFORMATION WILL APPLY:**

School-sponsored trips are made each year for the various activities in which students participate. The following regulations govern trips sponsored by the School:

1. Students missing school when on a School-sponsored trip are not counted absent but are required to make up the work missed. Arrangement should be made with each teacher for make-up work before the trip is made.
2. Students are responsible for observing all safety rules during the trip.
3. Students participating in the trip are under the supervision of a sponsor and are expected to follow the School's Student Code of Conduct and dress code.
4. **No student will be allowed to participate in any school sponsored trip without a signed permission slip being received by the school prior to that field trip. There are no "blanket" permission slips.**

## Fees

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. Students are expected to provide their own consumable items, such as pencils, paper, pens, erasers, notebooks, calculators, headsets, etc. Students may be required to pay certain fees or deposits, including:

1. A fee for materials for a class project that the student will keep, if the fee does not exceed the cost of materials;
2. Membership dues in voluntary student clubs or organizations and admission fees to extracurricular activities;
3. A fee for personal physical education and athletic equipment and apparel, although a student may provide the student's own equipment or apparel if it meets reasonable requirements and standards relating to health and safety;
4. A fee specifically permitted by any other statute.

St. Mary's Academy may waive any fee or deposit if the student and parent are unable to pay. A request for such a waiver must be made in writing to the Principal or designee and include evidence of inability to pay. Details for the fee waiver are available in the Principal's office.

## **Meals**

St. Mary's Academy participates in the National School Lunch Program and offers nutritionally balanced breakfasts and lunches to all students free of charge. Guidelines set by the Texas Department of Agriculture ("the TDA") and United States Department of Agriculture ("USDA") are followed to meet the nutritional needs of all students.

. Please see the Principal or designee to receive additional information or to apply.

Special dietary needs or restrictions should be communicated to the Principal or designee.

## **Menus**

Menus are available on the School website, [www.smacs.net](http://www.smacs.net).

## **Payment for Meals**

**All SMACS STUDENTS ARE ENTITLED TO A FREE BREAKFAST AND A FREE LUNCH.**

**SY 2020-2021 Prices are the same as 2019-2020 Prices**

Staff breakfast:	2.25
Staff lunch:	4.00
Milk/Juice	.50

NO TEA

Cups for ice:	.25
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Visitor breakfast:	2.50
Visitor lunch:	4.50

Salads:	4.00
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**If a student receives two breakfast meals in a day, the parents will be charged \$1.50 for the second breakfast.**

**If a student receives two lunches in a day, the parents will be charged \$2.50 for the second lunch.**

## **State-Mandated Nutrition Guidelines**

The TDA places strict limits on any food or drink provided or sold to students other than through the School's Food and Nutrition Services. More detailed information may be obtained at the school office or online at [www.squaremeals.org](http://www.squaremeals.org). We encourage parents to help the school and their student adhere to the newly adopted Nutrition Guidelines to promote a healthy diet.

***In addition, meals for students who are not your own child are not permitted. Such meals may create a health and safety issue for students on medication, special diets and/or those who are allergic to certain types of foods. Bringing such a meal for a student who is not your child may also be against the wishes of that student's parents.***

## **Messages for Students**

It is not possible to receive and deliver telephone messages and/or supplies to students without interrupting classes and interfering with the learning environment. In the case of an emergency, the School office should be contacted for assistance at 361-358-5601 Ext 1000.

## **Displaying a Student’s Artwork, Projects, Photos, and Other Original Work**

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

## **Visitors**

St. Mary’s Academy welcomes visitors for educational purposes. For the safety of those within the School and to avoid disruption of instructional time, all visitors – including parents – must first report to the main office, present a valid photo ID, sign-in, and obtain a visitor’s badge.

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

- Require the visitor to display his or her driver’s license or another form of identification issued by a governmental entity containing the person’s photograph.
- Establish an electronic database for the purpose of storing information concerning visitors. Information stored in the electronic database may be used only for the purpose of School security and may not be sold or otherwise disseminated to a third party for any purpose.
- Verify whether the visitor is a sex offender registered with the computerized central database maintained by the Department of Public Safety or any other database accessible by the School.
- Require the visitor to comply with all campus requirements for visitors.

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

Visits to individual classrooms during instructional time are permitted only with approval of the Principal or designee and teacher, and as long as the duration or frequency of the visits do not interfere with the delivery of instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

## **Change of Address or Telephone Number**

Parents are responsible for notifying the School when a student’s address or telephone number changes. Proof of residency at the new address may also be required.

## **Check Acceptance Policy**

All personal checks written to the School must include the current address and phone number of the account holder. The account holder’s name should also be legible and printed on the check.

The School may collect any applicable services fees in the event that a check written to the School is returned unpaid by the bank.

## **Deliveries**

Packages for students such as flowers, balloons, etc., must be delivered to the School Office., These items will not be delivered to the classroom.

## **Distribution of Materials or Documents**

# **ATTENDANCE POLICY**

Regular school attendance is essential for the student to make the most of his or her education and to benefit from teacher-supervised activities, to build each day’s learning on that of the previous day, and to grow as an individual. Absences from class will affect a student’s ability to succeed in class; therefore, students and parents should make every effort to avoid



unnecessary absences. Regular attendance is critical to SMACS' success Two state laws – one dealing with compulsory attendance, the other with attendance for course credit – are of special interest to students and parents. These laws are discussed below.

## **Compulsory Attendance**

State compulsory attendance laws generally require all children between the ages of 6 and 19 to attend school each day that school is in session. Pre-Kindergarten and Kindergarten students are subject to compulsory school attendance rules while they are enrolled in school.

## **Attendance for Credit or Final Grade**

In determining whether there were extenuating circumstances for the absences, the Attendance Committee will use the following guidelines:

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

If credit is lost because of excessive absences, the attendance committee will decide how the student may regain credit or earn a final grade. If the committee determines there are no extenuating circumstances and that credit or a final grade may not be earned, the student or parent may appeal the committee's decision to the Board of Directors by filing a written request with the Principal. The appeal notice must be postmarked to the following address within 30 days following the last day of instruction in the semester for which credit was denied:

Name:	Ms. Hirma Elizondo
Position:	Principal
Address:	507 N. Filmore Beeville TX 78102
Phone:	361-358-5601 ext. 1080

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

## Excused and Unexcused Absences

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

Religious holy days;

- Required court appearances;
- Activities related to obtaining United States citizenship;
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student's arrival or return to campus;
- For students in the conservatorship (custody) of the state;
- Mental health or therapy appointments; or
- Court-ordered family visitations or any other court-ordered activity provided it is not practicable to schedule the student's participation in the activity outside of school hours.

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

For religious holy days, a required court appearance, activities related to obtaining citizenship, and service an election clerk, one day of travel to the site and one day of travel from the site shall also be excused by the School.

### Unexcused Absences

Any absence not listed above will be considered an unexcused absence. Examples of unexcused absences include, but are not limited to:

- Car trouble;
- Failure to bring a written note within two school days following an absence;
- Leaving school without the permission of the Principal or designee or another administrator;
- Oversleeping;
- Personal business;
- Vacations.

## Required Documentation of Absences

When a student must be absent from school, parents are responsible for calling the School office each day to explain the reason for the student's absence. This applies to students in any group instruction whether remote or on campus. Upon returning to school, the student must bring a note to the School office, signed by the parent, which describes the reason for the absence. In order to excuse the absence, the note must:

- Be submitted to the School office within two school days of the student's return to school, and
- Describe an acceptable reason for the absence (see "Excused and Unexcused Absences" above).

## Notification to Parents

The School will notify the parent by mail when the student is absent from school, without excuse, on three days or parts of days within a four-week period. This applies to any student who misses scheduled class time. The notice will inform the parent that it is the parent's duty to monitor the student's school attendance and require the student to attend school, the parent is subject to prosecution for contributing to nonattendance under Texas Education Code § 25.093, and that a conference between the parent and School officials is needed to discuss the absences.

***Note: Truancy Prevention Measures are addressed in the Student Attendance and Accounting Handbook which is updated by TEA Annually.***

***The Superintendent, Stan Simonson has been designated as the School Attendance Officer.***

### ***Truancy Prevention Measures***

Below is an excerpt from the Student Attendance and Accounting Handbook (SAAH). Should there be a conflict between the SAAH and the items below: the SAAH will be followed. Updates to this section will be made as promptly as possible should an update be made to the SAAH.

State law (TEC 25.091 and 25.095) list the duties of the School Attendance Officer. The duties of are noted below (for non-peace officers):

- Investigate each case of a violation of the compulsory attendance requirements
- Enforce compulsory school attendance requirements by: 1) applying truancy prevention measures, and 2) if the prevention measures fail, referring the student and parent to the appropriate court
- Monitor school attendance compliance by each student investigated by the officer
- Make home visits or otherwise contact the parent of a student that is in violation of the requirements. The officer may enter a student's residence only with permission of the parent or owner of the residence.
- At the request of a parent, to escort a student from any location to the school campus to ensure the student's compliance with compulsory school attendance requirements.
- If the officer is notified that by a court-order that the student must be taken into custody, the officer shall contact the appropriate police department.

In an effort to comply with the state law regarding compulsory school attendance, the School Attendance Officer shall, with the assistance of the Registrar, follow the procedure outlined below:

- Parents are provided digital access (via the School Website) to the Student Handbook at the beginning of the year that outlines Absences and Attendance. This covers compulsory Attendance Laws, Exemptions, Failure to comply with Compulsory Attendance, Attendance for Credit and Excuses. Parents can sign up for the Grade Portal to have access to grades and attendance. Parents may request a hard copy of the handbook or may review a hard copy in the School Office.
- Truancy measures for the school district will include behavioral improvement plans, parent-teacher conferences and the involvement with school counselors. Phone calls are to be made by School Registrar when a student has reached three or more absences within a four-week period. Letters are sent to Parents/Guardians after three unexcused absences in a four-week period
- At five unexcused absences within a six-month period, a behavior improvement plan is implemented along with a mandatory parent conference. Phone calls and Parent meetings are made with Administrators to discuss absentness and to explain Compulsory Attendance Laws.
- A letter will be sent out after eight absences within a six-month period explaining denial of credit. At eight unexcused absences within a six-month period the improvement plan will be reviewed and discussed with parents, teachers and counselors.

- After 10 or more unexcused absences within a six-month period, the school can refer the student to a truancy court. A petition alleging truant conduct must be filed by the school district within 45 days to a truancy court.
- These Prevention Measures are implemented to students 12 and older.
- Parents of students 11 and under will be individually subject to the truancy court filing.

## **STUDENT RESPONSIBILITIES**

### **Tardiness**

Students who are late to class are designated tardy and will be assigned disciplinary consequences if they are tardy without an acceptable excuse on four or more days within a period of 45 rolling school days. Egregious tardiness – e.g., arriving to school after attendance had been taken – will be classified as an absence for the purpose of compulsory attendance enforcement if unexcused.

Nearly all tardiness is avoidable and is excusable only in cases of illness or emergency. If a student arrives late to school, a parent must report to the School office to complete a tardy slip.

*Warning letters will be given for excessive tardies and absences.*

### ***Closed Campus***

*St. Mary's Academy operates a closed campus. This means that students are not allowed to leave campus for any reason during the school day, without first obtaining permission from the school office (see "Leaving Campus during the School Day".)*

## **LEAVING CAMPUS**

Please remember that student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a child early on a regular basis results in missed opportunities for learning. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the school day.

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent:

- For students in elementary and middle school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.
- If a student becomes ill during the school day and the school secretary or other district personnel determines that the student should go home, the secretary will contact the student's parent and document the parent's wishes regarding release from school. Unless directed by the parent to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures as listed above. If a student is allowed to leave campus by him or herself, as permitted by the student's parent, the School will document the time of day the student was released. Under no circumstances will a child in elementary or middle school be released unaccompanied by a parent or adult authorized by the parent.

## ***At Any Other Time During the School Day***

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal or medical purposes.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

## **Lost and Stolen Items**

All articles, including books, found on campus should be taken to the School office. All articles not claimed at the end of a school year will be disposed of through proper channels. The School is not responsible for lost or stolen items.

## **Electronic and Telecommunications Devices**

***Due to Covid-19 all students will have a SMACS-issued iPad or laptop, depending upon grade level. This will be addressed in a separate section. All statements below are still applicable to all students in group instruction whether remote or on campus.***

Electronic and telecommunication devices can be a major source of distraction in the classroom. For this reason, **students are not permitted to possess items such as cell phones, pagers, radios, CD players, iPods or MP3 players, tape recorders, camcorders, DVD players, cameras, or electronic devices or games at school**, unless prior permission has been obtained from the Principal or designee.

If a student is permitted to possess an electronic device at school, including a cell phone, all such devices must be turned off during school hours. **If a school employee observes a student using any electronic or telecommunication device (including a cell phone) during the school day or a School-related activity (without permission), the employee will collect the item and turn it in to the Principal or designee if there is reasonable cause to believe that the device has been used in the transmission or reception of communications prohibited by law, policy or regulation.** Any disciplinary action will be in accordance with the Student Code of Conduct.

Confiscated devices will be returned only to a parent. A \$15.00 fee may be assessed before the parent is able to retrieve a confiscated device. Any disciplinary action will be in accordance with the Student Code of Conduct. The School is not responsible for damage to or the loss or theft of confiscated items.

**Student Responsibility for use of SMACS issued iPad and Laptops during COVID.**

## **Skateboards**

Students are not permitted to use their skateboards, scooters, and/or roller blades on campus at any time. If a student is using any of the above instruments as a means of transportation to or from school, he or she must walk and carry the skateboard, scooter, and/or roller blades while on campus. Skateboards, scooters, or roller blades should be kept in a locker, or other designated place approved by a teacher or the Principal or designee, until the end of the school day.

## **Telephone**

Students are requested not to ask for use of School telephones except in exceptional circumstances. School staff will deliver messages in cases of emergency.

## **Transportation—School Sponsored Events**

***During the Covid-19 Pandemic, There will be no field trips. When Field Trips Resume, the Following Rules Will Apply:***

Students who participate in School-sponsored trips may be required to ride a School vehicle to and from the activity. No student will be allowed to participate in a School-sponsored trip without a signed permission slip received not later than the day of the event. A separate permission slip will be sent in advance of the trip. In addition, parents will receive a text message when permission slips are sent home for the event and the day before the event.

Riding a School vehicle is a privilege. School vehicle drivers have the authority to maintain discipline and require seating

charts. When riding a School vehicle, students are held to behavioral standards established in this Handbook and the Student Code of Conduct. Students must:

1. Follow the driver's directions at all times;
2. Enter and leave the vehicle in an orderly manner;
3. Keep feet, books, instrument cases, and other objects out of the aisle;
4. Not deface the vehicle or its equipment;
5. Not put head, hands, arms, legs, or an object out of any window; and
6. Wait for the driver's signal in order to leave or cross in front of the vehicle.

Only designated students are allowed to ride in the vehicle. Students may neither ride the vehicle to a different location nor have friends ride the vehicle to participate in after-school activities.

If a special needs student is receiving bus transportation as a result of an Individual Education Plan ("IEP"), the Admission Review and Dismissal ("ARD") Committee will have the discretion in determining appropriate disciplinary consequences related to inappropriate behavior in a School vehicle.

## **Clubs and Organizations**

***Student Clubs and Organization will not meet during the Covid .***

1. Student clubs and organizations are an integral part of the School's curricular program.

All students are encouraged to participate and take an active part in student clubs and organizations.

### ***Meetings***

Only School-recognized curricular student clubs and organizations are permitted to meet on School property during non-instructional time.

### ***Fundraising***

Student clubs or classes, outside organizations, and/or parent groups occasionally may be permitted to conduct fundraising drives for approved School purposes. Permission must be obtained from the Principal or designee at least two business days before the event. Fundraising activities not approved by the Principal or designee are not permitted on school property.

## **Dress Code**

It is recognized at St. Mary's Academy Charter School that cleanliness, personal appearance, and proper dress habits are important in determining the pattern of school and social conducts and that there is direct correlation between student appearance<sup>[RC1]</sup>, attitude, and behavior. Students attending remotely in group sessions must be dressed in...

Policy Details for Student's Dress will be:

**School Uniforms will be required for all students attending classes on campus.. \***

## **General Criteria**

A student's personal dress and grooming shall not:

1. Lead School staff to reasonably believe that such dress or grooming will disrupt, interfere with, disturb, or detract from School activities; or
2. Create health or other hazard to the student's safety or to the safety of others.

### **Tops:**

1. Students will wear navy blue Polo-type shirts.
2. Students will be required to purchase a navy blue Polo-type shirt with the St. Mary's logo. These can be

purchased at Total Graphics, Beeville.

3. As of this time, tucking in of shirts is not required, but this policy can change if circumstances require it.
4. Shirts will be appropriately sized and worn at a natural length--no sagging or bagging. The hems will be no longer than 6-8 inches below the natural waistline.
5. Any SMACS shirt may be worn on Fridays.

**Bottoms:**

1. Boys will wear khaki or navy blue twill shorts or pants. Khaki cargo shorts can be worn as well.
2. Girls will wear khaki or navy blue twill Bermuda shorts, pants, skorts, skirts, or jumpers.
3. No blue jeans will be allowed.
4. All bottoms are to be appropriately sized and worn at the natural waistline--no sagging or bagging.
5. NO short shorts will be allowed. Shorts must measure no more than 2 inches above the top of the kneecap. Rolling up of hems is not allowed.
6. No holes in pants allowed.
7. No decorative enhancements (bling, gems, etc.) allowed.

**Shoes:**

1. Boys and girls will wear running shoes.
2. Girls may wear sandals.
3. Slippers, shower, beach, house, and oversized platform shoes are prohibited.

**E. Uniform:**

4. Running shoes
5. SMACS athletics t-shirt (can be purchased at Total Graphics)
6. Other sports teams' t-shirts
7. Regulation length and fit athletic shorts or athletic pants
8. Biker, spandex, and cut off shorts will not be allowed.
9. Cotton sweatpants and breakaway pants will not be allowed.

**“Nut Day” Exception** (usually the first Friday of the month):

1. Students may buy a \$1.00 ticket for “free dress day”. Proceeds benefit the Activity Fund.
2. Attire must still be tasteful.

**Headwear:**

1. Caps and hats will be allowed outside the building if worn appropriately and for the intended purposes (caps with bills will be worn forward).
2. Bandanas will not be allowed.
3. Sunglasses or sunshades are not to be worn inside the building.

**Grooming and Make-up:**

1. Girls' and boys' hair must be neatly groomed. No extreme hairstyles such as carvings, spikes, tails, shaved or partially shaved heads, or ponytails (boys) will be allowed. No extreme variations of hair length and/or abnormal hair color will be permitted. Boys' hair may be worn no lower than the middle of the earlobe or the top of the collar of the shirt.
2. Boys' sideburns will not extend past the middle of the ear.
3. Eyebrows will not be carved or notched.
4. No make-up will be allowed.
5. Tattoos, fake tattoos, and brands are not allowed.
6. No nail polish will be allowed—on fingers or toes.
7. No false fingernails or toenails will be allowed.

**Accessories:**

1. Boys will not be allowed to wear earrings.
2. Girls may wear a maximum of one earring in each earlobe.
3. Body piercing jewelry and/or accessories will not be allowed.
4. Heavy chains or accessories will not be allowed.
5. Theatrical lenses will not be allowed.
6. One watch and bracelet may be worn.
7. Belts are not required but may be worn.

\*Information on where to purchase uniforms can be found on the SMACS website.

***Dress Code Enforcement Procedures***

If a student's dress or grooming is inappropriate or objectionable under these provisions, the Principal or designee shall request the student to make appropriate corrections. If the student refuses, the student's parent will be notified and asked to make the necessary correction. If both the student and parent refuse, the Principal or designee shall take disciplinary action under the Student Code of Conduct, including removal from class until the student complies with the dress code. Decisions of the Principal or designee regarding dress and grooming are considered final.



## SECTION II — HEALTH AND SAFETY INFORMATION

Student safety on campus and at School-related events is a high priority of St. Mary's Academy. While the School has implemented safety procedures, the cooperation of students is essential to ensure school safety. Students should:

1. Avoid conduct that is likely to put the student or other students at risk;
2. Follow the behavioral standards in this Handbook, including the Student Code of Conduct, as well as any additional rules for behavior and safety set by the Principal or designee, teachers, or school staff;
3. Remain alert to and promptly report to school staff safety hazards, such as intruders on campus and threats made by any person toward a student or school staff;
4. Know emergency evacuation routes and signals; and
5. Immediately follow the instructions of school staff who are overseeing the welfare of students.

### Alcohol-Free School Notice

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

### Tobacco-Free School Notice

Smoking and using smokeless tobacco, including electronic cigarettes, is not permitted in School buildings, vehicles, on or near School property, or at all School-sanctioned activities occurring on or off School property. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

### Drug-Free School Notice

St. Mary's Academy believes that student use of illicit drugs is both wrong and harmful. Consequently, the School prohibits the use, sale, possession, or distribution of illicit drugs by students on School premises or any School activity, regardless of its location. The School also prohibits the use, sale, possession, or distribution of look-alike substances and/or synthetic substances designed to imitate the look and/or effects of illicit drugs. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

### Gun-Free School Notice

SMACS is a gun-free zone. Under the Gun-Free Schools Act, discussed later in this publication, a student who brings a firearm to school shall be expelled.

### Illness During the School Day

**During the Covid ...,the following additions will apply**

**Insert Covid....**

A student who becomes ill during school hours is to report to the teacher, who will then send him or her to the School office or nurse. The student's parent will be contacted. No student is allowed to go home before a parent is notified. Students are not to call parents from pay phones or cell phones asking to go home; such calls are to be made from the school office by school staff.

Students should stay home from school due to illness if any of the following are present:

1. Fever of 100 degrees Fahrenheit or higher in the past 24 hours;
2. Vomiting and/or diarrhea in the past 24 hours;
3. Itchy, red eyes with discharge;
4. Unknown rash;
5. Ringworm (until treatment has been started);
6. Head lice or eggs (nits or larvae); or
7. Jaundice

To protect students at school, students assessed with any of the signs and symptoms listed above will be sent home.

## Emergency Medical Treatment

If a student has a medical emergency at school or a School-related activity and the parent cannot be reached, School staff will seek emergency medical treatment unless the parent has previously provided a written statement denying this authorization. Parents are asked each year to complete an “Emergency Care” consent Form, which includes information about their student’s allergies to medications, etc. Parents should keep emergency contact information current (e.g., name of doctor, emergency phone numbers, allergies, etc.).

## Health Care Appointments

A student may be excused for a temporary absence resulting from documented health-care appointments for the student if that student begins classes or returns to school on the same day of the appointment. A note from the health care professional must be provided to the School office upon the student’s arrival to or return to school. Students whose absences are excused for these reasons may not be penalized for that absence and will be counted as if the student attended school for attendance purposes. The student will be allowed a reasonable amount of time to make up the missed schoolwork.

**SMACS now has a counselor available and students may see the counselor at any time.**

## Administration of Medication

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

- Nonprescription medication brought to school must be submitted to the School by a parent along with a written request. The medication must also be in the original and properly labeled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (“ANP”) and filled by a pharmacist licensed in the State of Texas.
- Prescription medications must be submitted in a labeled container showing the student’s name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic baggies or unlabeled containers will NOT be administered.
- If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student’s Individualized Education Program (“IEP”) or Section 504 plan for a student with disabilities.
- Only the amount of medication needed should be delivered to the School, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, the School may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the School’s medical advisor and when the parent has previously provided written consent for emergency treatment.

### **Asthma and Anaphylaxis Medication**

Asthma and anaphylaxis are life threatening conditions, and students with those conditions may be allowed to possess and self-administer prescription medication for those conditions during the school day or at School-related events. Student possession and self-administration of asthma or anaphylaxis medication at school require the student to demonstrate his or her ability to self-administer the medication for the physician or licensed health care provider and the Principal or designee. Requirements also include written authorization from the student’s parent and physician or other licensed health care provider on file in the School office indicating the student is capable of independently administering his or her own asthma or emergency anaphylaxis medication. With these safeguards in place the student may possess and self-administer his or her prescribed medication at his or her discretion during school hours or at School-related events.

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

Medication in a student’s possession must be in an original container with a prescription label. Please note that most pharmacies will place a label on the inhaler device upon request.

# Communicable Diseases

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. Parents of students with a communicable or contagious disease should notify the Principal or designee so that other students who might have been exposed to the disease can be alerted. Among the more common of these diseases are the following:

Amebiasis	Influenza
Campylobacteriosis	Measles (rubeola)
Chickenpox	Meningitis, bacterial
Common cold	Meningitis, viral
Conjunctivitis, bacterial and/or viral	Mumps
Fever	Pertussis (whooping cough)
Fifth disease (erythema infectiosum)	Ringworm
Gastroenteritis	Rubella (German measles)
Giardiasis	Salmonellosis
Head lice (pediculosis)	Scabies
Hepatitis A	Shigellosis
Infections (wounds, skin, and soft tissue)	Streptococcal sore throat and scarlet
fever Infectious Mononucleosis	Tuberculosis, pulmonary
<b>Covid-19</b>	

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

- Certificate of the attending physician, advanced practice nurse, or physician assistant attesting that the child does not currently have signs or symptoms of a communicable disease or to the disease's non-infectiousness in a school setting;
- Submitting a permit for readmission issued by a local health authority; or
- Meeting readmission criteria as established by the commissioner of health.
- Covid-19 guidelines are posted at <http://www.smacs.net/>

## Bacterial Meningitis

State law requires St. Mary's Academy to provide the following information:

### What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is common, and most people recover fully. Parasitic and fungal meningitis are exceedingly rare. Bacterial meningitis is profoundly serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

### What are the symptoms?

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

Children (over two years of age) and adults with meningitis commonly have a severe headache, high fever, and neck stiffness or joint pains. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. In both students and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

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

### How serious is bacterial meningitis?

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

### How is bacterial meningitis spread?

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

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

### **How can bacterial meningitis be prevented?**

Maintaining healthy habits, including getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. Students should not share food, drinks, utensils, toothbrushes, or cigarettes. Students should limit the number of persons they kiss.

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

### **What should students do if they think they or a friend might have bacterial meningitis?**

Students should seek prompt medical attention.

### **Where can students get more information?**

A family doctor and the staff at the local or regional health department office are excellent sources for information on all communicable diseases. Parents and students may also call the local health department or Regional Texas Department of Health office to ask about meningococcal vaccine. Additional information may also be found at web sites for the Centers for Disease Control and Prevention (<http://www.cdc.gov>) and the Texas Department of State Health Services ("TDSHS") (<http://www.dshs.state.tx.us>).

\*Please note that the TDSHS requires at least one meningococcal vaccination between grades 7 and 10, and state guidelines recommend this vaccination be administered between age 11 and 12, with a booster dose at 16 years of age. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the main office for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

## **Dyslexia and Related Disorders**

From time to time, students may be tested and, where appropriate, treated for dyslexia and related disorders in accordance with programs, rules and standard approved by the state. Parents will be notified should the School determine a need to identify or assess their student for dyslexia and related disorders.

## **Vision and Hearing Screenings**

All children enrolled in Texas schools must be screened for possible vision and hearing problems in accordance with regulations issued by the Texas Department of State Health Services. Students in certain grade levels identified by state regulations shall be screened for vision and hearing problems annually.

Screening records for individual students may be inspected by the Texas Department of State Health Services or a local health department and may be transferred to another school without parental consent.

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

## **Spinal Screening**

All children in grade six (6) must be screened for abnormal spinal curvature before the end of the school year. The screening requirement for students entering grade six may be met if the child has been screened for spinal deformities during the previous year.

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

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

## **Fitness Testing**

According to requirements under state law, the School will annually assess the physical fitness of students. The School is not required to assess a student for whom, as a result of disability or other condition identified by rule or law, the assessment exam is inappropriate.

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

## **Immunizations**

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

The immunizations required are: diphtheria, tetanus, and pertussis; measles, mumps, and rubella; polio, hepatitis A; hepatitis B; varicella (chicken pox); and meningococcal. To determine the specific number of doses that are required for your student, please read “2013–2014 Texas Minimum State Vaccine Requirements for Students Grades K–6.” This document and more information about school vaccine requirements are available at the Texas Department of State Health Services (“TDSHS”) Immunization Branch website: [www.ImmunizeTexas.com](http://www.ImmunizeTexas.com) (click on the “School & Childcare” link).

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

## ***Provisional Enrollment***

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

A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate required vaccine. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible and provide acceptable evidence of vaccination to the School. St. Mary’s Academy shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If at the end of the 30-day period, a student has not received a subsequent dose of vaccine, then the student is not in compliance and the School shall exclude the student from school attendance until the required dose is administered.

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

## ***Exclusions from Immunization Requirements***

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

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

To claim an exclusion for reasons of conscience, including a religious belief, a signed DSHS affidavit must be presented by the student’s parent, stating that the student’s parent declines vaccinations for reasons of conscience, including because of the person’s religious beliefs, the affidavit will be valid for a two-year period. The form affidavit may be obtained by

writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347, or online at <https://webds.dshs.state.tx.us/immco/default.aspx>. The form must be submitted to the Principal within 90 days from the date it is notarized. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student. Students who have not received the required immunizations for reasons of conscience, including religious beliefs, may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

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

### ***Immunization Records Reporting***

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

### **Injuries/Accident Insurance**

The School purchases a policy to cover medical costs associated with student accidents and injuries at school. The policy covers cost above deductibles on the parent's insurance up to a predetermined limit. If the parents have no insurance, the policy will pay the costs up to a predetermined limit. Parents should contact the School Secretary for information.

### **Fire and Disaster Drills**

Fire drills are conducted for two purposes:

1. To train students to leave the building orderly and quickly in case of an emergency alarm, and
2. To teach self-control in times of emergency.

When the fire alarm is sounded, all students should immediately walk out of the room and proceed to the designated exit. They should walk in an orderly manner, with no talking or pushing. When the students reach the safety zone designated by the teacher, they should face the building but remain in line.

In addition to fire drills, other disaster drills may be conducted.

### **Surveillance Cameras/Video Recordings**

For safety purposes, including the maintenance of order and discipline, surveillance cameras may be used to monitor student behavior in classrooms, on School vehicles, and School common areas. Video recordings may be reviewed routinely to document student misconduct and used by School staff when investigating an incident. Tapes and other video recordings will not be available for parents to view pursuant to the Family Educational Rights and Privacy Act (FERPA).

### **Child Abuse Reporting and Programs**

St. Mary's Academy provides child abuse anti-victimization programs and cooperates with official child abuse investigators as required by law. The School also provides training to its teachers and students in preventing and addressing incidents of abuse and other maltreatment of students, including knowledge of likely warning signs indication that a student may be a victim of abuse or maltreatment. Assistance, interventions, and counseling options are also available.

School administrators will cooperate with law enforcement investigations of child abuse, including investigations by the Texas Department of Protective and Family Services. School officials may not refuse to permit an investigator to interview at school a student who is alleged to be a victim of abuse or neglect. School officials may not require the investigator to permit School personnel to be present during an interview conducted at school.

Investigations at school may be conducted by authorized law enforcement or state agencies without prior notification or consent of the student's parents.

# Plan for Addressing Sexual Abuse and Other Maltreatment of Children

## What is Sexual Abuse of a Child?

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

## What is Other Maltreatment of a Child?

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

## Reporting Obligation

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

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

The School has established a plan for addressing child sexual abuse and other maltreatment of children (the Plan). The Plan is accessed in this section of the Handbook. It may also be accessed at <http://www.smacs.net>.

## Methods for Increasing Awareness Regarding Sexual Abuse or Other Maltreatment of Children

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

**For Students:** School counseling staff will address issues to increase awareness regarding sexual abuse and other maltreatment of children and anti-victimization programs with age appropriate conversation and materials no less than once per school year. These discussions will occur in classroom group settings for students in grades K–6.

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

The fact that the abuser is a parent or other family member does not remove your obligation to protect the child. Parents who permit their child to remain in a situation where he or she may be injured or abused may also be subject to prosecution for child abuse. And, if you are frightened for your own safety or that of your child, you should call 911 or 1-800-252-5400.

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

The Principal or designee will provide information regarding counseling options available in your area for you and your child if your child is a victim of sexual abuse or other maltreatment. The DFPS also provides early abuse intervention through counseling programs. The Nueces County location may be contacted at 361-696-4030. Services available in your county can be accessed at the following web address:

<http://www.dfps.state.tx.us/>. Search for counseling.

These websites are also helpful:

- Texas Education Agency – Prevention of Child Abuse Overview: <http://www.tea.state.tx.us/index2.aspx?id=2820>
- Sexual Abuse Prevention Programs: <http://www.childwelfare.gov/preventing/programs/types/sexualabuse.cfm>

- Promoting Healthy Families in Your Neighborhood: [http://www.childwelfare.gov/pubs/res\\_packet\\_2008/](http://www.childwelfare.gov/pubs/res_packet_2008/)
- Signs of Child Abuse: [http://www.keepkidshealthy.com/welcome/commonproblems/child\\_abuse.html](http://www.keepkidshealthy.com/welcome/commonproblems/child_abuse.html)
- DFPS – Prevent Child Abuse (Help and Hope.org)  
<http://helpandhope.org>
- DFPS – How to Report Child Abuse or Neglect [http://www.dfps.state.tx.us/Contact\\_us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_us/report_abuse.asp)
- Texas Attorney General – What Can We Do About Child Abuse?  
[https://www.oag.state.tx.us/AG\\_Publications/txts/child\\_abuse.shtml](https://www.oag.state.tx.us/AG_Publications/txts/child_abuse.shtml)
- Prevent Child Abuse.org – Texas  
Chapter  
[www.preventchildabusetexas.org](http://www.preventchildabusetexas.org)
- Texas Council on Family Violence – Abuse Prevention Links  
<http://www.tcfv.org/>

### **Likely Warning Signs of Sexual Abuse or Other Maltreatment**

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

- Nightmares, sleep problems, extreme fears without an obvious explanation.
- Sudden or unexplained personality changes; becoming withdrawn, angry, moody, clingy, “checking out” or showing significant changes in eating habits.
- Depression or irritability.
- An older child behaving like a young child, for example, bedwetting or thumb-sucking.
- Developing fear of certain places or resisting being alone with an adult or young person for unknown reasons.
- Resistance to routine bathing, toileting, or removing clothes, even in appropriate situations.
- Play, writing, drawings, or dreams of sexual or frightening images.
- Refusal to talk about a secret he or she has with an adult or older child.
- Leaving clues that seem likely to provoke a discussion about sexual issues.
- Using new or adult words for body parts.
- Engaging in adult-like sexual activities with toys, objects or other children.
- Developing special relationships with older friends that may include unexplained money, gifts, or privileges.
- Intentionally harming himself or herself, for example, drug/alcohol use, cutting, burning, running away, and sexual promiscuity.
- Thinking of self or body as repulsive, dirty, or bad.
- Becoming increasingly secretive about Internet or telephone use.

Physical symptoms of possible sexual abuse or other maltreatment include:

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

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

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

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

### **Available Counseling Options**

A list of counseling providers can be found at <http://www.dfps.state.tx.us/>. Search for counseling options.



## ***Freedom from Discrimination, Harassment, and Retaliation***

### **Statement of Nondiscrimination**

St. Mary's Academy prohibits discrimination, including harassment, against any student on the basis of race, color, religions, gender, national origin, disability, or any other basis prohibited by law. The School also prohibits dating violence, as defined by this Handbook. Retaliation against anyone involved in the complaint process is a violation of school policy.

### **Discrimination**

For purposes of this Handbook, discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law and that adversely affects the student.

### **Prohibited Harassment**

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

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

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

### **Sexual Harassment and Gender-Based Harassment**

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

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

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

St. Mary's Academy also does not tolerate sexual harassment of a student by School employees. Romantic or inappropriate social relationships between students and school employees are prohibited. Any sexual relationship between a student and a School employee is always prohibited, even if consensual.

Sexual harassment of a student by a School employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

- A School employee causes the student to believe that the student must submit to the conduct in order to participate in a School program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
- The conduct is so severe, persistent, or pervasive that it:

- Affects the student’s ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student’s educational opportunities; or
- Creates an intimidating, threatening, hostile, or abusive educational environment.

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

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

## Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student’s family members or members of the student’s household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engaged in these behaviors.

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

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

## Retaliation

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

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

## Reporting Procedures

Any student who believes that he or she has experienced prohibited harassment or believes that another student has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, the Principal or designee, or another School employee. Alternatively, a student may report prohibited harassment directly to one of the officials below:

- Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX Coordinator
- Reports of discrimination based on disability may be directed to the Superintendent, Stan Simonson

The Principal or designee shall serve as coordinator for purposes of School compliance with all other antidiscrimination laws.

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

After receiving a complaint of prohibited discrimination or harassment, the School may require the student to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the appropriate Coordinator or other authorized School official shall promptly authorize and undertake an investigation. When appropriate, the School may take interim action to avoid additional opportunities for discrimination or harassment. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and any others with knowledge of the circumstances surrounding the allegations. If the results of the investigation establish that prohibited discrimination or harassment occurred, the School shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the discrimination or harassment and prevent its recurrence. The School may take disciplinary action based on the results of an investigation, even if the School concludes that the conduct did not rise to the level of harassment prohibited by law or policy.

## Confidentiality

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

## Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the School's grievance procedure. See "Student or Parent Complaints and Concerns". A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

## Freedom from Hazing, Bullying and Cyber-bullying

St. Mary's Academy prohibits hazing, bullying, and cyber-bullying as defined by this Handbook, as well as retaliation against anyone involved in the complaint process.

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

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

Per SB 179, 85<sup>th</sup> Texas Regular Legislative Session "David's Law" takes effect September 1, 2017. David's Law changes the definition of "bullying" under Education Code Section 37.0832 to mean the following:

### **A single significant act or pattern of acts by one or more students directed at another student that**

**Exploits an imbalance of power and involves in engaging in written or verbal expression, expression through electronic means, or physical conduct that:**

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

The updated definition of “bullying” also encompasses “cyberbullying” which is **bullying through the use of electronic communication devices**, including cellular or other telephones, computers, cameras, email, instant messaging, text messaging, social media applications, Internet websites, or any other Internet-based communications tool.

**SMACS has jurisdiction over:**

- Bullying that occurs on or is delivered to school property or to the site of a school-related activity on or off school property:  
Cyberbullying or inappropriate comments on a school owned device.
- Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school related event,

If the conduct interferes with a student’s educational opportunities or substantially disrupts the operations of a school classroom, or school-related activity, bullying can include hazing, threats, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, or ostracism. In some cases, bullying can occur through electronic methods called “cyber-bullying.”

**Reporting Procedures**

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

Forms which allow for anonymous reporting of an incident of bullying are available on the SMACS website. <http://www.smacs.net/>

Retaliation against any person, including a victim, witness, or other person, who in good faith provides information concerning an incident of bullying is not allowed..

**Notice of incident of Bullying to Parents**

SMACS will notify a parent of the alleged victim of an incident or bullying **on or before the third business day after the date the incident is reported.**

SMACS will notify a parent of the student alleged of bullying within a reasonable amount of time after the incident.

**Investigation of Report**

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

The Principal or designee shall prepare a written report of the investigation, including a determination of whether hazing and/or bullying occurred. If the results of an investigation indicated that hazing and/or bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. The School may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of hazing and/or bullying under this policy.

**Confidentiality**

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

**Appeal**

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the School’s grievance procedure. See “Student or Parent Complaints and Concerns”.

## Weapons

St. Mary's Academy prohibits the possession, exhibition, use or threat of use by a student of weapons of any kind, including but not limited to firearms, explosive weapons, knives, or materials that could be used as a weapon to inflict physical harm or damage to persons or property on School property or at any School-related function, whether on or off School property.

**Student participating in any school activity remotely should not have any of the listed items below in camera range.**

A student is considered "in possession" if he or she has contact with a weapon regardless of the amount of time it is in the student's possession. If a student becomes in possession of a weapon, he or she needs to immediately inform an adult on campus. Prohibited weapons include, **but are not limited to:**

1. Firearm: any device designed, made, or adapted to expel a projectile through a barrel by using that energy generated by an explosion or burning substance or any device readily convertible to that use;
2. Knife: blade or a hand instrument designed to cut or stab another by being thrown, a dagger, a bowie knife, a sword or a spear;
3. Club: an instrument that is specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument;
4. Explosive weapon;
5. Firearm silencer;
6. Knuckles (i.e. brass knuckles)
7. Chemical dispensing device (such as mace or pepper spray)
8. Zip gun
9. Any object used in a way that threatens to inflict bodily injury on another person;
10. Firearm ammunition;
11. Firearms of any kind, smoke or stink bombs, or any other pyrotechnic device;
12. Chains;
13. Razors (including box cutters);
14. Pellet gun;
15. BB gun;
16. Stun gun;
17. Air gun;
18. Toy that imitate weapons (Toys that look like or sound like weapons);
19. Weapon projectiles;
20. Other weapons and prohibited weapons described in the Student Code of Conduct and/or Chapter 37 of the Texas Education Code.

## Gang Activity

St. Mary's Academy will not tolerate gang-related activity at school or at any School activity, whether on or off School property. This includes, but is not limited to, wearing articles of clothing generally associated with gang membership, hand signs used by gangs, graffiti, and any other behaviors considered by the administration to interfere with the educational program of the School.

## *Interrogations and Searches*

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

Administrators, teachers and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.

## **Desk Searches**

Students should have no expectation of privacy in the contents of their lockers, desks or other School property. Desks assigned to students remain at all times under the control and jurisdiction of the School. The School will make periodic inspections of desks at any time, with or without notice or student consent. School officials will remove any item that violates school policy or that may potentially be dangerous.

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

## ***Law Enforcement Agencies***

### **Questioning of Students**

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

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

When the investigation involves allegations of child abuse, special rules apply. See "Child Abuse reporting and Programs".

### **Students Taken into Custody**

State law requires the School to permit a student to be taken into legal custody:

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

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

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

## **Staff Notification**

St. Mary's Academy is required by state law to notify:

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

## ***Procedures for Use of Restraint and Time-Outs***

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

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

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

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

## ***Asbestos Management Plan***

The school has every facility inspected for asbestos before use by a licensed Asbestos Hazard Emergency Response Act (“AHERA”) inspector. An Asbestos Management Plan is created for the School in accordance to federal regulations by AHERA. Parents may view the Asbestos Management Plan by contacting the School office.

## ***Pest Control Information***

The School periodically applies pesticides inside school buildings and on school grounds. Except in an emergency, signs will be posted 48 hours before application. Students may not reenter a treated area inside a building or use an area on school grounds for at least 12 hours following application. Parents who wish to be notified prior to pesticide application may contact the Principal.

## SECTION III — ACADEMICS AND GRADING

The St. Mary’s Academy honor roll consists of two levels:

- **A Honor Roll:** This Honor Roll is for students who have earned grades of “A” or above in all classes.
- **AB Honor Roll:** This honor roll is available for all students who have earned grades of “B” or above in all classes.
- **Perfect Attendance Honor Roll:** This Honor Roll is for students who have not missed any days.

### Physical Education

#### Requirements K-6

SMACS follows the current state guidelines which call for all students in grades K–6 to engage in at least 100 minutes of physical activity each week<sup>[RC2]</sup>.

#### Physical Education Exemption

Short-term exemptions from physical education is possible for students who have physical handicaps, illnesses, or other incapacities that a physician or parent/guardian deems severe enough to warrant exemption or severe enough to warrant modified activity in such classes. Each case is handled on an individual basis as follows:

1. Each request for exemption or for modified activity must be accompanied by a physician’s certificate. Such certificates are honored but must be renewed each year.
2. When the certificate will allow modified activities in class, the student should remain in physical education class. The teachers adjust the activities of the student to the disability.
3. An exempted student may be admitted to regular physical education activities only upon presentation of a written statement from a physician.

### Promotion and Retention

A student may be promoted on the basis of academic achievement and/or demonstrated proficiency in the subject matter of the grade level. To earn credit in a course, a student must demonstrate mastery on grade level standards and meet School requirements for attendance. In addition, students at certain grade levels will be required to pass the state-mandated assessment test as a further requirement for promotion.

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

In order to be promoted to the next grade, a student must demonstrate mastery of the State of Texas curriculum. Currently this means mastery of its Texas Essential Knowledge and Skills (TEKS). Additionally, students must meet attendance requirements.

In general, students who are not maintaining an average of 70% or higher will be required to attend before or after school tutorials or Saturday school to ensure mastery of TEKS. This is in addition to intervention provided during the school day.

The State of Texas is reevaluating the grade level requirements for TEKS and for the STAAR test. Parents will be provided with a copy of grade level information for their child/children at grade level meetings when the final state guidelines are published. This reevaluation is extensive and includes things such as when SMACS will receive test scores.

In general, students who are not maintaining an average of 70% or higher will be required to attend before or after school tutorials or Saturday school to ensure mastery of TEKS. This is in addition to intervention provided during the school day;

Once the state guidelines are established, a Grade Placement Committee (GPC) will be formed in accordance with requirements of the State of Texas. SMACS will follow the state guidelines for grade placement for students whose parents appeal a promotion or retention decision to the GPC.



At this time, we have no indication of when we expect these new guidelines. Once SMACS has the new guidelines, we will publish them and the dates of the parent meetings on the front page of the SMACS website ([www.smacs.net](http://www.smacs.net)). The posting will include information on the GPC and any related forms required for appeal.

Your patience as Texas works to making education the best it can be is appreciated. Again, as soon as we know what the new guidelines are, we will set up parent meetings and will notify parents via the website of the dates and times of these meeting.

**Students with Disabilities:** Upon the recommendation of the Admission, Review, and Dismissal (“ARD”) Committee, a student with disabilities who is receiving special education services may be promoted and/or permitted to graduate under the provisions of his or her Individualized Education Program(“IEP”).

## Report Cards and Grading Scales

St. Mary’s Academy issues report cards reflecting student grades and absences at least once every six weeks. Parents of students struggling to maintain adequate academic progress are requested to schedule a conference with their student’s teacher(s).

All classes follow a standard scale for assigning letter grades for grading periods. Each grade will correspond to the following scale:

### Kindergarten

- E = Exceeds Expectations
- S = Satisfactory
- N = Needs Improvement
- U = Unsatisfactory

### 1st–6th Grades:

- A = 90–100
- B = 80–89
- C = 70–79
- F = 69 or below A grade of 69 or below is NOT passing.

# Special Programs

## Bilingual/ESL Services

St. Mary's Academy offers Bilingual/English as a Second Language ("ESL") services for English language learners who are limited to their English proficiency. The program is designed to assist students identified as having Limited English Proficiency with development in language – listening, speaking, reading, and writing. The goal of this program is to provide additional English language assistance to students, enabling them to become academically successful in all classes. Students are assessed with state-approved Oral Language Proficiency and Norm-Referenced Test to qualify for placement in the program. If the test results indicate either limited oral or limited cognitive academic English ability, the student (with parent approval) is provided additional English language support. Saint Mary's includes parents through the Language Proficiency Assessment Committee("LPAC").

Name:	Elizabeth Lugo
Position:	ESL/Bilingual Coordinator
Address:	507 N Filmore, Beeville TX 78102
Phone:	361-358-5604 Ext. 1559

## Special Education Services

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

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

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

The *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*, can be obtained from the Special Education Coordinator or at the Texas Education Agency Special Education Website: <http://www.tea.state.ts.us/special.ed/>. For further information, please contact the School.

### **Providing Assistance to Students Who Have Learning Difficulties or Who Need Special Education Services**

If a student is experiencing learning difficulties, the parent may contact the Special Education Coordinator to learn about the School's overall general education referral or screening system for support services. This system links student to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention ("RTI"). The implementation of RTI has the potential to have a positive impact on the School's ability to meet the needs of all struggling students.

**At any time, a parent is entitled to request an evaluation for special education services by presenting a written request to the Special Education Coordinator or an administrative employee. The School must, within 15 school days of receiving the request, either (1) give the parent an opportunity to give written consent for the evaluation or (2) refuse to provide the evaluation and provide the parent with written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights if they disagree with the School. Additionally, the parent will receive a copy of the *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*.**

If consent for evaluation is obtained, then School must complete the evaluation and report within 45 school days of the date the School receives the written consent. The School must give a copy of the evaluation report to the parent.

## Section 504 Services

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

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

Qualified students with disabilities will be placed in the regular educational environment, unless the School demonstrates that education in the regular environment with the use of supplemental aids and services cannot be achieved satisfactorily. Should an alternate educational environment be necessary, the School will comply with all legal requirements regarding least restrictive environment and comparable facilities for students with disabilities. In providing or arranging for nonacademic and extracurricular services and activities, the School will ensure that a qualified student with a disability participates with students who do not have disabilities to the maximum extent appropriate.

To be eligible for services and protections against discrimination on the basis of disability under Section 504 of the Rehabilitation Act, a student must be determined, as a result of an evaluation, to have a "physical or mental impairment" that substantially limits one or more major life activities. If a student has or is suspected of having a disability, or requires special services, parents or teachers should contact the Principal for information concerning available programs, assessments, and services.

Name: Elizabeth Lugo  
Position: Section 504 Coordinator  
Address: 507 N Filmore, Beeville TX 78102  
Phone: 361-358-5601, ext. 1559

## Services for Title I Participants

SMACS is a school wide Title I Campus. For information on Title I, contact the School Superintendent.

## *Standardized Testing*

### **STAAR (State of Texas Assessments of Academic Readiness)**

#### **Grades 3–6**

In addition to routine tests and other measures of achievement, students at certain grade levels will take state-mandated assessments, such as the STAAR, in the following subjects:

- Mathematics, annually in grades 3–6.
- Reading, annually in grades 3–6.
- Writing, including spelling and grammar, in grade 4.
- Science in grade 5.

Successful performance on the reading and math assessments in grade 5 is required by law, unless the student is enrolled in a reading or math course intended for students above the student's current grade level, in order for the student to be promoted to the next grade level.

### **Texas English Language Proficiency Assessment System ("TELPAS")**

The Texas English Language Proficiency Assessment System ("TELPAS") is a system of statewide assessments administered to all Limited English Proficient ("LEP") students in grades K–6. The TELPAS measures English ability based on the stages of language development of second language learners. These results will further the understanding of the educational needs of LEP students by providing a state-level measure of both their current academic English levels and their annual progress in English.

## ***Team Student Success***

The Student Success Team is a campus-level committee comprised of key personnel. Recommendations for student assistance are based on student achievement data and teacher checklist. Committee members evaluate student progress and make recommendations for individual accommodations. Members of the team”

Hirma Elizondo, Principal

Stan Simonson, Director of Special Education

Alice Whitley, **Intervention Coordinator**

Each student’s progress is monitored, and adjustments are made as necessary. All requests for special screening/testing begin with this committee.

In order to assist with student success, the 86<sup>th</sup> Legislature has enacted legislation which requires that all schools post the notices shown on the following two pages. Please note that these notices apply only to students in the status as shown on each announcement. These announcements will also appear separately on the SMACS website.

Should you have any questions on either of the two announcements, please Contact:

Person  
Title  
Contact Info

St. Mary's Academy Charter School  
(SMACS)  
Intensive Program Instruction

Current Status	Guidelines for Accelerated Instruction Implementation Teacher will:
<b>Student</b> failed STAAR and is currently in <b>Special Education</b>	❖ ARD committee will evaluate and concur decision through ARD/IEP committee
<b>Student</b> failed STAAR, is at risk of failing, is currently in RTI system or teacher would like to initiate RTI process	<ul style="list-style-type: none"> <li>❖ Continue/initiate the process through RTI documentation to gather data on skill support needed on DMAC files.</li> <li>❖ Continue to document support provided and progress made through RTI Documentation on DMAC</li> <li>❖ Monitor on a 4 week cycle on progress and needs of student</li> </ul>
<b>All other students who</b> are at risk of failing, exhibiting academic difficulties or behavior problems and teacher does not want to initiate RTI process at this time.	<ul style="list-style-type: none"> <li>❖ Document under DMAC skills in need of: focus skills, instructional support strategies provided, intensity, frequency, duration, and progress</li> <li>❖ Revisit every 9 weeks for updates</li> <li>❖ If at any time a teacher /campus administrator feels student needs to start RTI process they call for RTI meet with RTI coordinator</li> </ul>

St. Mary's Academy Charter School  
SMACS  
Required Link to TEA

SMACS has systems in place to locate, evaluate, and identify students with disabilities transitioning from Early Childhood Agencies (ECA) and those **ages** [redacted] If you suspect that your child has a disability, please contact your child's school or Evaluation Services.

All school districts including Charter Schools are required to have the following links in the Student Parent Handbook:

[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Programs\\_and\\_Services/Student\\_Handbook\\_Statement\\_English/](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/Student_Handbook_Statement_English/)

For questions related to Child Find or to this link, please contact:

Stan Simonson, Superintendent and Director of Special Education  
Phone:361-358-5601

## SECTION IV — STUDENT CODE OF CONDUCT

### Purpose of the Student Code of Conduct

One of the primary goals of the School is to establish and maintain a favorable academic atmosphere for students and staff. Effective learning cannot take place in an environment where student behavior interferes with the ability of the teacher to teach effectively, or the ability of other students to participate in classroom learning activities. To foster an orderly and distraction-free environment, the School has established this Student Code of Conduct in accordance with state law.

Adoption of a student code of conduct by a charter school is a legal requirement. This Code has been adopted by the Board of Directors and provides notice to parents and students regarding expectations for behavior, consequences for misconduct, and procedures for administering discipline.

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

### Jurisdiction

St. Mary's Academy has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school on or off School transportation;
2. For any mandatory expulsion offense committed while on School property or while attending a school-sponsored or school-related activity of another district in Texas;
3. For any School-related misconduct, regardless of time or location;
4. When retaliation against a School employee or volunteer occurs or is threatened, regardless of time or location;
5. When a student commits a felony;
6. When criminal mischief is committed on School property or at a School-related event; and
7. While a student is in attendance at any School-related activity, regardless of time or location, as long as the student is under the direction of a School employee.

**Note:** In addition to disciplinary consequences under the Code of Conduct, misdemeanor and felony offenses committed on campus will be reported to an appropriate law enforcement agency. This includes the reporting by the Principal or designee to local law enforcement, if after an investigation is completed, the principal has reasonable grounds to believe that a student engaged in conduct that constitutes Assault (Penal Code Section 22.01) or Criminal Harassment by Repeated Electronic Communication (Section 42.07(a)(7)). The report may include the name and address of each student the reporting person believes to have participated in the conduct.

### Discipline Management Techniques

It is the goal of St. Mary's Academy to provide a positive classroom environment that promotes learning and fosters a safe and caring school experience for students and staff. In general, discipline will be designed to correct misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary actions will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and the effect of the misconduct on the school environment.

The following discipline management techniques may be used – alone or in combination – for misbehavior violating the Code of Conduct or campus and/or classroom rules.

- Assignment of school service or community service duties such as scrubbing desks or picking up litter.
- Behavioral contracts.
- Cooling-off time or “time out.”

- Counseling by teachers, counselors, or administrative personnel.
- In-school suspension or detention, as specified in the Code of Conduct.
- Expulsion, as specified in the Code of Conduct.
- Grade reductions as permitted by policy.
- Out-of-school suspension, as specified in the Code of Conduct. Parent-teacher conferences.
- Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the school.
- Rewards or demerits.
- School-assessed and school-administered probation.
- Seating changes within the classroom.
- Sending the student to the office or other assigned area.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction.
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices and/or membership in school-sponsored clubs or organizations.
- Withdrawal or restriction of school transportation privileges.
- Other strategies and consequences as specified by the Code of Conduct.

**St. Mary's Academy will NOT inflict corporal punishment upon a student for misconduct.**

## Offenses and Consequences

### Level I Offenses

The following behaviors are prohibited at all School and School-related activities:

1. Accessing restricted areas – i.e., using classrooms without teacher permission or removing items from a teacher's desk.
2. Cheating/academic dishonesty – i.e., copying the work of another, or using the work of another as your own.
3. Computer systems violations, including violations of the "Acceptable Use Policy".
4. Disobeying conduct rules regarding School transportation. See "Transportation".
5. Disrespect of School staff and/or persons in authority.
6. Engaging in conduct that constitutes dating violence. See "Dating Violence".
7. Engaging in hazing, harassing, or bullying conduct. See "Freedom from Discrimination, Harassment, and Retaliation"; "Sexual Harassment"; Freedom from Hazing, Bullying, and Cyber-bullying".
8. Engaging in offensive conduct of a sexual nature, whether verbal or physical, directed toward another student or any other person.
9. Engaging in threatening behavior toward another student or School employee on or off School property.
10. Failure to attend/skipping class, detention assignments, or tutorial sessions.
11. Failure to complete assigned homework.
12. Failure to comply with directives of School staff (insubordination).
13. Failure to comply with school dress and grooming code policies. See "Dress Code".
14. Failure to leave campus within 30 minutes of school dismissal (unless involved in an activity under the supervision of School staff).
15. Failure to report known hazing, harassment, or bullying of students. See "Freedom from Discrimination, Harassment, and Retaliation"; "Sexual Harassment"; "Freedom from Hazing, Bullying, and Cyber-bullying".
16. Inappropriate physical contact not defined as a Level II or III offense.
17. Inappropriate public displays of affection, including kissing, hugging, physical conduct, etc.
18. Insensitivity to others.
19. Making negative comments about students, faculty, or the school in any form of media.
20. Oral or written offensive language directed toward other students or school staff.
21. Persistent tardiness, *i.e.*, being tardy without excuse on four or more days within a period of 45 rolling school days. See "Tardiness".
22. Possessing matches, lighters, etc.
23. Possession of any electronic or telecommunication devices during school hours without permission. See "Electronic and Telecommunication Devices".
24. Posting materials or holding student gatherings without administrative approval. See "Distribution of Materials or Documents".
25. Profanity or obscene gestures directed toward other students.



26. Use of a skateboard, scooter, and/or roller blades while on School property.
27. Verbal or written abuse – i.e., name-calling, racial or ethnic slurs, or derogatory statements – that disrupt the school environment.

Disciplinary Consequences (not in order of progressive disciplinary measures)

- After school/lunch detention.
- Application of one or more “Discipline Management Techniques”.
- Confiscation of cell phones or other electronic devices; a fee of \$15.00 may be charged for the return of certain devices.
- Grade reductions for cheating/academic dishonesty.
- In-school suspension.
- Out-of-school suspension.
- Removal from the classroom and/or placement in another classroom.
- Restitution/restoration, if applicable.
- Sanctions for single or repeated non-compliance with “School Dress Code.
- School-assessed and school-administered probation.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction.
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.

Disciplinary actions may be used individually or in combination for any offense.

## Level II Offenses

The following behaviors are prohibited at all School and School-related activities:

1. Abusing prescription drugs, giving a prescription drug to another student, or possessing or being under the influence \*of another person’s prescription drug while on School property or at a School-related event (except for the possession of asthma or anaphylaxis medications, as allowed by “Administration of Medication”.
2. Being a member of, pledging to become a member of, joining, or soliciting another person to join, or pledge to become a member of a public school fraternity, sorority, or gang, as defined by Texas Education Code § 37.121.
3. Bypassing Internet blocks on School computers or networks to enter unapproved sites.
4. Causing an individual to act through the use of threat of force or coercion.
5. Cheating/academic dishonesty – i.e., copying the work of another, or using the work of another as your own.
6. Death threats.
7. Engaging in conduct that constitutes dating violence. See “Dating Violence”.
8. Engaging in hazing, harassing, or bullying conduct. See “Freedom from Discrimination, Harassment, and Retaliation”; “Sexual Harassment”; Freedom from Hazing, Bullying, and Cyber-bullying”.
9. Extortion/blackmail.
10. Failure to comply with conditions of in-school suspension placement.
11. Failure to comply with School medication policies. See “Administration of Medication”.
12. False accusations of conduct that would constitute a misdemeanor or felony.
13. Falsification of School records.
14. Fighting.
15. Gang activity. See “Gang Activity”.
16. Inappropriate behavior (e.g., violence; threats of violence; racially, ethnically, or culturally motivated actions).
17. Interference with school activities or discipline.
18. Leaving a classroom, school property, or school-sponsored events without permission.
19. Making an obscene gesture.
20. Persistent Level I offenses (two or more Level I offenses in any one school year).
21. Physical harassment or bullying of students. See “Freedom from Discrimination, Harassment, and Retaliation”.
22. Possessing a look-alike weapon (any device designed to appear to be a firearm or another weapon).
23. Possessing ammunition.
24. Possessing drug paraphernalia.
25. Possessing or using fireworks or other explosive devices.
26. Possessing, viewing, or distributing pictures, text messages, e-mails, or other material of a sexual nature in any media format.
27. Possession of a stun gun, mace, or pepper spray.

28. Possession of any electronic or telecommunication devices during school hour without permission. See “Electronic and Telecommunications Devices”.
29. Refusing to allow student search. See “Interrogations and Searches”.
30. Refusing to give a cell phone or other electronic device to School staff upon request.
31. Retaliation. See “Retaliation”.
32. Theft (stealing property belonging to the School or another person).
33. Threats (nonviolent/verbal or written).
34. Throwing object not considered to be a prohibited weapon (see “Weapons”) that may cause bodily injury or property damage.
35. Unruly, disruptive, or abusive behavior that interferes with the teacher’s ability to communicate effectively with students.
36. Use of profanity or vulgar/offensive language.
37. Use of the Internet or other electronic communication methods to threaten students or employees, or cause disruption to the school program.
38. Verbal or written abuse – i.e., name-calling, racial or ethnic slurs, or derogatory statements – that disrupt the school environment.
39. Willful destruction of School property or property belonging to another student or a School

employee/volunteer. Disciplinary Consequences

- Any applicable Level I Disciplinary Consequence.
- Out-of-school suspension for up to five days.

Disciplinary actions may be used individually or in combination for any offense.

### **Level III Offenses**

The following behaviors are prohibited at all School and School-related activities:

1. Abusing prescription drugs, giving a prescription drug to another student, or possessing or being under the influence of another person’s prescription drug while on School property or at a School-related event (except for the possession of asthma or anaphylaxis medications, as allowed by “Administration of Medication”).
2. Aggravated assault.
3. Aggravated kidnapping.
4. Aggravated robbery.
5. Aggravated sexual assault
6. Any offense listed in Sections 37.006(a) or 37.007 (a), (b), and (d) of the Texas Education Code, no matter when or where the offense takes place.
7. Arson.
8. Assault.
9. Being a member of, pledging to become a member of, joining, or soliciting another person to join, or pledge to become a member of a public school fraternity, sorority, or gang, as defined by Texas Education Code § 37.121.
10. Burglary of a motor vehicle on campus.
11. Capital murder.
12. Commission of a felony offense listed under Title 5, Texas Penal Code.
13. Conduct punishable as a felony.
14. Conduct that causes or creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity, or purpose, or that interferes or creates a reasonable likelihood that it will interfere with the health, safety, or well-being or the rights of other students.
15. Criminal attempt to commit murder or capital murder.
16. Criminal mischief against the School, a student, or a School employee/volunteer.
17. Criminally negligent homicide.
18. Death threats.
19. Deliberate destruction or tampering with School computer data or networks.
20. Disobeying conduct rules regarding School transportation. See “Transportation”.
21. Engaging in conduct that constitutes dating violence. See “Dating Violence”.
22. Engaging in conduct that constitutes sexual harassment. See “Sexual Harassment”.

23. Engages in bullying that encourages a student to commit or attempt to commit suicide.
24. Incites violence against a student through group bullying
25. Releases or threatens to release intimate visual material of a minor or a student who is 18 years or older without the student's consent. Intimate visual material is defined as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct.
26. Engaging in hazing, harassing, or bullying conduct. See "Freedom from Discrimination, Harassment, and Retaliation"; "Sexual Harassment"; Freedom from Hazing, Bullying, and Cyber-bullying".
27. Engaging in offensive conduct of a sexual nature (verbal or physical).
28. Failure to comply with school medication policies. See "Administration of Medication".
29. False alarm or report.
30. Felony criminal mischief against school property, another student, or school staff.
31. Fighting.
32. Gambling.
33. Gang activity. See "Gang Activity".
34. Inappropriate sexual conduct.
35. Indecency with a child.
36. Indecent exposure.
37. Issuing a false fire alarm.
38. Manslaughter.
39. Murder.
40. Persistent Level I offenses (four or more Level I offenses committed in anyone school year).
41. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
42. Possessing a look-alike weapon, including but not limited to BB guns, CO2 guns, air pistols or rifles, pellet guns, or any other device designed to appear to be a firearm or another weapon.
43. Possessing a knife, razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
44. Possessing a prohibited weapon. See "Weapons"; see also "Gun-Free Schools Act".
45. Possessing a stun gun, mace, or pepper spray.
46. Possessing or using fireworks or other explosive devices.
47. Possessing, selling, distributing, or being under the influence of an inhalant.
48. Possessing, selling, distributing, or being under the influence of alcohol.
49. Possessing, selling, distributing, or being under the influence of illegal drugs and/or a look-alike or synthetic substance. See "Drug-Free School Notice".
50. Possessing, selling, or distributing any tobacco or tobacco products.
51. Possessing, viewing, or distributing pictures, text messages, e-mails, or other material of a sexual nature in any media format.
52. Possession of any electronic or telecommunication devices during school hours without permission. See "Electronic and Telecommunications Devices".
53. Public lewdness.
54. Rape and/or sexual assault.
55. Required registration as a sex offender.
56. Retaliation. See "Retaliation".
57. Setting or attempting to set fire on school property (not arson).
58. Sexual abuse of a young child or children.
59. Sexual assault.
60. Targeting another individual for bodily harm.
61. Theft (stealing property belonging to the school or another person).
62. Threats (violent/verbal or written) in any form of media.
63. Use, exhibition, or possession of a firearm, illegal knife, club, or prohibited weapon.
64. Verbal or physical threats or actions against school employees.

### Disciplinary Consequences

- Out of school suspension for five–ten days.
- Expulsion.
- A student who is suspended three times for serious infractions will be recommended for expulsion.

## **\*\*Consequences Further Described**

### **After School/Lunch Detention**

Detention may be held each day after school or during lunch. Students who serve detention must make arrangements to be picked up from school. Parents may request in person a delay of the detention; no phone calls or notes will be accepted.<sup>53</sup>

During detention:

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

### **Suspension**

The School utilizes two kinds of suspension: in school suspension and out of school suspension.

#### **In School Suspension**

The following rules and regulations apply to all students assigned to in school suspension:

- Students must report to the detention room at 8 a.m. In school suspension will be run from 8:00 a.m. until dismissal time.
- Students will bring materials to work on. Students are responsible for obtaining assignments from each teacher.
- Students will not be permitted to go their lockers. All materials must be brought to the room when reporting.
- Students may not bring food or drink into the detention room.
- No disruptive behavior will be allowed.
- Unexcused absences from suspension will be referred to the Principal or designee. Sleeping is prohibited.
- Students must abide by the provisions of this Handbook and the Student Code of Conduct during their suspension period.
- A student who misses a scheduled in school suspension without a confirmed excuse will be assigned one day out of school suspension. The missed in school suspension period will be rescheduled. If a student misses more than one scheduled in school suspension without a confirmed excuse, he or she may be subject to expulsion.

Failure to follow these guidelines will be reported to the Principal or designee for further action, which may include up to three days of out of school suspension or any other Level 1 consequence.

#### **Out of School Suspension**

The Principal or designee will give notice of suspension and the reasons for the suspension to the student.

### **Conference, Hearings and Appeals**

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

#### ***Process for Suspensions lasting Up to Five Days***

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

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

## **Prerequisites to Suspension**

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

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

## **Notification to Parents/Guardians**

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

## **Credit During Suspension**

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

## ***Process for Out-of-School Suspensions Over Five Days and Expulsion***

### **Notice**

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

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

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

- May be present;
- Shall have an opportunity to present evidence;
- Shall be apprised and informed of the school's evidence;
- May be accompanied by his or her parent(s); and
- May be represented by an attorney.

### **Hearing Before Principal or Designee**

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

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

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

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

## **Appeal to the Board of Directors**

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

Discipline consequences will not be deferred pending the outcome of an appeal of an expulsion to the Board.

## **No Credit Earned**

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

## **Emergency Placement and Expulsion**

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

## **Placement of Students with Disabilities**

All disciplinary actions regarding students with disabilities shall be conducted in accordance with the most current federal and state laws. A student with a disability shall not be excluded from his or her current placement pending appeal to the Board of Directors for more than ten days without ARD Committee action to determine appropriate services in the interim. Pending appeal to a special education hearing officer, a student with a disability shall remain in the present education setting, unless the school and parents agree otherwise.

## ***Gun-Free Schools Act***

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

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

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

## SECTION V — PARENTAL RIGHTS

### Surveys and Activities

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

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

Parents will be able to inspect the survey or other instrument and any instructional materials used in connection with such a survey, analysis, or evaluation.

### “Opting Out” of Surveys and Activities

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

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

### Notification of Teacher Qualification

At the beginning of each school year, the School will notify the parent of each student attending with information regarding the professional qualifications of their student's classroom teachers. The School will also provide this information upon request from a parent. The notification will include, at a minimum:

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

## **Accommodations for Children of Military Families**

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

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

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

## **Student or Parent Complaints and Concerns**

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

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

### **Level One**

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

### **Level Two**

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

### **Level Three**

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

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

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



If the complaint involves concerns or charges regarding an employee, it shall be heard by the Principal in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.

### **Plan for SMACS to Implement the School Safety Choice Option:**

A school is deemed unsafe or persistently dangerous if it meets the criteria in the appendix entitled School Safety Choice Option. At this time, only two schools in the State of Texas have been identified as unsafe or persistently dangerous.

In the unlikely event that SMACS is identified by TEA as an unsafe or persistently dangerous activity, the School will: **Notify parents** at least fourteen (14) calendar days prior to the start of the school year that the school has been identified as persistently dangerous and that their student(s) enrolled on the identified campus may transfer to a safe school, which may be a public charter school, beginning at the start of the school year.

**Offer students** enrolled at the persistently dangerous school(s) the opportunity to transfer to a safe school at least fourteen (14) calendar days before the start of the school year. The same transfer option must be offered to any subsequently enrolling students throughout the school year at the time of their enrollment. (Note: The notification of parents and the offer of transfer to students may be made simultaneously.)

**Complete the transfer(s) prior to the beginning of the school year** to allow those students who elect to transfer to a safe public school to begin the school year at the new campus.

**Develop a corrective action plan and provide a copy of the plan to TEA** within 30 calendar days from the LEA is officially notified that the school is identified as persistently dangerous.

**Implement the corrective action plan** as the school begins.

**Submit its Multi-Hazard Plan and, if available, the most recent School Security Audit Report**, along with its Corrective Action Plan, to TEA within thirty (30) calendar days from its official notification as a PDS.

**Require campus administrators and PEIMS personnel** to complete an updated PEIMS 425 Record training program before the end of the calendar year in which the campus is identified as persistently dangerous.

**Collect and maintain documentation** of information related to transfer of students.

**Collect and maintain documentation** LEA's required development and implementation of its corrective action plan.

**Submit quarterly reports** to TEA on the district's progress in assuring a safe campus.

## SECTION VI — IMPORTANT NOTICES

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

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

#### **The Right to Inspect and Review**

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

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

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

#### **The Right to Seek Amendment of the Student’s Educational Records**

Parents or eligible students may ask the School to amend a record that they believe is inaccurate, misleading, or in violation of the student’s privacy rights. Parents or eligible students should submit to the Principal or designee a written request that clearly identifies the part of the record they want changed, and specifies why it is inaccurate, misleading, or in violation of the student’s privacy rights. The School will decide whether to amend the record as requested within a reasonable time after the School receives the request. If the School decides not to amend the record as requested by the parent of eligible student, the School will notify the parent of eligible student of the decision and advise them to their right to a hearing to challenge the content of the student’s education records on the grounds that the information contained in the educational records is inaccurate, misleading, or in violation of the student’s privacy rights.

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

#### **The Right to Consent Prior to Disclosure**

Parents and/or eligible students have the right to consent to disclosures of personally identifiable information contained in the student’s educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interest. A “school official” is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Directors; a person or company with whom the School has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

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

### **The Right to File a Complaint**

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

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

### **Access to Medical Records**

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

### **Notice for Directory Information**

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

The School has designated the following categories of information as directory information for the purpose of disclosure relating to School-related purposes:

- Student name;
- Date and place of birth;
- Degrees, honors, and awards received;
- Dates of attendance;
- Grade level;
- Most recent educational institution attended;
- Participation in officially recognized activities and sports; and
- Weight and height of members of athletic teams.

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

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

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

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

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

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

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

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

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

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

**PLEASE CIRCLE YES OR NO**

**For all students:**

<b>YES</b>	<b>NO</b>	I give permission for my student’s name and photograph to be included in the School’s yearbook.
<b>YES</b>	<b>NO</b>	I give permission for my student to be videoed, photographed, or interviewed at school by local media or School personnel for use in
<b>YES</b>	<b>NO</b>	I give permission for my student’s artwork, projects, photographs, etc. to be used or displayed in any School communication devices. Examples include media coverage, printed materials, marketing, and websites.

\_\_\_\_\_  
 PRINT Student’s Full Legal Name

\_\_\_\_\_  
 Student’s Date of Birth

\_\_\_\_\_  
 PRINT Parent/Guardian Full Legal Name

\_\_\_\_\_  
 Parent/Guardian Signature

\_\_\_\_\_  
 Date

## Use of Student Work in School Publications

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

**Parents: Please circle one of the choices below:**

I, parent of \_\_\_\_\_ (student's name), **(do give) (do not give)** St. Mary's Academy permission to use my child's artwork, photos, or other original work in the manner described above.

Parent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# **Student Acceptable Use Policy**

## ***Computer Resources***

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

## ***Technology Mission Statement***

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

## **Instructional Resource**

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

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

## **Student Safety**

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

## **Purpose**

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

## **User Responsibilities**

The use of the Internet is a privilege. Abusive conduct will lead to the privilege being revoked. St. Mary's Academy is providing Internet resources for educational purposes only. Student/staff use of Internet resources must be related to an expressed educational and/or administrative goal or objective.

1. The use of the School's Internet and computer network must be in support of educational goals, research, and class assignments and be consistent with the educational objectives of the School.
2. Users must have a valid, authorized account to access the network, and use only those computer resources that are authorized. Accounts may be used only in accordance with authorized purposes.

3. Individual accounts may be used only by the owner of the account except where specifically authorized by administrators. In the case of class accounts, all use must be under the supervision of the sponsoring teacher/supervisor.
4. The user is responsible for safeguarding the computer account. Users are expected to protect access to accounts by periodically changing the password and keeping it confidential. They must respect the privacy of others by not tampering with their files, passwords, or accounts.

## Policy Terms and Conditions

### Acceptable Use

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

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

Any person taking, disseminating, transferring or sharing obscene, sexually oriented, lewd or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, students involved in "sexting" or the sharing of inappropriate images or other content may also be disciplined for violating the School's anti-harassment and bullying policies. Accordingly, we strongly encourage you to review with your child <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

### Monitored Use

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

### Vandalism

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

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

### Network Etiquette

Each network user is expected to:

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

### ***Consequences***

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

- Loss of computer privileges/Internet access, with length of time to be determined by campus administration.
- Any disciplinary consequence, including suspension or expulsion, as deemed appropriate by the administration.
- Suspension may be considered for flagrant violations or violations that corrupt the educational value of the computers<sup>[RC3]</sup> or the Internet.
- Expulsion may be considered in instances where students have used the School's Internet access to engage in conduct that constitutes felony criminal mischief, and/or have deliberately attempted to bypass installed security software or copy/modify another student's work files.
- Points may be assessed against the student's conduct grade.

Violations of law may also result in criminal prosecution as well as disciplinary action by the school.



# St. Mary's Academy

## Internet and Online Student Consent Form

### ACCEPTABLE USE AGREEMENT ACKNOWLEDGEMENT FORM

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

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

# St. Mary's Academy

## ELECTRONIC COMMUNICATION DEVICE COMMITMENT FORM (REGULATION OF ELECTRONIC COMMUNICATION DEVICES)

Electronic communications at school and at school-related functions are subject to regulation by the School.

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

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

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

- The possession and use of cellular phones, pagers, PDAs and other electronic communication devices by a student on school property or at school-related events is prohibited **unless prior permission has been given by the Principal or designee**. The school may confiscate an authorized electronic device and may charge a \$15.00 fee for return of the device.
- If a student possesses such devices on school property or while attending school-related events, the School is authorized and has my full consent to confiscate, power on or off, manipulate and do all things necessary to search my device and recover or intercept communications (including but not limited to text messaging) when reasonable suspicion exists that such device has been used to transmit or receive communications in violation of law, the Student Code of Conduct, school policy or regulation.
- I further understand, agree and consent that an electronic communication device used or possessed in violation of law, the Student Code of Conduct, school policy or regulation is subject to confiscation and that the School is not liable for any loss of or damage to confiscated devices.

### SIGNATURE LINES AND DATES

\_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of student)

\_\_\_\_\_  
(Printed name of student)

\_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of parent/guardian)

# St. Mary's Academy

## FOOD ALLERGY NOTIFICATION FORM

Dear Parents,

The School is required by law to request, at the time of enrollment, that the parent or guardian of each student attending a School campus discloses the student's food allergies. This form will satisfy this requirement.

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

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

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

Food:	Nature of allergic reaction to the food:

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

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Grade: \_\_\_\_\_ Parent Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

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

Date form received by the school: \_\_\_\_\_

# St. Mary's Academy Charter School

## RELEASE FORM

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

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

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

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

Student's Name: \_\_\_\_\_

Parent's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# St. Mary's Academy

## Student/Parent Handbook Acknowledgment of Student/Parent Handbook

My signature below acknowledges that St. Mary's Academy has made its Student/Parent Handbook /Student Code of Conduct available to me online and/or via hard copy; that I have been given notice of the rules, responsibilities and consequences outlined in the Student Code of Conduct; that I have been informed that when I or my child is enrolled at the School, all information herein is applicable to me, my child, and all school staff; and that I have expressed intent to review this Handbook and the Student Code of Conduct contained within and to abide thereby.

Student Name: \_\_\_\_\_ (Please Print)  
Last    First    MI

Grade: \_\_\_\_\_

\_\_\_\_\_  
Student Signature    Date

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

Please remove this page after it is signed and return it to the school office.

Thank you for allowing our staff the opportunity to partner with you in the education of your child.

