



**ÉTOILE ACADEMY**  
C H A R T E R S C H O O L

**2021-2022 Parent-Student Handbook**

## Table of Contents

<b>Preface</b>	<b>6</b>
<b><u>SECTION 1: GENERAL INFORMATION</u></b>	<b>7</b>
<b><u>Our Mission</u></b>	<b>7</b>
<b><u>Our Core Values</u></b>	<b>7</b>
<b><u>Statement of Non-Discrimination</u></b>	<b>9</b>
<b><u>General Admissions and Enrollment Information</u></b>	<b>9</b>
Exclusion from Admission	9
Submission of Applications and Admissions Lottery	9
<b><u>McKinney-Vento Homeless Education Assistance Act of 2001</u></b>	<b>10</b>
<b><u>Student Information</u></b>	<b>10</b>
Food Allergy Information	10
Establishing Identification	11
Undocumented Students	11
Residency Verification	11
<b><u>School Calendar</u></b>	<b>11</b>
<b><u>School Day</u></b>	<b>11</b>
<b><u>Drop-off and Pick-up Procedures</u></b>	<b>11</b>
<b><u>Attendance</u></b>	<b>12</b>
Texas Compulsory Attendance Law	12
Attendance for Credit or Final Grade	12
<b><u>Absence and Tardiness</u></b>	<b>13</b>
Excused Absences	13
Unexcused Absences	14
Tardiness and Late Arrival	14
Make-Up Work	14
<b><u>Release of Students from School</u></b>	<b>14</b>
<b><u>Closed Campus</u></b>	<b>14</b>
<b><u>Withdrawals</u></b>	<b>14</b>
Voluntary Withdrawal	14
Involuntary Withdrawal	15
<b><u>Dress and Grooming</u></b>	<b>15</b>
<b><u>Student Fees</u></b>	<b>17</b>
<b><u>Textbooks and Curriculum Materials</u></b>	<b>17</b>
<b><u>Food Service</u></b>	<b>18</b>
<b><u>Transportation</u></b>	<b>18</b>
<b><u>Transcripts</u></b>	<b>18</b>
<b><u>Displaying a Student’s Artwork, Projects, Photos, and Other Original Work</u></b>	<b>18</b>

<b><u>Distribution of Materials or Documents</u></b>	<b>18</b>
School Materials	18
Non-School Materials	18
<b><u>Electronic Device Policy</u></b>	<b>19</b>
<b><u>Pledges of Allegiance and Moment of Silence</u></b>	<b>19</b>
<b><u>Recitation of the Declaration of Independence</u></b>	<b>19</b>
<b><u>Prayer and Meditation</u></b>	<b>20</b>
<b><u>SECTION 2: STUDENT HEALTH AND SAFETY</u></b>	<b>20</b>
<b><u>Alcohol-Free School Notice</u></b>	<b>20</b>
<b><u>Tobacco-Free School Notice</u></b>	<b>20</b>
<b><u>Drug-Free School Notice</u></b>	<b>20</b>
<b><u>Asbestos Management Plan</u></b>	<b>20</b>
<b><u>Bacterial Meningitis Information</u></b>	<b>20</b>
<b><u>Communicable Diseases</u></b>	<b>21</b>
<b><u>Immunization Requirements</u></b>	<b>22</b>
Provisional Enrollment	22
Exclusions from Immunization Requirements	22
Immunization Records Reporting	23
<b><u>Emergency Medical Treatment</u></b>	<b>23</b>
<b><u>Student Illness</u></b>	<b>23</b>
<b><u>Administration of Medication</u></b>	<b>23</b>
Asthma and Anaphylaxis Medication	23
<b><u>Steroid Notice</u></b>	<b>24</b>
<b><u>Dyslexia and Related Disorders</u></b>	<b>24</b>
<b><u>Fitness Testing</u></b>	<b>24</b>
<b><u>Spinal Screening</u></b>	<b>24</b>
<b><u>Vision and Hearing Screenings</u></b>	<b>24</b>
<b><u>Freedom from Discrimination, Harassment, and Retaliation</u></b>	<b>24</b>
Statement of Nondiscrimination	24
Discrimination	25
Prohibited Harassment	25
Sexual Harassment and Gender-Based Harassment	25
Retaliation	26
Reporting Procedures	26
Investigation of Complaints	26
Confidentiality	26
Appeal	26
<b><u>Freedom from Bullying and Cyber-bullying</u></b>	<b>27</b>
Reporting Procedures	27
Investigation of Report	27
Confidentiality	27
Appeal	27

<b><u>Law Enforcement Agencies</u></b>	<b>27</b>
Questioning of Students	27
Students Taken into Custody	28
<b><u>Child Abuse Reporting and Programs</u></b>	<b>28</b>
<b><u>Plan for Addressing Sexual Abuse and Other Maltreatment of Children</u></b>	<b>28</b>
What is Sexual Abuse of a Child?	28
What is Other Maltreatment of a Child?	29
Reporting Obligation	29
Methods for Increasing Awareness Regarding Sexual Abuse or Other Maltreatment of Children	29
Likely Warning Signs of Sexual Abuse or Other Maltreatment	30
Actions That a Child Who Is a Victim of Sexual Abuse or Other Maltreatment Should Take	30
Available Counseling Options	31
<b><u>Interrogations and Searches</u></b>	<b>31</b>
Desk and Locker Searches	31
Random Drug Searches	31
<b><u>Procedures for Use of Restraint and Time-Outs</u></b>	<b>31</b>
<b><u>Visitor and Volunteer Policy</u></b>	<b>32</b>
<b><u>Disruptions</u></b>	<b>32</b>
<b><u>Emergency Closings</u></b>	<b>32</b>
<b><u>Drills: Fire, Tornado, and Other Emergencies</u></b>	<b>33</b>
<b><u>Pest Control Information</u></b>	<b>33</b>
<b><u>SECTION 3: ACADEMICS AND GRADING</u></b>	<b>33</b>
<b><u>Academic Programs</u></b>	<b>33</b>
<b><u>Curricular Vision</u></b>	<b>33</b>
<b><u>Academic Integrity</u></b>	<b>34</b>
<b><u>Computer Resources</u></b>	<b>34</b>
<b><u>Credit by Exam</u></b>	<b>34</b>
If a Student has Prior Instruction	34
If a Student Has Not Taken the Course	34
<b><u>Distance Learning</u></b>	<b>34</b>
<b><u>Extracurricular Activities, Clubs, and Organizations</u></b>	<b>35</b>
Standardized Testing	35
<b><u>Promotion and Retention</u></b>	<b>36</b>
Students with Disabilities	36
<b><u>Report Cards</u></b>	<b>37</b>
<b><u>Special Programs</u></b>	<b>37</b>
Bilingual/ESL Services	37
Special Education Services	37
Providing Assistance to Students Who Have Learning Difficulties or Who Need Special Education Services	37
Section 504 Services	38
<b><u>SECTION 4: STUDENT CODE OF CONDUCT</u></b>	<b>38</b>

<b><u>Purpose of the Student Code of Conduct</u></b>	<b>38</b>
<b><u>Authority and Jurisdiction</u></b>	<b>39</b>
Reporting Crimes	39
<b><u>Standards for Student Conduct</u></b>	<b>39</b>
<b><u>Discipline Management Techniques</u></b>	<b>39</b>
Techniques	39
Corporal Punishment	40
<b><u>Student Code of Conduct Offenses</u></b>	<b>40</b>
Level I Offenses:	40
Level II Offenses	41
Level III Offenses	42
<b><u>Student Code of Conduct Consequences</u></b>	<b>44</b>
Detention	44
After School Detention	44
Suspension	45
Removal from School Transportation	45
<b><u>Conferences, Hearings, and Appeals</u></b>	<b>46</b>
Process for Suspensions Lasting Up to Five Days	46
Process for Out-of-School Suspensions Over Five Days (extended suspension) and Expulsion	46
<b><u>Placement of Students with Disabilities</u></b>	<b>47</b>
<b><u>Gun-Free Schools Act</u></b>	<b>47</b>
<b><u>Glossary</u></b>	<b>48</b>
<b><u>SECTION 5: ESPECIALLY FOR PARENTS</u></b>	<b>52</b>
<b><u>Parent Contact Information</u></b>	<b>52</b>
<b><u>Your Involvement as a Parent</u></b>	<b>52</b>
<b><u>Surveys and Activities</u></b>	<b>52</b>
“Opting Out” of Surveys and Activities	53
<b><u>Notice of Teacher Qualifications</u></b>	<b>53</b>
<b><u>Accommodations for Children of Military Families</u></b>	<b>53</b>
<b><u>Student or Parent Complaints and Concerns</u></b>	<b>53</b>
Informal Conferences	54
Formal Grievance Process	54
<i>Level One Complaint – Principal Review</i>	54
<i>Level Two Complaint – Operations Manager Review</i>	54
<i>Level Three Complaint – Principal Review</i>	54
<i>Level Four – Board of Directors Review</i>	55
Additional Complaint Procedures	55
<b><u>SECTION 6: IMPORTANT NOTICES</u></b>	<b>56</b>
<b><u>Annual Notice of Parent and Student Rights (Annual FERPA Confidentiality Notice)</u></b>	<b>56</b>
<b><u>Family Educational Rights and Privacy Act: Directory Information Opt Out Form</u></b>	<b>59</b>
<b><u>Use of Student Work in School Publications</u></b>	<b>60</b>
<b><u>Student Acceptable Use Policy</u></b>	<b>61</b>

<b><u>Acceptable Use Agreement Acknowledgment Form</u></b>	<b>64</b>
<b><u>Electronic Communication Device Commitment Form</u></b>	<b>65</b>
<b><u>Food Allergy Notification Form</u></b>	<b>66</b>
<b><u>Acknowledgement and Approval of Parent – Student Handbook and Code of Conduct</u></b>	<b>67</b>

## Preface

To Students and Parents:

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

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

The Handbook is divided into six sections. The first section includes general information regarding school policy and procedures. The second section provides important health and safety information. The third section provides information about academics and grading. The fourth section is the Student Code of Conduct, which is required by state law and intended to promote school safety and an atmosphere for learning. Both students and parents need to be familiar with the Student Code of Conduct. The Student Code of Conduct is also available in the main office, and is posted on the school’s website. The fifth section is especially for parents, with information regarding parental rights. Finally, the sixth section contains important notices regarding student information, computer resources, and electronic communication devices.

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

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

**Finally, you must complete and return the last page of the Handbook – “Acknowledgement and Approval of Student/Parent Handbook” – to the front office by Monday, August 23rd.**

On behalf of the entire Étoile Academy staff and community, best wishes for a great 2021-2022 school year!

## SECTION 1: GENERAL INFORMATION

### Our Mission

Étoile Academy Charter School ensures that every student in grades 5 through 8 has the academic and character foundation necessary to succeed in high school, graduate from college, and pursue ambitious life goals.

### Our Core Values

Étoile Academy holds members of the school community—students, families, and staff—to the highest standards. To provide the very best education for Étoile Academy students, all of us must work together to create an atmosphere conducive to academic excellence. In addition, we will work to prepare students with the values that will lead to success in college and their career. Therefore, we must collectively and consistently ensure that Étoile Academy students display our core values.

**Respect:** We respect all members of our community and ourselves.

**Excellence:** We strive for excellence in everything we do.

**Ambition:** We are motivated to improve and to reach our goals.

**Community:** We take care of each other, our school, our city, our state, and our country.

**Hard work:** There are no shortcuts to success. We work hard each and every day.

### Board of Directors

Our board of directors meets monthly to govern the organization through fiscal oversight, strategic planning, academic oversight, and fund development. Meeting agendas, times, locations and minutes can be found on the Étoile Academy website. Below is a short biography for each of our current board members.

Ja'Milla Lomas brings a wealth of marketing, special events, and communications experience to her board service. She has a Masters of International Business with a concentration in Marketing. She brings over a decade of marketing and special events experience. She was born and raised in Houston and graduated from the DeBaKey High School for Health Sciences. She is the Alumnae Admissions Coordinator in Houston for Smith College, her alma mater, and has connected hundreds of Houston high school students to Smith College. Ms. Lomas brings strong professional skills and deep commitment to the community to her service on the Board of Directors.

Dr. Michelle Bair has a wealth of experience in development including annual giving, donor information management, data analysis, gift processing and cultivating individual donors. She also has experience in universities as a professor, project manager, fundraiser, and director of community engagement. With her Ph.D. from Texas Tech and her undergraduate degree from the University of Florida, she has the experience and education to support our mission and close the opportunity gap for students in southwest Houston.

Alim Adatia is the Director of Outreach Strategist, LLC a global communications and public relations firm in Houston. Alim is also a partner at Outreach Cultural Intelligence training law enforcement to engage in communities and work towards better outcomes. Alim has experience as an attorney and previously worked as special counsel in the Governor's office for the Commonwealth of Massachusetts. His legal knowledge, experience with public relations, and his work with law enforcement in urban communities will support our efforts to provide high-quality education to students in Houston.

Tabinda Ghani serves as the Director of Financial Stability at Family Houston. She holds a Master of Business Administration alongside a Master in Social Work from the University of Houston. She brings a wealth of experience in community development, nonprofit management, and supporting families in Houston.

Alexandra Caritis is a trial attorney at Kirkland & Ellis LLP. Prior to joining Kirkland & Ellis, Alexandra was a 7th grade science teacher in Charlotte-Mecklenburg public schools.

Emmanuel Enriquez is the site administrator for a community center in the Gulfton area. He holds a Bachelor's degree from Rice University in Cognitive Science. Emmanuel is the first college graduate in his family and is the proud father of an Étoile student.

Adeeba Yusuf brings international experience in supply chain management and continuous improvement. She holds a Bachelors from University of Houston in Accounting and Supply Chain Management.

Philip Wright is the Chief Schools Officer at YES Prep Public Schools, an open enrollment charter school with 21 campuses serving 15,000 students across the city of Houston.

Rebekah has over a decade of experience working in education in a variety of contexts, including teaching, curriculum design, instructional coaching, and professional development. She previously worked for KIPP Houston and led the expansion of Niroga Institute's stress resilience programs into schools in Texas.

John Archer is the director of accounting at Harmony Public Schools, one of the largest K-12 charter school networks in Texas with a strong focus on STEM education in underserved communities.

#### **Statement of Non-Discrimination**

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

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

- The Title IX Coordinator, for concerns regarding discrimination on the basis of sex/gender, is the Superintendent, Kayleigh Colombero.
- The ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability, is the Chief Academic Officer, Cristina Urena.
- The Age Discrimination Coordinator, for concerns regarding discrimination on the basis of age, is the Operations Manager, Joshua Williams.
- All other concerns regarding discrimination may be directed to either the Superintendent, Kayleigh Colombero, or the Operations Manager.

### **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 Étoile Academy shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by Étoile Academy based on occupancy limitations, code compliance and staffing requirements as deemed necessary.

*In accordance with state law, Étoile 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 the child would otherwise attend.*

### **Exclusion from Admission**

As authorized by the Étoile Academy charter and Texas Education Code § 12.111(a)(5)(A), students with a documented history of a criminal offense, a juvenile court adjudication, or other discipline problems under Texas Education Code Chapter 37, Subchapter A may be excluded from admission and enrollment in Étoile Academy.

### **Submission of Applications and Admissions Lottery**

Students wanting to attend Étoile Academy must submit an application during the school's open enrollment period, which takes place from November 1 to March 15 each year, or as otherwise set by Principalship. Applications and enrollment forms are available at the main office, and online through the Étoile Academy website.

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

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.

Families offered an enrollment seat will be sent a registration packet with instructions for registering. This notice will be sent no later than March 30. Families must complete and return the registration packet by the published deadline in order to secure enrollment. If an enrollment offer is declined or if you do not complete the registration packet by the established deadline, your child's seat will be offered to the next potential student on the waiting list.

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

### **McKinney-Vento Homeless Education Assistance Act of 2001**

Homeless children and youth are ensured specific educational rights and protections. A listing of these specific rights may be obtained from Étoile Academy by contacting the Culture and Community Manager.

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

- Means individuals who lack a fixed, regular, and adequate nighttime residence.
- Includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
- Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations.

- Are living in emergency or transitional shelters.
- Are abandoned in hospitals, or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designed as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations.

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

### **Student Information**

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

No later than 30 days after enrolling in Étoile Academy, the parent and school district in which the student was previously enrolled shall furnish records that verify the identity of the student. These records may include the student's birth certificate or a copy of the student's school records from the most recently attended school. Students will not be denied enrollment because they failed to meet this requirement.

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

### **Food Allergy Information**

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

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

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

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

### **Establishing Identification**

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

### **Undocumented Students**

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

### **Residency Verification**

The Texas Education Code authorizes schools to obtain evidence that a person is eligible to attend public schools. To be eligible for continued enrollment in Étoile Academy, each student's parent must show proof of residency at the

time of enrollment. Residency may be verified through observation, documentation, and other means, including, but not limited to:

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

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

### **School Calendar**

Étoile Academy operates according to the school calendar adopted annually by the Board of Directors. Holidays may be used as school make-up days for days lost due to bad weather. Families will receive a School Calendar with their First Day of School packet. The latest changes to the calendar will be available on the school's website.

### **School Day**

Classes begin at 8:00a.m. and are dismissed at 4:00p.m. on every weekday except Friday. Friday classes begin at 8:00 a.m. and are dismissed at 2:00 p.m. Students may be dropped off as early as 7:30 a.m. They will be supervised, but there are no organized activities before the instructional day begins.

Students enrolled in after-school programming or who are signed up for academic supervision may be on campus, provided that all applicable fees for activities and/or supervision have been paid. These fees vary, and will be published on our website and communicated to parents.

### **Drop-off and Pick-up Procedures**

All students must be dropped off and picked up ONLY in the designated areas. Parents can also park and walk to drop off and pick up their child from the designated areas. The current drop off and pick up maps are available at the Front office. Parents (or anyone picking up/dropping off students) should drive slowly and wait for Étoile Academy staff to direct them. All parents will need to get car tags for pick up and drop off during Family Orientation. We will only allow students to enter a car with their car tag prominently displayed. Each family will receive two car tags. If you need additional tags, please contact the Operations Manager to discuss the process for getting additional tags.

### **Attendance**

Regular attendance is expected of all Étoile Academy students due to the rigor of our curriculum. Consistent school attendance is an essential component of each student's education. Official attendance is taken each day and recorded each instructional period. Tardies and early checkouts are also recorded each day and have significant impacts on student learning and achievement.

Absence from school will affect a student's ability to succeed in class; therefore, students and parents should make every effort to avoid unnecessary absences. Additionally, state law mandates compulsory school attendance for children of a certain age, and Étoile Academy policy deals with attendance for course credit and a student's final grade. These items are discussed below.

### **Texas Compulsory Attendance Law**

The state compulsory attendance law requires that a student between the ages of six and 19 must attend school and school-required tutorial sessions unless the student is otherwise legally exempted or excused. Étoile Academy staff must investigate and report violations of the state compulsory attendance law. A student absent from school without permission from any class, from required special programs, or from required tutorials will be considered "truant" and subject to disciplinary action.

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day. If a student 19 years of age or older has more than five unexcused absences in a semester, Étoile Academy may revoke the student's enrollment, except that Étoile Academy may not revoke the enrollment on a day on which the student is physically present at school. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. Prior to revoking the student's enrollment, Étoile Academy shall issue a warning letter to the student after the third unexcused absence stating that the student's enrollment may be revoked for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking enrollment, Étoile Academy may impose a behavior improvement plan.

**Notice to Parents:** *Under Texas Education Code § 25.095(a), you are hereby notified that if a student is absent from school on ten or more days or parts of days within a six-month period in the same school year, the student's parent is subject to prosecution under Texas Education Code § 25.093; and the student is subject to referral to a truancy court for truant conduct under Texas Family Code § 65.003(a).*

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

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

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

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

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

If credit is lost or a final grade is not earned due to excessive absences, the Attendance Review Committee will decide how the student may regain credit or earn a final grade. If the committee determines there are no extenuating circumstances and that credit or a final grade may not be earned, the student or parent may appeal the committee's decision to the Board of Directors by filing a written request with the Principal. The appeal notice must be postmarked to the following address within 10 days following the last day of instruction in the semester for which credit was denied:

Étoile Academy  
6648 Hornwood Drive

Houston, TX 77074

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.

### **Absence and Tardiness**

When a student must be absent from school, parents are asked to call the school each day the student will be absent. Upon returning to school, the student must bring a note, signed by the parent, or a medical excuse signed and dated by a provider that describes the reason for the absence. Notes should be submitted to the school registrar, and may be scanned and emailed, submitted through the Étoile Academy website, or faxed to the school. If a note is not received within 2 school days of the absence, the absence will be recorded as unexcused.

Because excessive absences are considered truancy under state law, Étoile Academy reserves the right to take extreme absence cases to court.

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

### **Excused Absences**

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

- Religious holy days.
- Required court appearances.
- Activities related to obtaining United States citizenship.
- Service as an election clerk.
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. If a student returns to school the same day or attends part of the day prior to a doctor's appointment and then presents a doctor's note verifying the appointment, the absence is excused and the student is counted present. Students should be picked up and signed out for early dismissal in the front office. We cannot call your student from the classroom until you are in the front office signing them out.
- For students in the conservatorship (custody) of the state.
- Mental health or therapy appointments.
- 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, required court appearances, activities related to obtaining citizenship, and services of an election clerk, one day of travel to the site and one day of travel from the site shall also be excused by Étoile Academy.

The only additional excused absences are for personal illness, death in the immediate family (parent, sibling, grandparent, or member of the immediate household), a school-related absence or an absence approved in advance by Principalship due to extenuating circumstances.

### **Unexcused Absences**

Any absence not listed above or approved in advance by Principalship due to extenuating circumstances will be considered an unexcused absence.

### **Tardiness and Late Arrival**

Nearly all tardiness is avoidable. If a student arrives late to school (after 8:00am), a parent must report to the front office to complete a tardy slip. Repeated tardiness will result in disciplinary consequences as allowed by the Student Code of Conduct and meetings between families and the Culture and Community Manager.

### **Make-Up Work**

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

### **Release of Students from School**

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

Because class time is important, doctor's appointments or meetings with other professionals should be scheduled at times when the student will not miss instructional time, including on Fridays (early release days).

### **Closed Campus**

Students are not permitted to leave campus for lunch. Parents are welcome to eat lunch with their child in the cafeteria with prior approval from the Principalship. On these days, parents may only bring lunch for their own children. Students and adults may not bring in or give away food to other students during lunch times.

### **Withdrawals**

#### **Voluntary Withdrawal**

A student under 18 years of age may be withdrawn from school only by a parent. Étoile 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**

Étoile Academy may initiate withdrawal of a student under the age of 19 for non-attendance if:

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

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

### **Dress and Grooming**

As authorized by state law and the Étoile Academy charter, students are required to wear uniforms to school. The school's dress and grooming standards are designed to teach grooming and hygiene, prevent disruption, minimize safety hazards, and provide a dress standard that offers flexibility for the parent and student. Students must come to school cleanly and neatly groomed and wearing clothing that will not be a health or safety hazard to the student or others, and that will not distract from the educational atmosphere of the school. Students are required to arrive in proper attire every day.

Parents must provide their student(s) with the required uniform, except in the case of educationally disadvantaged students as provided in the Texas Education Code. Étoile Academy may provide a uniform for economically disadvantaged students. A request for school assistance for purchasing uniforms must be made in writing to the Principal and include evidence of the inability to pay. Further details are available in the Front Office.

A parent may choose for his or her student(s) to be exempted from the requirement of wearing a uniform if the parent provides a written statement that, as determined by the Board of Directors, states a bona fide religious or philosophical objection to the requirement.

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

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

### **Uniform and Grooming Requirements**

#### **Overview:**

Students are expected to be in uniform for every school day. Students should focus on cleanliness, neatness, good taste and safety when preparing to come to school. Following are the uniform regulations for students:

- **Footwear** must be solid white, black, brown, gray, or navy blue. Shoes can be a combination of black and one of these colors (i.e. black and white, black and gray). There cannot be any other visible colors.
  - All footwear must have closed toes and closed heels.
  - No high heels, boots, house shoes, slippers, or sandals of any kind are permitted.
  - Note: Students may wear boots to school in the event of inclement weather, but must bring uniform-appropriate shoes to change into once they arrive.
- **Socks** must be worn at all times for sanitary purposes. Students can wear any color or pattern sock as long as they do not have inappropriate or offensive language or designs.
- **Pants** must be trouser-style and khaki, gray, or navy blue. Shorts and skorts must also be khaki, gray, or navy blue and must reach the top of the knee in length. All bottoms must have belt loops.
  - The hem may not be frayed, the pants/shorts/skorts may not be ripped in any way, and sweatpants, joggers, and cargo pants (those with more than two pockets in front and two pockets in back) are not allowed.
  - Pants/shorts must be worn at the waist, not the hip.
- **Tights or leggings** may be worn under skorts or shorts of the appropriate length, but they must only be white, black, brown, or navy blue.
  - Tights with holes, jeggings, and stretch pants are not permitted at any time.
- **Belts** must be worn at all times.
  - They must be entirely white, black, brown, gray, or navy blue and should fit snugly around the student's waist.
  - Belts should not have any logos, studs, or other adornments.

- Belt buckles should be discreet.
- **Shirts** must be official navy blue, polo-style collared shirts adorned with the school logo.
  - Throughout the year, school-sanctioned t-shirts may be provided as incentives; these t-shirts may be worn instead of the official polo shirt on Fridays.
  - College t-shirts and sweatshirts may also be worn on Wednesdays.
  - The uniform shirt must be tucked into pants at all times.
- **Undershirts** must be white, black, brown, or navy blue.
  - Both short sleeve and long sleeve undershirts are acceptable.
- **Outerwear** (sweaters, sweatshirts, coats and jackets) is optional.
  - If students choose to wear outerwear, only sweatshirts with the school logo or navy blue cardigans/sweaters may be worn inside the building.
  - Otherwise, all outerwear must be removed before the student enters the building for uniform check.
- **Accessories** must be understated and should not call inappropriate attention to the wearer.
  - Headbands must be less than three inches wide.
  - All earrings must be smaller than a quarter.
  - Bracelets should not have any inappropriate writing or images.
  - No hats, scarves, bonnets, or bandanas may be worn at any time (except for religious reasons).
  - No visible tattoos.
- **Religious considerations:** Full uniform must be worn under all religious over-garments.
  - Full body coverings must be solid white, black, brown, or navy blue.
  - Uniform shirts must be worn on top of all full body coverings and must be visible.
  - Religious head coverings are acceptable but cannot cover the face at school or during on- or off-campus events.
  - All head coverings must be solid white, black, brown or navy blue.

#### **Uniform send home policy:**

Students may only go to class if they are in full uniform compliance. Parents will be called to bring uniform pieces to ensure students do not miss additional academic learning. Students not in uniform compliance will go to the Culture and Community Managers room to wait for uniform pieces. We highly recommend that students leave an extra belt and extra socks in their backpack to avoid missing these components.

#### **Dress down days:**

Occasionally, Étoile Academy will sponsor dress down days as a reward or fundraiser. While students are afforded more freedom to choose their outfits on a dress down day, the following items are prohibited: open-toed shoes, flip-flops, shirts that do not cover the shoulders, tight and revealing clothing, skirts, shorts/skortis that do not reach the knees, offensive or inappropriate images and prints, head wraps, hats, and ripped clothing.

Étoile Academy will periodically review its dress and grooming policies, and make changes as needed.

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

#### **Student Fees**

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. 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 security deposit for the return of materials, supplies or equipment;
4. 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;
5. A fee for voluntarily purchased items, such as student publications, class rings, pictures, yearbooks, graduation announcements, etc.;
6. A fee for voluntary student health and accident benefit plan;
7. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by the school;
8. A fee for items of personal apparel used in extracurricular activities that become the property of the student;
9. A fee for replacement of a student identification card;
10. A fee for an optional course offered for credit that requires the use of facilities not available on campus or the employment of an educator who is not part of the school's regular staff;
11. A fee for summer school courses that are offered tuition-free during the regular school year;
12. A reasonable fee, not to exceed \$50, for costs associated with an educational program offered outside of regular school hours through which a student who was absent from class receives instruction voluntarily for the purpose of making up the missed instruction and meeting the level of attendance required for class credit, so long as the fee would not create a financial hardship or discourage the student from attending the program;
13. A fee for lost, damaged, or overdue library book; or
14. A fee specifically permitted by any other statute.

Étoile 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 Front Office.

Supply lists are posted on the Étoile Academy website.

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

### **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 pay for the damages. However, a student will be provided textbooks and educational materials for use during the school day. Étoile Academy may reduce or waive the payment requirement if the student is from a low-income family. Release of student records, including official transcripts, will be delayed pending payment for lost or severely damaged textbooks.

### **Food Service**

Étoile Academy participates in the National School Lunch Program and offers nutritionally balanced breakfasts and lunches. Guidelines set by the Texas Department of Agriculture ("TDA") and United States Department of Agriculture ("USDA") are followed to meet the nutritional needs of all students. Menus may be obtained at the front office.

Free and reduced-price breakfasts and lunches are available based on financial need. Information about a student's participation is confidential. See the Operations Manager to apply. Students must apply for meal assistance each school year.

Soda and chewing gum are not allowed at Étoile Academy. Any student drinking soda or chewing gum will be asked to throw these items away and will receive an automatic detention.

### **State-Mandated Nutrition Guidelines**

The TDA places strict limits on any food or drink provided or sold to students other than through Étoile Academy's food and nutrition services. More detailed information may be obtained at the Front Office or online at [www.squaremeals.org](http://www.squaremeals.org).

### **Transportation**

Étoile Academy currently does offer transportation for students but cannot guarantee we have a bus stop at your location. Please contact the Operations Manager for more information about transportation.

### **Transcripts**

Étoile Academy maintains an academic achievement record (or transcript) for each student enrolled. Transcripts list complete personal student data, give complete scholastic grades, and report student activities, honors, and scores on standardized achievement tests. Requests for transcripts should be made to the campus registrar. Students are provided with three free official transcripts. Each additional transcript is \$25. Payments should be made at the time of the request in either cash or check. Official transcripts may be picked up from the Front Office five business days after the request is submitted except at the end of the semester.

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

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

### **Distribution of Materials or Documents**

#### **School Materials**

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

#### **Non-School Materials**

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

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

- The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
- The materials endorse actions endangering the health or safety of students.
- The materials promote illegal use of drugs, alcohol, or other controlled substances.
- The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
- The materials contain defamatory statements about public figures or others.
- The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
- The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
- There is reasonable cause to believe that distribution of the non-school literature would result in material and substantial interference with school activities or the rights of others.

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

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials over which Étoile Academy does not exercise control shall not be sold, circulated, or distributed by persons or groups not associated with Étoile Academy or a school support group on school premises unless the person or group obtains specific prior approval from the Principal or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual. The requestor may appeal the Principal or designee's decision in accordance with Board policy.

### **Electronic Device Policy**

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

If a student is permitted to possess an electronic or telecommunications device at school, including a cell phone, all such devices must be turned off during school hours. If a Étoile Academy employee observes a student using any electronic or telecommunication device (including a cell phone) during the school day or a school-related activity, the employee will collect the item and turn it in to the Front Office. If a student and parent have executed a waiver permitting the student to possess an electronic communication device at school, school officials may power on and search the device if there is a reasonable cause to believe that the device has been used in the transmission or reception of communications prohibited by law, policy, or regulation.

A parent will be contacted to pick up the item and any disciplinary action will be in accordance with the Student Code of Conduct.

Étoile Academy will not be responsible for damage to or loss or theft of confiscated items.

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

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the Principal or designee to excuse their student from reciting a pledge.

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

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

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

### **Prayer and Meditation**

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

## **SECTION 2: STUDENT HEALTH AND SAFETY**

### **Alcohol-Free School Notice**

In order to provide a safe and alcohol-free environment for students and employees, all alcoholic beverages are prohibited on Étoile 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 (including electronic cigarettes, cigars, and pipes) and using tobacco products is prohibited in school buildings, vehicles, or on or near school property, or at school-related or school-sanctioned events off school property. Students may not possess tobacco products at any of the locations or activities listed above. 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**

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

### **Asbestos Management Plan**

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

### **Bacterial Meningitis Information**

State law requires Étoile Academy to provide the following information:

#### **What is bacterial meningitis?**

Meningitis is an inflammation of the membranes that surround the brain and spinal cord. Meningitis can be caused by viruses, parasites, fungi and bacteria. Viral meningitis is common and most people recover fully. Parasitic and fungal meningitis are very rare. However, bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical and life support management.

#### **What are the symptoms of bacterial meningitis?**

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

Children (over 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, seizures, discomfort looking into bright lights, confusion and sleepiness and lethargy. In both children and adults, there may be a rash of tiny, red-purple spots or purple patches on the skin. These can occur anywhere on the body. The more symptoms, the higher the risk, so when these symptoms appear seek immediate medical attention.

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

#### **How serious is bacterial meningitis?**

Bacterial meningitis is a serious, potentially deadly disease that can progress extremely fast. If it is diagnosed early and treated promptly, the majority of people make a complete recovery. However, in some cases it can be fatal or a person may be left with permanent severe health problems or disability.

#### **How is bacterial meningitis spread?**

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. They are spread when people exchange saliva (such as by kissing, or by sharing drinking containers, food, utensils, cigarettes, toothbrushes, etc.) or come in contact with respiratory or throat secretions (such as by 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, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

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

\* Please note that the Texas Department of State Health Services (“TDSHS”) requires at least one meningococcal vaccination for grades 7 through 12, 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 school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

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

You should seek prompt medical attention.

#### Where can you get more information?

Your family doctor and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Texas Department of Health office to ask about meningococcal vaccine. Additional information may also be found at the web sites for the Centers for Disease Control and Prevention: [www.cdc.gov](http://www.cdc.gov) and the Texas Department of State Health Services: <https://www.dshs.tx.us/idcu/disease/meningitis/>.

#### **Communicable Diseases**

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. Parents of students with a communicable or contagious disease should notify the **Principal or designee** so that other students who might have been exposed to the disease can be alerted. School authorities will report those students who are suspected of having a reportable condition. A list of reportable conditions can be found on the Texas Department of State Health Services website at: <http://www.dshs.state.tx.us/idcu/investigation/conditions/>.

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

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

- Meeting readmission criteria as established by the commissioner of health.

Please contact the **Office Manager** if you have questions or if you are concerned about whether a child should stay home.

### **Immunization Requirements**

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

To determine the specific number of doses that are required for your student, please read “**2021-2022** Texas Minimum State Vaccine Requirements for Students Grades K–12.” For specific immunization requirements, please contact the school nurse or visit the Texas Department of State Health Services at <http://www.dshs.state.tx.us/immunize/school/>.

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

### **Provisional Enrollment**

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

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

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

### **Exclusions from Immunization Requirements**

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

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

To claim an exclusion for reasons of conscience, including a religious belief, a signed Texas Department of State Health Services (“TDSHS”) affidavit must be presented by the student’s parent, stating that the student’s parent declines vaccinations for reasons of conscience, including because of the person’s religious beliefs. The affidavit will be valid for a period of two years. The form affidavit may be obtained by writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347, or online at <https://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.

### **Emergency Medical Treatment**

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

### **Student Illness**

When your child is ill, please contact Étoile Academy to let us know he or she will not be attending that day. Students must be fever-free without the use of fever-reducing medication and must be free of vomiting/diarrhea without the use of diarrhea suppressing medication for at least 24 hours before returning to school.

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

### **Administration of Medication**

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

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

Changes to daily medications require written instructions from the physician or ANP and written permission from the parent. Parents are responsible for advising Étoile Academy that a medication has been discontinued.

### **Asthma and Anaphylaxis Medication**

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

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

### **Steroid Notice**

Étoile Academy does not permit steroid use. A notice shall be posted in a conspicuous location in the school gym or in each other place in a building where physical education classes are conducted.

### **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 standards approved by the state. Parents will be notified should Étoile Academy determine a need to identify or assess their student for dyslexia and related disorders.

### **Fitness Testing**

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

### **Spinal Screening**

All children in grades 6–9 must be screened at various times set by law for abnormal spinal curvature before the end of the school year. The screening requirement for students entering grade six or nine 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 Étoile Academy 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 Étoile Academy 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.

### **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 TDSHS or a local health department, and may be transferred to another school without parental consent.

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

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

### **Statement of Nondiscrimination**

Étoile Academy prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender or sex, national origin, disability, age, or any other basis prohibited by law. 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 or sex, national origin, disability, age, 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 or sex, national origin, disability, age, 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, Étoile 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.

Étoile 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.

### **Retaliation**

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

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

### **Reporting Procedures**

Any student who believes that he or she has experienced prohibited harassment or believes that another student has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, the Principal or designee, or other school employee. Alternatively, a student may report prohibited harassment directly to the Compliance Coordinator.

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, the ADA/Section 504 Coordinator, and/or the Age Discrimination Coordinator may be directed to the Principal. If a report is made directly to the Principal, Étoile Academy shall appoint an appropriate person to conduct an investigation.

### **Investigation of Complaints**

After receiving a complaint of prohibited discrimination or harassment, Étoile Academy may, but need not, require the student to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the appropriate Compliance Coordinator or other authorized school official shall promptly authorize and undertake an investigation. Following completion of the investigation, the Compliance Coordinator or other authorized school official will prepare a written decision regarding the complaint, including a determination of whether prohibited discrimination or harassment occurred.

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

**Confidentiality**

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

**Appeal**

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

**Freedom from Bullying and Cyber-bullying**

Étoile Academy prohibits bullying as defined by this section, as well as retaliation against anyone involved in the complaint process. Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property at a school-sponsored or school-related activity, or in a vehicle operated by Étoile Academy that:

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

Conduct described above is considered bullying if that conduct:

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

Étoile Academy also prohibits cyberbullying, which is defined as the use of any electronic communication device to engage in bullying or intimidation.

**Reporting Procedures**

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

**Investigation of Report**

The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited harassment, and if so proceed under that policy instead. The Principal or designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent 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. Étoile Academy may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of hazing and/or bullying under this policy.

**Confidentiality**

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

## **Appeal**

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the Étoile Academy grievance procedure.

## **Law Enforcement Agencies**

### **Questioning of Students**

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

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

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

### **Students Taken into Custody**

State law requires Étoile Academy 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; or
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.

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

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

## **Child Abuse Reporting and Programs**

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

The Étoile Academy administration shall cooperate with law enforcement investigations of child abuse, including investigations by the Texas Department of Protective and Family Services. School officials may not refuse to permit

an investigator to interview a student who is alleged to be a victim of abuse or neglect at school. School officials may not require the investigator to permit school personnel to be present during an interview conducted at school.

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

### **Plan for Addressing Sexual Abuse and Other Maltreatment of Children**

#### **What is Sexual Abuse of a Child?**

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

#### **What is Other Maltreatment of a Child?**

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

#### **Reporting Obligation**

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

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

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

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

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

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

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

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

[http://www.dfps.state.tx.us/Prevention\\_and\\_Early\\_Intervention/Programs\\_Available\\_In\\_Your\\_County/default.asp](http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp).

These websites are also helpful:

- Texas Education Agency – Prevention of Child Abuse Overview:  
[http://tea.texas.gov/Texas\\_Schools/Safe\\_and\\_Healthy\\_Schools/Child\\_Abuse\\_Prevention/Child\\_Abuse\\_Prevention\\_Overview/](http://tea.texas.gov/Texas_Schools/Safe_and_Healthy_Schools/Child_Abuse_Prevention/Child_Abuse_Prevention_Overview/)
- Sexual Abuse Prevention Programs:  
<https://www.childwelfare.gov/topics/preventing/programs/sexualabuse/>
- Promoting Healthy Families in Your Neighborhood: <https://www.childwelfare.gov/pubPDFs/packet.pdf>
- Signs of Child Abuse: [http://www.keepkidshealthy.com/welcome/commonproblems/child\\_abuse.html](http://www.keepkidshealthy.com/welcome/commonproblems/child_abuse.html)
- DFPS – Prevent Child Abuse (HelpandHope.org)

<http://helpandhope.org>

DFPS – How to Report Child Abuse or Neglect [http://www.dfps.state.tx.us/Contact\\_us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_us/report_abuse.asp)

- Texas Attorney General – What Can We Do About Child Abuse?  
<https://www.texasattorneygeneral.gov/cvs/what-can-we-do-about-child-abuse>
- 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 him or herself, for example, drug/alcohol use, cutting, burring, 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 the mouth, sexually transmitted disease, or pregnancy.

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

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

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

### **Available Counseling Options**

A list of counseling providers can be found at:

[http://www.dfps.state.tx.us/Prevention\\_and\\_Early\\_Intervention/Programs\\_Available\\_In\\_Your\\_County/](http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/)

### **Interrogations and Searches**

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

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

Students shall be free from unreasonable searches and seizures by school officials. School officials may search a student's outer clothing, pockets, or property by establishing reasonable cause or securing the student's voluntary consent.

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

### **Desk and Locker Searches**

Students should have no expectation of privacy in the contents of their lockers, desks or other school property. Lockers and desks assigned to students remain at all times under the control and jurisdiction of Étoile Academy. Étoile Academy will make periodic inspections of lockers and 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 lockers and 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 locker or desk, or on the student's person.

### **Random Drug Searches**

In order to ensure a drug-free learning environment, Étoile Academy conducts random drug searches of all school facilities. Étoile Academy may use or contract for specially trained nonaggressive dogs to sniff out and alert school officials to the current presence of concealed prohibited or illegal items, including drugs and alcohol. Canine visits may be unannounced. The dogs shall be used to search vacant classrooms, vacant common areas, the areas around student lockers, and the areas where vehicles are parked on Étoile Academy property or at school-related events.

The dogs shall not be asked to alert on students. A dog alert to a locker, vehicle, or item in a classroom, constitutes reasonable grounds for a search by school officials.

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

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

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

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

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

#### **Visitor and Volunteer Policy**

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

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

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

- Establish an electronic database for 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 Étoile Academy.

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

#### **Disruptions**

In order to protect student safety and sustain an educational program free from disruption, state law permits Étoile Academy to take action against any person – student or nonstudent – who:

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

### **Emergency Closings**

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

### **Drills: Fire, Tornado, and Other Emergencies**

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

### **Pest Control Information**

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

## **SECTION 3: ACADEMICS AND GRADING**

### **Academic Programs**

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

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

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

### **Curricular Vision**

Étoile Academy offers instruction in the TEKS of the appropriate grade levels.

At Étoile Academy we ensure that every student in grades 5 through 8 has the academic and character foundation necessary to succeed in high school, graduate from college, and pursue ambitious life goals.

Étoile Academy Charter School is founded on the belief that all students can achieve academic success and a college diploma with the right supports. Our educational philosophy is based on seven core principles. These core principles come from the best practices of successful charter schools nationwide. Our core principles are outlined below.

- High academic expectations for all students inform every school design element.
- Supportive, targeted interventions for all learners are frequent and required.
- Data-driven, quality instruction informs all classroom instruction, individual supports, and professional development needs.
- Highly structured routines, infused with joy and encouragement, support achievement.
- Intentional character development allows all students to build school and life success.
- Family involvement, driven by a clear mission, unites the entire school community.
- Measurable educational goals hold all adults accountable for student success.

We are resolute that every student will experience success in school, at every grade level and in every subject, so they can be academically prepared for college. At the same time, we support our students as they learn the character traits necessary to be good citizens in the classroom and in their community.

We also believe the onus is on schools to provide students with opportunities to prepare for the evolving job market. This means we must focus our attention not only on what it takes to get a student to and through college, but also what it takes to prepare each student for life after they earn their degree. Increasingly this means training our students to be proficient in financial literacy, technology, and problem-solving. We must commit to developing our students' deep thinking skills, allowing them opportunities to create, collaborate, and participate in their education, with the same intensity with which we ensure they are able to read, write, and do math at grade level.

### **Academic Integrity**

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

### **Computer Resources**

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

### **Credit by Exam**

Étoile Academy uses examinations and guidelines established by the State Board of Education to offer credit and acceleration by exam.

### **If a Student has Prior Instruction**

A student in grades 5–8 who has previously taken a course or subject (but did not receive credit for it) may, in circumstances determined by the Principal or designee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for the course or subject. To receive credit, a student must score at least 70% on the exam.

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

### **If a Student Has Not Taken the Course**

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction or to accelerate to the next grade level. The exams offered by Étoile Academy are approved by the Board of Directors. The dates on which exams are scheduled during the 2021–2022 year will be published in an appropriate school publication and on the Étoile Academy website.

A student in grade 5 or above will earn course credit with a passing score of at least 70 on the exam, or a score designated by the state for an exam that has alternate scoring standards. A student may take an exam to earn course credit no more than twice. If a student fails to achieve the designated score on the approved exam before the

beginning of the school year in which the student would need to enroll in the course according to the school's course sequence, the student must complete the course.

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

### **Distance Learning**

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies, such as mail, satellite, Internet, video-conferencing, and instructional television.

The Texas Virtual School Network ("TxVSN") has been established as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation. If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the Principal. Unless an exception is made by the Principal, a student will not be allowed to enroll in a TxVSN course if the school offers the same or a similar course.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the TxVSN in order to earn credit in a course or subject, the student must receive permission from the Principal prior to enrolling in the course or subject. If the student does not receive prior approval, Étoile Academy may not recognize and/or apply the course or subject toward graduation requirements or subject mastery.

### **Extracurricular Activities, Clubs, and Organizations**

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

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

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

### **Standardized Testing**

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

In addition to routine tests and other measures of achievement, students in grades 3–8 will take state-mandated assessments, such as the STAAR, in the following subjects:

- Mathematics, annually in grades 3–8.
- Reading, annually in grades 3–8.
- Writing, including spelling and grammar, in grades 4 and 7.
- Science in grades 5 and 8.
- Social Studies in grade 8.

Successful performance on the reading and math assessments in grades 5 and 8 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.

STAAR Modified and STAAR Alternative, for students receiving special education services, will be available for eligible students, as determined by the student's ARD committee.

STAAR-L is a linguistically accommodated assessment that is available for certain limited English proficient students, as determined by the student's Language Proficiency Assessment Committee. A Spanish version of STAAR is also available to students in grade 5 who need this accommodation.

STAAR Modified and STAAR Alternate, for students receiving special education services, will be available for eligible students, as determined by the student's ARD committee. These particular EOC assessments may have different testing windows than the general assessments, and the ARD committee will determine whether successful performance on the assessments will be required for graduation.

STAAR-L, which is a linguistically accommodated assessment, will be available for students who have been determined to be limited English proficient and who require this type of testing accommodation.

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

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

#### **Promotion and Retention**

A student may be promoted on the basis of academic achievement and/or demonstrated proficiency in the subject matter of the course or grade level. To earn credit in a course, a student must demonstrate mastery on grade level standards and meet Étoile Academy's requirements for attendance.

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

- In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the Mathematics and Reading sections of the grade 5 grade assessment exam in English or Spanish.
- In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the Mathematics and Reading sections of the grade 8 assessment exam in English.

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

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

Parents of students who do not perform satisfactorily on their STAAR will be notified that their child will participate in an Accelerated Instructional Program designed to improve performance. A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the Principal or designee, the student's teacher, and the student's parent will determine the additional special instruction the student will receive.

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

In addition to the requirements listed above for students in grades 5 and 8, a student may be considered for retention if they have met any of the following criteria:

1. failed one or more core subject areas;
2. failed one or more state assessments
3. is below level in one or more core subject areas;
4. missed more than 10% of instructional days in an academic year. The decision must be made by a committee, which consists of the child's core subject area teachers, the counselor, and the Principal.

### **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”).

A student who receives special education services and has completed four years of high school, but has not met the requirements of his or her IEP, may participate in graduation ceremonies and receive a certificate of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will only be allowed to participate in one graduation ceremony.

### **Report Cards**

Report cards with each student's grades or performance and absences in each class or subject are issued to parents at least once every nine weeks. During the fourth week of a nine-week grading period, parents will be given a written progress report if their child's performance in English language arts, mathematics, science, or social studies is near or below 70%, or is below the expected level of performance. If the student receives a grade lower than 70% in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. The report card or progress report will state whether tutorials are required for a student who receives a grade lower than 70% in a class or subject. Report cards and progress reports must be signed by the parent and returned to the school within seven days.

Questions about grade calculation should first be discussed with the teacher; if the question is not resolved, the parent or student may request a conference with the Principal. State law provides that a test or course grade issued by a teacher cannot be changed unless the Board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the school's grading policy.

### **Special Programs**

#### **Bilingual/ESL Services**

Étoile 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.

### **Special Education Services**

Étoile 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 Principal, 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 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 Principal or at the Texas Education Agency Special Education Website: [http://tea.texas.gov/Curriculum\\_and\\_Instructional\\_Programs/Special\\_Education/](http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/).

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

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

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

### **Special Education Referrals:**

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

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

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

There is an exception to the 45-school-day timeline. If a district or charter school receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

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

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

#### Contact Person for Special Education Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is:

Contact Person: Marques Armant

Phone Number: 713-306-8048

#### Section 504 Referrals:

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

#### Contact Person for Section 504 Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is:

Contact Person:

Phone Number:

#### Additional Information:

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

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

## **SECTION 4: STUDENT CODE OF CONDUCT**

### **Purpose of the Student Code of Conduct**

To function properly, education must provide an equal learning opportunity for all students by recognizing, valuing, and addressing the individual needs of every student. In addition to the regular curriculum, principles and practices of good citizenship must also be taught and modeled by school staff. To foster an orderly and distraction-free environment, Étoile Academy has established this Student Code of Conduct ("the Code") in accordance with state

law and the Étoile Academy open-enrollment charter. The Code has been adopted by the Board of Directors, and provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

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

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

### **Authority and Jurisdiction**

Étoile Academy has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school on Étoile Academy transportation;
2. During lunch periods in which a student is allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. For any expulsion offense committed while on Étoile Academy property or while attending a school-sponsored or school-related activity of Étoile Academy or another school in Texas;
6. While the student is in transit to or from school or to or from school-related activities or events;
7. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
8. When the student commits a felony, as provided by Texas Education Code §§ 37.006 or 37.0081; and
9. When criminal mischief is committed on or off Étoile Academy property or at a school-related event.

### **Reporting Crimes**

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

### **Standards for Student Conduct**

Each student is expected to:

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

### **Discipline Management Techniques**

Disciplinary techniques are designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline will be correlated to the seriousness

of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

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

### **Techniques**

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

- Assignment of school duties such as cleaning or picking up litter.
- Behavioral contracts.
- Cooling-off time or “time-out.”
- Counseling by teachers, counselors, or administrative personnel.
- Rewards for positive behavior.
- Additions on their weekly ‘paycheck’.
- Deductions from their weekly ‘paycheck’.
- Detention (lunch or after school).
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- In-Class Reflection, as specified in more detail below.
- In-school-suspension, as specified in the suspension section of the Code.
- Out-of-school suspension, as specified in the suspension section of the Code.
- Expulsion from Étoile Academy, as specified in the expulsion section of the Code.
- Parent-teacher conferences.
- Penalties identified in individual student organizations’ extracurricular standards of behavior.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by Étoile Academy.
- School-assessed and school-administered probation (final warning contracts).
- Seating changes within the classroom.
- Sending the student to the Culture and Community Manager’s office or other assigned area.
- Techniques or penalties identified in individual student organizations’ extracurricular standards of behavior.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction, oral or written.
- Withdrawal of privileges, such as participation in extracurricular activities, field trips, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Withdrawal or restriction of bus privileges.
- Other strategies and consequences as determined by school officials.

### **Corporal Punishment**

Étoile Academy will NOT administer corporal punishment upon a student for misconduct.

### **Student Code of Conduct Offenses**

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

#### **Level I Offenses:**

1. Disobeying teacher directions and/or disrespecting teachers.
2. Failing to adhere to our core values: Respect, Excellence, Ambition, Community, and Hard Work.
3. Causing an individual to act through the use of threat or coercion.
4. Cheating or copying the work of another.
5. Directing profanity, vulgar language, or obscene gestures toward another student or school employee.
6. Discharging a fire extinguisher without valid cause.
7. Disobeying conduct rules regarding school transportation.

8. Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
9. Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
10. Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property.
11. Failing to comply with directives given by school personnel (insubordination).
12. Falsifying records, passes, or other school-related documents.
13. Gambling.
14. Inappropriate or indecent exposure of a student's private body parts (depending on nature, severity and circumstances, this offense may also rise to a Level II offense). See glossary.
15. Leaving school grounds or school-sponsored events without permission.
16. Making false accusations or hoaxes regarding school safety.
17. Possessing pornographic material.
18. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
19. Possession of telecommunications or other electronic devices, including displaying, turning on, or using a telecommunications device (including a cellular telephone or other electronic device) while on school property during the school day.
20. Recording the voice or image of another without the prior consent of the individual(s) being recorded or in any way that disrupts the educational environment or invades the privacy of others.
21. Refusing to accept discipline management techniques assigned by a teacher or Principal.
22. Repeated tardiness.
23. Repeatedly violating communicated campus or classroom standards of conduct.
24. Throwing objects that can cause bodily injury or property damage.
25. Violating dress and grooming standards as communicated in the Student Handbook.

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

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

### **Level II Offenses**

1. Abusing over-the-counter drugs. (See glossary for "abuse.")
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, gang or secret society or organization as defined by Texas Education Code § 37.121.
3. Being under the influence of prescription or over-the-counter drugs that cause impairment of physical or mental faculties. (See glossary for "under the influence.")

4. Committing extortion or blackmail, meaning obtaining money or an object of value from an unwilling person.
5. Creating or participating in the creation of a “hit list.” (See glossary.)
6. Damaging or vandalizing property owned by others, including but not limited to school property or facilities, property of Étoile Academy employees, or property of other students.
7. Defacing or damaging Étoile Academy property—including textbooks, lockers, furniture, and other equipment—or property of any other person, with graffiti or by any other means.
8. Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
9. Engaging in inappropriate verbal, physical, or sexual conduct directed toward another person, including a Étoile Academy student, employee, or volunteer.
10. False accusation of conduct that would constitute a misdemeanor or felony.
11. Fighting or arranging a fight. School is not a place to arrange fights, whether those fights take place on or off school grounds. Fighting is an instance of physical contact in anger, regardless of whether fists or weapons are used. Students who involve themselves in fighting or arranging a fight will, at a minimum, be suspended for the remainder of the day.
12. Forgery of school documents at school or otherwise.
13. Gang-related activity of any kind or nature (behavior that is deemed serious gang-related activity may be elevated or addressed as a Level III Offense).
14. Non-Title Five felony; school is notified by police.
15. Participating in “hazing.” (See glossary.)
16. Possessing or selling look-alike drugs, or attempting to pass items off as drugs or contraband.
17. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
18. Possessing, smoking, or using tobacco products and/or e-cigarettes at school or at a school-related or school-sanctioned activity on or off school property. (See glossary.)
19. Possession of stolen property.
20. Possessing, using, giving, or selling paraphernalia related to any prohibited substance (illegal, prescription, and over-the-counter drug). (See glossary for “paraphernalia.”)
21. Possession or use Prohibited Items, including but not limited to:
  - a. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - b. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - c. A “look-alike” weapon;
  - d. An air gun or BB gun;
  - e. Ammunition;
  - f. A stun gun;
  - g. A pocket knife or any other small knife with a blade less than 1.5” in length;
  - h. Mace or pepper spray;
  - i. Matches or a lighter;
  - j. A laser pointed for other than an approved use; or
  - k. Any articles not generally considered to be weapons, including school supplies, when the Principal or designee determines that a danger exists.
22. Any repetitive Level I Offenses – i.e., two or more Level I offenses within a semester, whether the same or any combination.
23. Threatening or bullying a student, employee, or volunteer of Étoile Academy, whether on or off school property. If the conduct causes a substantial disruption of the educational environment it may be elevated to a Level III Offense depending on circumstances as determined by Étoile Academy.
24. Violating the Étoile Academy medication policy.

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

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

### **Level III Offenses**

1. Abusing a student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug while on school property or at a school-related event. (See glossary for "abuse.")
2. Aggravated assault.
3. Aggravated kidnapping.
4. Aggravated robbery.
5. Aggravated sexual assault
6. Any offense listed in Sections 37.006(a) or 37.007 (a), (b), and (d) of the Texas Education Code, no matter when or where the offense takes place.
7. Arson.
8. Burglary of a motor vehicle on campus.
9. Capital murder.
10. Committing or assisting in a robbery or theft, even if it does not constitute a felony according to the Texas Penal Code.
11. Commission of a felony offense listed under Title 5, Texas Penal Code. (See glossary.)
12. Committing the following offenses on school property or within 1,000 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - a. Engaging in conduct punishable as a felony.
  - b. Committing an assault (see glossary) under Texas Penal Code 22.01(a)(1).
  - c. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (See glossary for "under the influence.").
  - d. Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; or possessing, using, or being under the influence of alcohol, if the conduct is not punishable as a felony offense.
  - e. Behaving in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - f. Behaving in a manner that contains the elements of the offense of public lewdness or indecent exposure.
13. Conduct endangering the health and safety of others.
14. Criminal attempt to commit murder or capital murder.
15. Criminally negligent homicide.
16. Deliberate destruction or tampering with school computer data or networks.
17. Engaging in "bullying" and/or cyberbullying. (See glossary.)
18. Engaging in conduct punishable as a felony.
19. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
20. Engaging in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  - a. The student receives deferred prosecution (see glossary);
  - b. A court or jury finds that the student has engaged in delinquent conduct (see glossary); or
  - c. The Principal or designee has reasonable belief (see glossary) that the student engaged in the conduct.
21. Engaging in conduct that constitutes discrimination or harassment, including conduct motivated by race, color, religion, national origin, gender, disability, or age and directed toward another student or Étoile Academy employee. (See glossary.)
22. Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a Étoile Academy student, employee, or volunteer.

23. Engaging in conduct that contains the elements of retaliation against any Étoile Academy employee or volunteer, whether on or off of school property.
24. Engaging in inappropriate or indecent exposure of private body parts.
25. Felony criminal mischief against school property, another student, or school staff.
26. Gang activity (violent or likely to cause harm to another or disrupt the educational environment in any way).
27. Inappropriate sexual conduct.
28. Indecency with a child.
29. Issuing a false fire alarm.
30. Manslaughter.
31. Murder.
32. Persistent Level I offenses (four or more Level I offenses committed in any one school year).
33. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
34. Possessing, selling, distributing, or being under the influence of inhalants.
35. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
36. Possession, use, transfer or exhibition of any firearm, illegal knife, club, or any other prohibited weapon or harmful object (as determined by Étoile Academy).
37. Public lewdness.
38. Required registration as a sex offender.
39. Setting or attempting to set fire on school property (not arson).
40. Sexual abuse of a young child or children.
41. Sexual assault.
42. Stealing from students, staff, or Étoile Academy.
43. Targeting another individual for bodily harm.
44. Use, exhibition, or possession of a knife with a blade more than 1.5” in length, including but not limited to switchblade knives or any other knife not defined as an illegal knife.
45. Violating computer use policies, rules, or agreements of Étoile Academy, such as the Student Acceptable Use policy, including but not limited to:
  - a. Attempting to access or circumvent passwords or other security-related information of Étoile Academy or its students or employees, and uploading or creating computer viruses, including such conduct off school property if the conduct causes a substantial disruption to the educational environment.
  - b. Attempting to alter, destroy, or disable Étoile Academy computer equipment, Étoile Academy data, the data of others, or other networks connected to the Étoile Academy system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment.
  - c. Using the Internet or other electronic communications to threaten Étoile Academy students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
  - d. Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
  - e. Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.
46. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.

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

1. Out of school suspension for up to three days.
2. Expulsion.

### **Student Code of Conduct Consequences**

#### **Detention**

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

### **After School Detention**

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

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

### **In-Class Reflection**

At times, infractions warrant consequences that are more severe than detention, but less severe than Suspension. Therefore, Étoile Academy has an In-Class Reflection model ensuring that students have access to the curriculum while at the same time students face serious consequences. During In-Class Reflection, students wear an ICR Lanyard, signifying that they are removed from the school community, while at the same time allowing them to access the curriculum in the classroom. Students are only able to communicate with their peers when it is critical to their understanding of the curriculum, decided upon by their teachers, and usually to complete larger projects or group work.

In addition, students who have not met behavioral expectations over an extended period of time, as measured by their Paycheck Report, less than a specific school-determined threshold, may face In-Class Reflection.

Furthermore, in order to promote and uphold our school community's values and Code of Conduct, students who communicate with a student who is currently in In-Class Reflection may receive the consequence of In-Class Reflection.

Requirements: In the morning, students will need to check in with the Culture and Community Manager who will reiterate the expectations of In-Class Reflection. Students on In-Class Reflection will:

- Attend classes, receive instruction and complete class work
- Wear an ICR lanyard at all times.
- Not be permitted to communicate with any students throughout the day, including during breaks and lunch, except as specifically instructed by a teacher during an academic discussion.
- Not participate in selected class activities, as determined by each teacher.
- Not participate in recess.
- Not attend reward events including field trips, dances etc. (exceptions may be made in extraordinary circumstances at the sole discretion of the Principal).

Violation of the requirements of In-Class Reflection may result in additional days of In-Class Reflection or a suspension. Students will not be allowed to participate in extracurricular or community service field trips and other class rewards while on In-Class Reflection.

The number of days on In-Class Reflection, determined by the Principal or Designee, will be commensurate with the severity of the behavioral infraction. For each day that a student does not meet the requirements of In-Class Reflection, they will be required to complete an additional day of suspension.

### **Suspension**

Étoile Academy 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 (“ISS”):

1. Students must report to the Culture and Community Manager’s room at 7:45 a.m. ISS will be run from 7:45 a.m. until dismissal time.
2. Students will bring materials to work on, including an ISS assignment with their teachers’ names, subjects, and assignments. Students are responsible for obtaining assignments from each teacher.
3. Students will not be permitted to go to their lockers. All materials must be brought to the room when reporting.
4. Students may not bring food or drink into the detention room.
5. No disruptive behavior will be allowed.
6. Unexcused absences from suspension will be referred to the Principal.
7. Sleeping is prohibited.
8. Students must abide by the Étoile Academy policies and behavioral standards during their suspension period.
9. A student who misses a scheduled ISS session without a confirmed excuse will be assigned one day out of school suspension. If a student misses more than one scheduled ISS session without a confirmed excuse, he or she may be subject to expulsion.

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

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

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

### **Removal from School Transportation**

A student being transported by Étoile Academy transportation to or from school or a school-sponsored or school-related activity may be removed from a school vehicle for conduct violating the school’s established standards for conduct in a school vehicle.

### **Conferences, Hearings, and Appeals**

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

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

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

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

### **Prerequisites to Suspension**

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

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

### **Notification to Parents/Guardians**

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

### **Credit During Suspension**

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

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

#### **Notice**

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

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

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

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

#### **Hearing Before the Principal**

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

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

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

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

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

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

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

### **No Credit Earned**

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

### **Emergency Placement and Expulsion**

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

### **Placement of Students with Disabilities**

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

### **Suspension/Expulsion Requirement**

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

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

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

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

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

### **Glossary**

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

**Abuse** is improper or excessive use.

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

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

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

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

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

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

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

Arson also occurs when a person:

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

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

**Bullying** is defined to mean engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored event, or school related activity, or in a vehicle operated by Étoile Academy and that: has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student or damage to the student's property; or is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student. The conduct described above is also considered bullying if that conduct exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression and physical conduct, and interferes with a student's education or substantially disrupts the operation of Étoile Academy. "Cyberbullying" means the use of any electronic communication device to engage in bullying or intimidation.

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

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

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

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

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

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

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

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

**Delinquent conduct** is conduct that:

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

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

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

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

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

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

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

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

**Harassment** is:

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

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

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

**Illegal Knife** means a knife with a blade over 5-1/2"; hand instrument designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; spear; or as otherwise defined by Board policy.

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

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

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

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

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

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

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

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

- With the intent to harm or defraud any person.

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

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

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

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

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

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

**Short-barrel firearm** is a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

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

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

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

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

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

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

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

## **SECTION 5: ESPECIALLY FOR PARENTS**

### **Parent Contact Information**

Parents are responsible for notifying Étoile Academy of any changes in their address, telephone number, and/or email address so that we can update our records accordingly. Parents are encouraged to check the campus website on a regular basis as it is our primary means of communication. It is important for parent communication that Étoile Academy has a valid, working parent email address.

### **Your Involvement as a Parent**

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

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

### **Surveys and Activities**

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

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

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

### **“Opting Out” of Surveys and Activities**

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

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

### **Notice of Teacher Qualifications**

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

1. Whether your child’s teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas.
2. Whether your child’s teacher(s) are serving under emergency or other provisional status that is less than full state certification.
3. The bachelor’s degree major of your child’s teacher(s) and any graduate degrees held, and the field of certification or degree.
4. Whether your child receives services from paraprofessionals and, if so, their qualifications.

Please contact the Operations Manager to request this information.

### **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 Étoile Academy. 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**

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

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

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

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

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

### **Informal Conferences**

A parent or student may request an informal conference with the Principal, teacher, or other campus administrator within seven school days of the time the parent or student knew or should have known of the event(s) giving rise to the complaint. If the person is not satisfied with the results of the informal conference, he or she may submit a written grievance form to the Principal. Grievance forms may be obtained from the Principal's office.

### **Formal Grievance Process**

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

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

#### ***Level One Complaint – Initial Review***

A parent or student shall submit a written Level One Grievance Form to the Principal within the later of (1) 5 school days from the time the event(s) causing the complaint were or should have been known, or (2) within 2 school days following an informal conference with the Principal. The school reserves the right to require the grievant to begin the grievance process at Level Two.

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

*Note: A complaint against the Principal shall begin at Level Two.*

#### ***Level Two Complaint – Chief Academic Officer Review***

If the parent or student is not satisfied with the Level One Decision, or if no Decision is provided, the parent or student may file a written appeal to the Chief Academic Officer. The appeal must include the documentation submitted to the Principal or designee, and a copy of the Level One Decision, if issued. The appeal shall not include any new issues or complaints. The appeal must be filed within ten school days of the Level One Decision or the response deadline if no Decision is made.

The Chief Academic Officer or designee will meet with the complaining parent or student. Following this conference, the Chief Academic Officer or designee shall issue a Level Two Decision. The Level Two Decision must be issued within 10 school days of the written appeal.

#### ***Level Three Complaint – Superintendent Review***

If the parent or student is not satisfied with the Level Two Decision, or if no Decision is provided, the parent or student may file a written appeal to the Superintendent. The appeal must include the documentation submitted to the Principal or designee, and a copy of the Level Two Decision, if issued. The appeal shall not include any new issues

or complaints. The appeal must be filed within ten school days of the Level Two Decision or the response deadline if no Decision is made.

The Superintendent or designee will meet with the complaining parent or student. Following this conference, the Superintendent or designee shall issue a Level Three Decision. The Level Three Decision must be issued within 10 school days of the written appeal.

#### ***Level Four – Board of Directors Review***

If the student or parent is not satisfied with the Level Three Decision, or if no decision is provided, the parent or student may submit a written appeal to the Board of Directors. The request must be filed within ten school 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 Étoile Academy will be considered. An audiotape recording of the hearing may be made.

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

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

#### **Additional Complaint Procedures**

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

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, religion, or any other characteristic protected by law shall be submitted as described in “Freedom from Discrimination, Harassment, and Retaliation,” page 27 of this Handbook.
2. Complaints concerning retaliation related to discrimination and harassment shall be submitted as described in “Reporting Procedures,” page 29 of this handbook.
3. Complaints concerning bullying or retaliation related to bullying shall be submitted as described in “Freedom from Bullying and Cyber-Bullying,” page 29 of this Handbook.
4. For complaints concerning loss of credit on the basis of attendance.
5. For complaints concerning disciplinary long-term suspensions and/or expulsions.
6. Complaints concerning the identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted as described in “Student or Parent Complaints and Concerns” above, except that the deadline for filing an initial Level One grievance shall be 30 calendar days and the procedural safeguards handbook.
7. Complaints concerning the identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with applicable Board policy and the procedural safeguards provided to parents of all students referred to special education.
8. Complaints regarding the Free and Reduced Price Meal Program. In accordance with federal law and U.S. Department of Agriculture policy, the school is prohibited from discriminating on the basis of race, color, religious creed, sex, political beliefs, age, disability, national origin, or limited English proficiency. (Not all bases apply to all programs.) Reprisal is prohibited based on prior civil rights activity. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which is available online at the following website: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send

your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov). Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339, or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

## **SECTION 6: IMPORTANT NOTICES**

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

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

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

Parents and/or eligible students have the right to inspect and review the student’s educational records within 45 days of the day the school receives an access. Parents or eligible students should submit to the Principal or designee a written request that identifies the record(s) they wish to inspect. Étoile Academy 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, Étoile Academy 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 Étoile Academy 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 specify why it is inaccurate, misleading, or in violation of the student’s privacy rights. Étoile Academy will decide whether to amend the record as requested within a reasonable time after receiving the request. If Étoile Academy 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, Étoile Academy 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 Étoile Academy. If the school places an amended statement in the student’s educational records, Étoile Academy 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 Étoile Academy 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 Étoile Academy 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, Étoile Academy 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 Étoile Academy 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, Étoile Academy must, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a student’s education records. However, Étoile Academy may disclose appropriately designated “directory information” without written consent, unless a parent or eligible student has advised Étoile Academy, 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.

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

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

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

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

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

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

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

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

A PARENT OR ELIGIBLE STUDENT MAY OPT OUT OF THE RELEASE OF DIRECTORY INFORMATION FOR EITHER OR BOTH OF THESE PURPOSES BY SUBMITTING A WRITTEN OBJECTION TO THE FRONT 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 Étoile Academy 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 Étoile Academy from releasing your student’s directory information, you must circle NO adjacent to the appropriate statement(s) below, sign the form, and return it to your student’s school. **Completion of this form is optional. However, if you do not circle NO or return this form, directory information about your student may be released** in accordance with Étoile Academy policy.

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

**PLEASE CIRCLE YES OR NO**

**For all students:**

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

**For secondary students only:**

YES	NO	I give permission to release my student’s directory information to <b>institutions of higher education</b> .
YES	NO	I give permission to release my student’s directory information to <b>military recruiters</b> .

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

\_\_\_\_\_  
Student’s Date of Birth

\_\_\_\_\_  
PRINT Parent/Guardian Full Legal Name  
or Eligible Student Full Legal Name

\_\_\_\_\_  
Parent/Guardian Signature  
or Eligible Student Signature

\_\_\_\_\_  
Date

**Use of Student Work in School Publications**

Occasionally, Étoile 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. Étoile 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)** Étoile 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, Étoile 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 approved proposed only. Students with access to Étoile Academy 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 Étoile Academy computers, are not private and may be monitored by school staff.

### **Technology Mission Statement**

Étoile 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, Étoile Academy 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, Étoile Academy will provide a continually evolving staff development program oriented toward the integration of technology in areas of curriculum.

### **Instructional Resource**

Étoile Academy is proud to bring network and Internet access to school staff and students. Étoile Academy believes the Internet offers many diverse and unique resources to both student and staff. Étoile Academy'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**

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

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

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

### Monitored Use

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by designated Étoile Academy 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 Étoile Academy'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. Étoile Academy 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 Étoile Academy policies and procedures concerning use of the computer on the network will result in the same disciplinary actions that would result from similar violations in other areas of school policy, including the Student Code of Conduct. Any or all of the following consequences may be enforced if a student violates the terms of this policy:

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

Violations of law may also result in criminal prosecution as well as disciplinary action by Étoile Academy.

**Acceptable Use Agreement Acknowledgment Form**

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

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

\_\_\_\_\_  
Date

**Electronic Communication Device Commitment Form**

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

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

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

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

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

SIGNATURE LINES AND DATES

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

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

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

**Food Allergy Notification Form**

Dear Parents,

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

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

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

Please list any foods to which your child is allergic or severely allergic, as well as the nature of your child’s allergic reaction to the food. Étoile Academy 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.**

<b>Food:</b>	<b>Nature of allergic reaction to the food:</b>

Étoile Academy 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. **Étoile Academy will maintain this form as part of your child’s student record.**

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

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

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

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

Date form received by Étoile Academy: \_\_\_\_\_

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

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

Printed Name of Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Signature of Student: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Parent: \_\_\_\_\_ Date: \_\_\_\_\_