



Board Policy Series

400 Series: Student Policies

Module 400: *Students*

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

Legal Abbreviations Used in the Board Policy Series

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

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400.020 ADMISSIONS & ENROLLMENT

The governing body (“Board”) of LTTS Charter School dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Sec. 1. NON-DISCRIMINATION IN ADMISSIONS

It is the policy of Universal Academy to comply with all state and federal regulations regarding admission and not to discriminate during the admission and the lottery process on the basis of sex; national origin; ethnicity; religion; disability; academic, artistic, or athletic ability; or the district the child would otherwise attend. Education Code 12.111(a)(5).

Sec. 2. GENERAL ELIGIBILITY FOR ADMISSION

Universal Academy shall generally admit all persons who reside within Universal Academy’s geographic boundaries and for whom Universal Academy operates a grade level sought and who, as of September 1 of any school year, are at least five years of age and under 21 years of age, or are at least 21 years of age and under 26 years of age and admitted by Universal Academy to complete the requirements for a high school diploma, if the person meets any of the following conditions:

1. The applicant and either parent reside in Universal Academy’s geographic boundaries.
2. The applicant does not reside in Universal Academy’s geographic boundaries, but one of the parents resides within Universal Academy’s geographic boundaries and that parent is a joint managing conservator or the sole managing conservator or possessory conservator of the applicant.
3. The applicant and his or her guardian or other person having lawful control under a court order reside within Universal Academy’s geographic boundaries.
4. The applicant is under the age of 18 and has established a separate residence in Universal Academy’s geographic boundaries separate and apart from his or her parent, guardian, or other person having lawful control under an order of a court and has established that the applicant’s presence in Universal Academy is not for the primary purpose of participation in extracurricular activities. However, Universal Academy is not required to admit an applicant under this provision if the applicant:
 - a. Has engaged in conduct or misbehavior within the preceding year that has resulted in removal to a disciplinary alternative education program or expulsion;
 - b. Has engaged in delinquent conduct or conduct in need of supervision and is on probation or other conditional release for that conduct; or
 - c. Has been convicted of a criminal offense and is on probation or other conditional release.
5. The applicant is homeless, regardless of the residence of the applicant, of either parent of the applicant, or of the applicant’s guardian or other person having lawful control of the applicant.
6. The applicant is a foreign exchange student placed with a host family that resides in Universal Academy’s geographic boundaries by a nationally recognized foreign exchange program, unless Universal Academy has applied for and been granted a waiver by the Commissioner because:
 - a. Admission would impose a financial or staffing hardship on Universal Academy;
 - b. Admission would diminish Universal Academy’s ability to provide high-quality education services for Universal Academy’s domestic students; or
 - c. Admission would require domestic students to compete with foreign exchange students for educational resources.
7. The applicant resides at a residential facility, as defined in Education Code 5.001, located within Universal Academy’s boundaries.
8. The applicant resides in Universal Academy’s boundaries and is 18 or older or the applicant’s disabilities of minority have been removed.
9. The applicant does not reside in Universal Academy’s boundaries, but a grandparent resides in Universal Academy’s boundaries and provides a substantial amount of after-school care for the applicant as determined by the Board.

10. The applicant and either parent of the applicant reside in a residence homestead that is located on a parcel of property any part of which is located in Universal Academy’s geographic boundaries.

Education Code 25.001.

Sec. 3. APPLICATION REQUIREMENT

Universal Academy requires applicants to submit a complete application form in order to be considered for admission. The Superintendent or designee shall set a beginning and closing date for the application window for each school year.

In order to be eligible for admission, the applicant or qualifying occupant specified by Education Code 25.001(b) must generally reside in the geographic boundaries set by the LTTS charter, and satisfy any other admissions criteria specified in this policy. See Sec. 10 below.

Sec. 4. LOTTERY PROVISIONS

A “lottery” for purposes of this policy is a non-weighted, random selection process that determines the order of enrollment of student applicants. A lottery is to be conducted if the number of applicants exceeds the maximum enrollment. The lottery shall take place within 5 days after the closing date of the application period. The lottery will be conducted via lottery selection software. The principal or designee of each campus will conduct the computerized lottery, with supervision by at least one member of the sponsoring entity or his or her designee and a representative from the Universal Academy Central Office. This ensures that the admissions list and the waiting list are selected randomly. Results of the lottery shall be certified by a notary public.

Sec. 5. DEVELOPMENT OF WAITING LIST

The lottery will be paused momentarily after all available seats are filled. The drawing will then continue, and the randomly-selected numbers will be used to create a waiting list. As space becomes available, applicants will be called from the waiting list beginning with applicants with the lowest number assignment. Applicants selected by lottery will be “deemed admitted” and may proceed from provisional admission (Texas Education Code Section 25.002) to enrollment.

Sec. 6. ADMISSION PROCESS OF RETURNING STUDENTS

Returning students (students who currently attend Universal Academy and intend to return the next school year) are exempted from the lottery if they notify Universal Academy of their intent to return for the next school year by the deadline designated by the Superintendent or designee for the then-current school year.

Sec. 7. SIBLINGS POLICY AND CHILDREN OF THE SCHOOL’S FOUNDERS AND EMPLOYEES

Siblings of returning students currently enrolled at a Universal Academy campus and who timely notify Universal Academy of their intent to return for the next school year are exempt from the lottery and, space permitting, are automatically enrolled. For this policy “sibling” shall mean a biological or legally adopted brother or sister residing in the same household as the applicant. Cousins, nieces, nephews and unrelated children sharing an address with the applicant are not siblings. Sibling enrollment is dependent on available space and does not guarantee enrollment of each listed sibling.

Children of Universal Academy’s founders, teachers, and staff (so long as the total number of students allowed constitutes only a small percentage of the total enrollment) are exempt from lottery requirements, as permitted by federal guidance on the Charter Schools Program.

Sec. 8. APPLICATIONS SUBMITTED OUTSIDE THE DESIGNATED APPLICATION PERIOD

If a student applies to Universal Academy outside of the designated application period, the student will be placed on a waiting list in the order of the date in which the application is received.

Sec. 9. STUDENTS WITH DOCUMENTED HISTORIES OF A CRIMINAL OFFENSE AND/OR MISCONDUCT

As authorized by Education Code § 12.111(a)(5)(A), Universal Academy shall exclude from enrollment those students who have a documented history of a criminal offense, a juvenile court adjudication, or other discipline problems under Subchapter A, Chapter 37 of the Education Code.

Sec. 10. DOCUMENTS AND INFORMATION APPLICANTS ARE REQUIRED TO PROVIDE

Applicants must complete and submit the common admission application form developed and made available by the Texas Education Agency (“TEA”) under Education Code 12.1173.

Applicants are not required to provide transcripts or other academic records until after they are offered admission.

Sec. 11. VERIFICATION OF RESIDENCY AND IMMUNIZATION RECORDS FOR ENROLLMENT

Verification of residency and current immunization records are required for all students enrolling. Every student enrolling for the first time must present a signed statement from a physician or documentation of immunizations as required by the Texas Department of Health, no later than 30 days after enrolling. Students who submit an affidavit from a physician stating immunizations should not be administered for medical reasons, and students who submit an affidavit signed by the student’s parent or guardian declining immunizations for reasons of conscience, will be excepted from this requirement. The parent or guardian must furnish records that verify the identity of the student.

A person’s “residence,” for the purpose of this policy is the true, fixed and permanent place where the qualifying occupant ordinarily lives and sleeps, not less than four nights during the school week and to which, when temporarily absent from the residence, the occupant intends to return. The qualifying occupant specified by Education Code 25.001(b) must generally reside in the authorized geographic boundaries of Universal Academy, as described in the Universal Academy charter. A person who is homeless, as defined by 42 U.S.C. 11302, need not reside within the geographic boundaries of Universal Academy. In order to verify residency for enrollment, acceptable evidence of residency includes:

- Current property tax bill with parent/guardian’s name and property address;
- Current rental or lease agreement with parent/guardian’s name, student name, and address, as well as manager or owner’s name and telephone number;
- Documents related to the purchase of the residence with the parent/guardian’s name and property address;
- Mail dated within 60 days before the application date from the following sources:
 - o Social Security Administration;
 - o A Texas State government agency;
 - o Utility companies;
 - o Credit card bill;
 - o Financial institutions; including checking or savings;
 - o Insurance companies;
 - o State and Federal Revenue documents;
 - o Paycheck information; and
 - o Other sources or documents demonstrating residency.

If, at any time, a student's or qualifying occupant’s residence is in question, Universal Academy may ask for additional documents for verification. If the parent or legal guardian cannot provide evidence of residency because the parent or legal guardian is living with a relative or friend, a notarized statement by the relative or friend may be accepted by Universal Academy with the following stipulation:

- Notarized statement must state that the parent or legal guardian and child are living with the relative/friend;

- Notarized statement must state the name of the relative or friend who is on the relative or friend's proof of residence;
- Notarized statement must state the same address of the relative or friend who is on the relative or friend's proof of residence;
- A copy of the relative or friend's proof of residence must be attached to the notarized statement (meeting the documentation criteria described above); and
- The notarized statement must be signed by the same name of relative or friend who is on the relative or friend's proof of residence.

A person whose parent or guardian is an active-duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, may establish residency by providing to Universal Academy a copy of a military order requiring the parent's or guardian's transfer to a military installation in or adjacent to Universal Academy's attendance zone. Such proof of residence shall be provided to Universal Academy not later than the 10th day after the arrival date specified in the military order requiring the parent's or guardian's transfer. For purposes of this provision, the term "residence" includes residence in a military temporary lodging facility. Education Code 25.001(c-1)-(c-2).

Subsequently, within 60 days, at least two current documents, Universal Academy must be provided confirmation of residency from one or more of the following sources:

- Credit card companies;
- U. S. Treasury;
- Social Security Administration, including benefits letter;
- Texas State government agencies (including city and county agencies);
- Utility companies;
- Financial institutions including checking, savings, or investment account statements;
- Insurance companies; or
- State and Federal Revenue departments.

Universal Academy may conduct home-visits, at any time, to confirm residency of applicants and enrolled students. Falsification of residence on an enrollment form is a criminal offense.

Sec. 12. ADULT STUDENT ATTENDANCE REQUIREMENT FOR CONTINUED ADMISSION

A person who voluntarily attends school after his or her 19th birthday shall attend school each school day for the entire period the program of instruction is offered. Universal Academy may revoke, for the remainder of the school year, the enrollment of a person who has more than five absences in a semester that are not excused under Education Code 25.087, except that Universal Academy may not revoke the enrollment on a day on which the person is physically present at school. A person whose enrollment is revoked under this subsection may be considered an unauthorized person on school grounds and a criminal trespass warning may be issued. Prior to revoking the person's enrollment, Universal Academy shall issue a warning letter to the person, after the third unexcused absence, stating that the person's enrollment may be revoked for the remainder of the school year if the person has more than five unexcused absences in a semester. As an alternative to revoking enrollment, Universal Academy may impose a behavior improvement plan. Education Code 25.085(e).

Sec. 13. STUDENT RESIDENCY SEPARATE FROM PARENT/GUARDIAN

In order to protect the best interests of students enrolled, for purposes of students under the age of 18 who have established a residence apart from the person's parent, guardian, or other person having lawful control, such persons must establish their separate residency and verify it with documentation acceptable to Universal Academy in the same manner as other students. However, a student under 18 and not living with parents or guardian, who has engaged in conduct in the preceding year that has resulted in a disciplinary removal, alternative placement or expulsion, or who has engaged in delinquent conduct or conduct in need of supervision and is on probation or other conditional release for that conduct, or has been convicted of a criminal offense and is on probation or other

conditional release, shall not be admitted to Universal Academy. The Superintendent or designee shall follow “Students with Documented Histories of a Criminal Offense and/or Misconduct,” above, in making such determination.

Sec. 14. ADMISSION OF HOMELESS STUDENTS

a) Definitions

“Enroll” and “enrollment” include attending classes and participating fully in school activities.

“Homeless child” or “homeless children” means children or youths who lack a fixed, regular, and adequate nighttime residence and includes:

1. Children 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 adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Children who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Migratory children living in circumstances described above. “Migratory child” means a child who made a qualifying move in the preceding 36 months (a) as a migratory agricultural worker or a migratory fisher; or (b) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

“School of origin” means the school that the child attended when permanently housed or the school in which the child was last enrolled, including a preschool. When a child completes the final grade level served by the school of origin, the term “school of origin” shall include the designated receiving school at the next grade level for all feeder schools, as applicable.

“Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

b) General Requirements

As a condition of receiving federal funds under the McKinney-Vento Homeless Assistance Act, Universal Academy shall, according to a homeless child’s best interest:

1. Continue the child’s education in the school of origin for the duration of homelessness;
 - a. If the child’s family becomes homeless between academic years or during an academic year; and
 - b. For the remainder of the academic year, if the child becomes permanently housed during an academic year; or
2. Enroll the child in any Universal Academy school that non-homeless students who live in Universal Academy’s geographic boundaries are eligible to attend.

42 U.S.C. 11432(g)(3)(A).

In determining the best interest of a homeless child, Universal Academy shall:

1. Presume that keeping the child in the school of origin is in the child’s best interest, except when doing so is contrary to the request of the child’s parent or guardian, or in the case of an unaccompanied youth the youth;
2. Consider student-centered factors related to the child’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children, giving priority to the request of the child’s parent or guardian or the unaccompanied youth;
3. If, after conducting the best interest determination based on consideration of the presumption in item 1 above and the student-centered factors in item 2 above, Universal Academy determines that it is not in the child’s best interest to attend the school of origin or the school requested by the parent or guardian or the unaccompanied youth, provide

the parent, guardian, or unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal as set forth in Sec. 13-f below; and

4. In the case of an unaccompanied youth, ensure that the homeless liaison assists in placement and enrollment decisions under these provisions, gives priority to the views of such unaccompanied youth, and provides the notice to such youth of the right to appeal as set forth in Sec. 13-f below.

42 U.S.C. 11432(g)(3)(B).

Universal Academy shall not stigmatize or segregate a student who is homeless.

c) Information from Parents

Universal Academy may require the parent or guardian of a homeless child to submit contact information. 42 U.S.C. 11432(g)(3)(H).

d) Enrollment

Universal Academy shall immediately enroll a homeless child, depending on available seats, even if the child:

1. Is unable to produce records normally required for enrollment, such as previous academic record, records of immunization and other required health records, proof of residency, or other document; or
2. Has missed application or enrollment deadlines during any period of homelessness.

42 U.S.C. 11432(g)(3)(C).

e) Enrollment in School of Origin

In determining the best interest of the student for the purpose of continuing the student's education in the school of origin, Universal Academy shall presume that keeping the student in his or her school of origin is in the student's best interest, except when doing so is contrary to the request of the parent, guardian, or unaccompanied youth.

Universal Academy shall also consider the best interests of the student with regard to the impact of moving schools on the student's achievement, education, health, and safety, including such relevant factors as:

1. Continuity of instruction;
2. Age and grade placement of the student;
3. Distance of the commute and its impact on the student's education or special needs;
4. Personal safety of the student;
5. The student's eligibility and need for any specialized services and supports, such as Section 504, special education and related services, or bilingual or English as a second language services;
6. Length of anticipated stay in a temporary shelter or other temporary location, if applicable;
7. Likely area of the family's or youth's future housing;
8. Time remaining in the school year; and
9. School placement of siblings.

Services, including transportation, that Universal Academy is required to provide shall not be considered in determining the student's school of attendance.

f) Disputes Concerning Enrollment

If a dispute arises over eligibility, or school selection or enrollment in a school:

1. The child shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;

2. The parent or guardian of the child or an unaccompanied youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by Universal Academy, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.
3. The parent, guardian, or unaccompanied youth shall be referred to the homeless liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and
4. In the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

42 U.S.C. 11432(g)(3)(E).

g) Comparable Services

Universal Academy shall provide a homeless child with services comparable to those offered to other student in the school in which the child is enrolled. 42 U.S.C. 11432(g)(4).

Sec. 15. ADMISSION OF MILITARY DEPENDENTS

a) Applicability

The provisions of Sec. 14 of this policy shall apply to the children of:

1. Active duty members of the uniformed services, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211;
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

Sec. 14 of this policy shall not apply to the children of:

1. Inactive members of the national guard and military reserves;
2. Members of the uniformed services now retired, except as provided above;
3. Veterans of the uniformed services, except as provided in this policy; and
4. Other U.S. Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

Education Code 162.002 Article III.

b) Definitions

“Active duty” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211.

“Children of military families” means a school-aged child, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

“Deployment” means the period one month prior to the service members’ departure from their home station on military orders through six months after return to their home station.

“Transition” means:

1. The formal and physical process of transferring from school to school; or
2. The period of time in which a student moves from one school in the sending state to another school in the receiving state.

“Uniformed services” means the Army, Navy, Air Force, Marine Corps, Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

“Veteran” means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

Education Code 162.002 Article II.

c) Eligibility for Enrollment

Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law, shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

i. Continued Acceptance

A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which the child was enrolled while residing with the custodial parent.

Education Code 162.002 art. VI, § A.

d) Education Records

i. Unofficial Records

In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parents a complete set of unofficial education records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records, Universal Academy shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

ii. Official Records

Simultaneous with the enrollment and conditional placement of the student, Universal Academy shall request the student’s official education record from the sending district.

Education Code 162.002 art. IV, §§ A–B.

e) Tuition

LTTS Charter School is prohibited from charging tuition to:

1. A transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent; or
2. A student who is domiciled in another state and resides in military housing that is located within Universal Academy’s boundaries.

Education Code 25.004, 162.002 art. VI, § A.

f) Grade-Level Placement

Students shall be allowed to continue their enrollment at grade level in Universal Academy commensurate with their

grade level, including kindergarten, from the sending district at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level shall be eligible for enrollment in the next highest-grade level in Universal Academy, regardless of age. A student transferring after the start of the school year shall enter Universal Academy on his or her validated level from an accredited school in the sending state. Education Code 162.002 art. IV, § D.

g) Course Placement

When the student transfers before or during the school year, Universal Academy shall initially honor placement of the student in educational courses based on the student's enrollment in the sending district and/or educational assessments conducted at the sending district if the courses are offered. Course placement includes but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude Universal Academy from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s). Education Code 162.002 art. V, § A.

h) Educational Program Placement

Universal Academy shall initially honor placement of the student in educational programs based on current educational assessments conducted at the sending district or participation/placement in like programs in the sending state. Such programs include, but are not limited to:

1. Gifted and talented programs; and
2. English as a second language (ESL).

This does not preclude Universal Academy from performing subsequent evaluations to ensure appropriate placement of the student. Education Code 162.002 art. V, § B.

i) Waivers

Universal Academy administrative officials shall have flexibility in waiving course/program prerequisites, or other preconditions for placement in courses/programs offered by Universal Academy. Education Code 162.002 art. IV, §§ A–B, D.

Sec. 16. DISCREPANCIES IN STUDENT NAME

The Superintendent or designee shall notify the Missing Children and Missing Persons Information Clearinghouse if a child is enrolled under a name other than the name that appears on the identifying documents. If a student's records have not been received within 30 days of a request, the Superintendent or designee shall notify local law enforcement for a determination of whether the child has been reported as missing. Education Code 25.002(b).

Sec. 17. FOOD ALLERGY INFORMATION

The parent of each student enrolled with Universal Academy must complete a form provided by Universal Academy that discloses (1) whether the child has a food allergy or a severe food allergy that should be disclosed to Universal Academy to enable Universal Academy 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.

Universal 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").

Education Code 25.0022(a)-(c).

400.030 Student Transportation

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date approved by the Board.

Section 1. Transportation to and from School:

Universal Academy does not make a practice of providing transportation to and from school, except for as stipulated for Special Education Students, if specified in their IEP.

Section 2. Transportation of Homeless Students and Students Receiving Special Education Services Universal Academy shall provide appropriate transportation services to any eligible homeless student and to any student with a disability whose ARD committee determines that the student needs transportation as a related service.

400.040. ATTENDANCE

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Compliance

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

Section 2. Documented Absences

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

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

Section 3. Warning Notice

The CEO, or designee shall ensure that at the beginning of each school year the parents of students of Universal Academy receive notice that they are subject to prosecution and the student is subject to referral to truancy court for violation of attendance laws.

Section 4. School Attendance Officer

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

400.050 PARENT AND COMMUNITY INVOLVEMENT

The governing body (“Board”) of Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Parental Involvement

Universal Academy will ensure that the Title I Parent Involvement Policy is annually agreed upon by members of the Universal Academy community and approved annually by the board.

Section 2. Telephone Communication (TBD)

Section 3 Electronic Signatures

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

400.060 FERPA

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Compliance

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

Section 2. Custodian of Records

The CEO is designated the custodian of all student records. The principal of each school is designated as an agent of the Chief Academic Officer (CAO) for the purposes of the receipt of requests concerning the disclosure of student records.

Section 3. Annual Notice

The CEO shall ensure that all parents of students currently in attendance and current, students who have reached 18 years of age annually receive a notice of their rights under FERPA. Section 4.

Directory Information

Section 4.1. Definition. Directory information is the following: (1) student’s name, (2) address, (3) telephone number, (4) date and place of birth, (5) participation in officially recognized activities and sports, (6) dates of attendance, (7) awards received, (8) grade level, (9) and other similar information.

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

Notice based on the [*U.S. Department of Education Model Notice*](#)

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

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

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

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

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

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

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

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

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

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

Family Policy Compliance Office Department of

Education

400 Maryland Avenue, SW Washington, DC 20202

Directory information is the following: (1) student's name, (2) address, (3) telephone number, (4) date and place of birth, (5) participation in officially recognized activities and sports, (6) weight and height of members of athletic teams, (7) dates of attendance, (8) awards received, (9) grade level, (10) and other similar information.

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

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

programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further, disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

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

400.070 ADOPTION OF A MAJOR CURRICULUM INITIATIVE

Before the adoption of a major curriculum initiative, including the use of a curriculum management system, the Board of Directors of LTTS Charter School Inc dba Universal Academy shall, in accordance with the Texas Open Meetings Law, hold a meeting during which:

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

Prior to the adoption of the curriculum initiative by the Board of Directors of Universal Academy, the CEO or CEO's designee, shall provide teachers and employees of the school an opportunity to express opinions regarding the initiative. Any opinions received by the CEO or CEO's designee, shall be provided to the Board of Directors for their review and consideration.

400.080. REQUIRED INSTRUCTION AND GRADUATION

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

Section 1. Compliance

The Executive Director shall ensure that Universal Academy maintains compliance with all state laws and regulations governing curriculum and graduation requirements.

Section 1.2. Pledge of Allegiance.

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

Section 1.3 Observance of Moment of Silence.

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

400.090 BILINGUAL/ESL EDUCATION PROGRAM

Sec. 1. REQUIREMENTS UNDER TITLE III OF ESEA

Universal Academy shall comply with the statutory requirements regarding English learners¹ and immigrant students upon receipt of funds under Title III of Every Student Succeeds Act. *20 U.S.C. 6801–7014.*

Sec. 2. STATE POLICY

It is the policy of the state that every student who has a primary language other than English and who is identified as an English learner shall be provided a full opportunity to participate in a bilingual education or English as a second language (ESL) program.

Sec. 3. UNIVERSAL ACADEMY RESPONSIBILITIES

Universal Academy shall:

1. Identify English learners based on criteria established by the state;
2. Provide bilingual education and ESL programs, as integral parts of its regular program;
3. Seek certified teaching personnel to ensure that English learners students are afforded full opportunity to master the essential skills and knowledge required by the state; and
4. Assess achievement for essential knowledge and skills in accordance with Chapter 29, Education Code to ensure accountability for English learners and the schools that serve them.

19 TAC 89.1201(a).

Sec. 4. IDENTIFYING ENGLISH LEARNER STUDENTS

Within the first four weeks following the first day of school, the language proficiency assessment committee (LPAC) shall determine and report to the Board the number of English learner students at each campus and shall classify each student according to the language in which the student possesses primary proficiency. The Board shall report that information to the Texas Education Agency (“TEA”) before November 1 every year. *Education Code 29.053(b).*

Sec. 5. LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES

Universal Academy shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four weeks of the enrollment of English learner students.

a) *LPAC Membership*

Each LPAC shall include:

1. An appropriately certified bilingual educator (for students served through bilingual education);
2. An appropriately certified English as a second language (ESL) educator (for students served through an ESL program);
3. A parent of the English learner participating in a bilingual or ESL program; and
4. A campus administrator.

¹ In this policy, the term “English learner” is synonymous with “emergent bilingual” student, as that term is used in Subchapter B, Chapter 29, Education Code.

Universal Academy may add other trained members to the committee in any of the required categories. If Universal Academy does not have an individual in one or more of the job classifications required, another professional staff member shall be designated to serve on the LPAC.

No parent serving on the LPAC shall be an employee of Universal Academy.

All members of the LPAC, including parents, shall observe all laws and guidelines concerning student confidentiality. Universal Academy will provide orientation and training for all members of the LPAC, including parents.

Education Code 29.063; 19 TAC 89.1220(a)-(f).

b) Duties of LPAC

The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 TAC 89.1220(g)–(j), (l).

c) Home Language Survey

Within four weeks of each student’s enrollment, Universal Academy shall conduct a home language survey to determine the language normally used in the home and the language normally used by the student, whenever possible. The home language survey shall be conducted in English and in the home language, and signed by the student’s parents if the student is in prekindergarten through grade 8, or by the student if the student is in grades 9 through 12. The original copy of the survey shall be kept in the student’s permanent record.

Universal Academy shall conduct only one home language survey of each student.

The home language survey shall be administered in English, Spanish, and Vietnamese; for students of other language groups, the home language survey shall be translated into the primary language whenever possible. The home language survey shall contain the following questions:

1. “What language is spoken in the child’s home most of the time?”
2. “What language does the child speak most of the time?”

If the response on the home language survey indicates that a language other than English is used, the student shall be tested in accordance with 19 Texas Administrative Code § 89.1226.

19 TAC 89.1215.

d) Classification as an English Learner

The LPAC may classify a student as an English learner if:

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

Education Code 29.056(c).

e) Parent Notice and Consent

Not later than the 10th day after the LPAC’s classification of a student as an English learner, the LPAC shall give written notice of the classification to the student’s parent. The notice must be in English and in the parent’s primary language. The parents of students eligible to participate in the required bilingual education program shall be informed of the benefits of the bilingual education or special language program and that it is an integral part of the school program.

Placement of a student in the bilingual education or ESL program must be approved in writing by the student’s parent.

Education Code 29.056(a); 19 TAC 89.1040(a).

Pending parent approval, Universal Academy shall place the student in the recommended program, but may count only English learner students with parental approval for bilingual education allotment. *Education Code 29.056(a), (d); 19 TAC 89.1220(j).*

Universal Academy may identify, exit, or place a student in a program without written parent approval if:

1. The student is 18 years of age or has had the disabilities of minority removed;
2. The parent provides approval by telephone or email that is documented in writing and retained; or
3. An adult recognized by Universal Academy as standing in parental relation to the student provides written approval. This may include a foster parent, or employee of a state or governmental agency with temporary possession or control of the student.

19 TAC 89.1220(j), (m), .1240(a).

f) Participation of Non-English Learner Students

With the approval of Universal Academy and a student’s parent, a student who is not an English learner may participate in a bilingual education program. The number of participating students who are not English learners may not exceed 40% of the number of students enrolled in the program.

Education Code 29.058; 19 TAC 89.1233(c).

g) Students with Disabilities

Universal Academy shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with 19 Administrative Code Chapter 89, Subchapter AA, and shall establish placement procedures that ensure that placement in a bilingual education or ESL program is not refused solely because a student has a disability.

LPAC members shall meet in conjunction with admission, review, and dismissal committee members to review and provide recommendations with regard to the educational needs of each English learner who qualifies for services in the special education program.

19 TAC 89.1230.

Sec. 6. BILINGUAL AND ESL PROGRAMS

Upon the enrollment of 20 or more English learner students in any language classification in the same grade, Universal Academy shall offer a bilingual education or special language program as follows:

1. Bilingual education in prekindergarten through the elementary grades.
2. Bilingual education, instruction in English as a second language, or other TEA-approved transitional language instruction in post-elementary grades through 8th grade.
3. Instruction in English as a second language in grades 9–12.

If a program other than bilingual education must be used in prekindergarten through the elementary grades, documentation for the exception must be filed with and approved by TEA.

Education Code 29.053(c)-(d), 29.054(a).

a) Program Content

Universal Academy’s bilingual education program shall be a full-time program of dual-language instruction that provides for learning basic skills in the primary language of the students enrolled in the program and for carefully structured and sequenced mastery of English language skills. An ESL program shall be an intensive program of instruction in English from teachers trained in recognizing and dealing with language differences. The bilingual or ESL program shall be designed to consider the students’ learning experiences and shall incorporate the cultural aspects of the students’ backgrounds.

English learners shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. Universal Academy shall provide students enrolled in the bilingual or ESL program a meaningful opportunity to participate fully with other students in all extracurricular activities. Elective courses may be taught in a language other than English.

Education Code 29.055, .057(b); 19 TAC 89.1210(f).

b) Classes and Facilities

Students enrolled in the bilingual or ESL programs shall be placed in classes with other students of approximately the same age and level of educational attainment. Universal Academy shall ensure that each student’s instruction is appropriate to the student’s level of educational attainment, and Universal Academy shall keep adequate records of the educational level and progress of each student enrolled in the program.

Bilingual education and special language programs shall be located in each regular Universal Academy campus rather than in separate facilities. Universal Academy may concentrate the programs at a limited number of schools. Recent immigrant English learners shall not remain enrolled in newcomer centers for longer than two years.

Education Code 29.057; 19 TAC 89.1235.

Sec. 7. COOPERATION AMONG DISTRICTS

Universal Academy may join with one or more other public schools to provide the required bilingual and special language programs. The availability of the programs shall be publicized throughout the schools involved.

Universal Academy may allow a nonresident English learner student to enroll in or attend its bilingual education or special language program if the student’s district of residence does not provide an appropriate program. The district of residence shall pay the tuition for the student. *Education Code 29.059; 19 TAC 89.1205(e).*

Sec. 8. SUMMER PROGRAM

If Universal Academy is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for English learners who will be eligible for admission to kindergarten or first grade at the beginning of the next school year.

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the student/teacher ratio may not exceed 18:1. Universal Academy shall comply with the requirements of 19 TAC 89.1250 in providing such a program.

a) *Other Programs*

Universal Academy may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual or special language programs for English learners and may join with other districts in establishing such programs. Neither the summer program nor the other programs may substitute for the program to be provided during the regular school year.

Education Code 29.060.

Sec. 9. PERSONNEL

Teachers assigned to bilingual education and ESL programs must be appropriately certified in bilingual education or ESL, respectively. *Education Code 29.061(b), (c).*

If Universal Academy is unable to hire a sufficient number of teachers with bilingual teaching or ESL certificates, Universal Academy may file an application for exception with TEA in accordance with 19 TAC 89.1207. *Education Code 29.054; 19 TAC 89.1207.*

Sec. 10. ENGLISH LEARNERS AND STATE ASSESSMENTS

In kindergarten through grade 12, an English learner student shall participate in state assessments in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA.

Sec. 11. PROGRAM EXIT

Universal Academy may transfer an English learner out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all-English instructional program as determined by:

1. TEA-approved tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in English;
2. Satisfactory performance on the reading assessment instrument under Education Code 39.023(a) or an English language arts assessment instrument under Education Code 39.023(c), as applicable, with the assessment instrument administered in English, or, if the student is enrolled in the first or second grade, an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by the TEA; and
3. TEA-approved criterion-referenced tests and the results of a subjective teacher evaluation.

Education Code 29.056(g).

a) *Notice to Parents*

Universal Academy shall notify the student's parent in writing of the student's reclassification as English proficient and his or her exit from the bilingual education or English as a second language program and acquire written approval as required under Education Code 29.056(a). Students meeting exit requirements may continue in

the bilingual or English as a second language program with parental approval but are not eligible for inclusion in Universal Academy's bilingual education allotment. *19 TAC 89.1240(b)*.

b) *Evaluation of Transferred Students and Reenrollment*

The LPAC committee shall reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

During the first two school years after a student is transferred out of a bilingual education or special language program, the LPAC shall review the student's performance and consider:

1. The total amount of time the student was enrolled in bilingual education or special language programs;
2. The student's grades each grading period in each subject in the foundation curriculum;
3. The student's performance on state assessment instruments;
4. The number of credits the student has earned toward high school graduation, if applicable; and
5. Any disciplinary actions taken against the student under the Student Code of Conduct.

After the evaluation, the LPAC may require intensive instruction for the student or reenroll the student in a bilingual education or special language program. *Education Code 29.0561*.

Sec. 12. PEIMS REPORTING REQUIREMENTS

If required to offer bilingual education or special language programs, Universal Academy shall include the following information in its PEIMS report as required by Education Code 29.006(a):

1. Demographic information on students enrolled in Universal Academy's bilingual education or special language programs;
2. The number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by Universal Academy; and
3. The number and percentage of students identified as English learners who do not receive specialized instruction.

Sec. 13. PROGRAM EVALUATION

If Universal Academy is required to conduct a bilingual education or ESL program, it shall conduct an annual evaluation in accordance with Education Code 29.053, collecting a full range of data to determine program effectiveness to ensure student academic success. The annual evaluation report shall be presented to the Board before November 1 of each school year, and the report shall be retained at the administrative level in accordance with Education Code 29.062.

Universal Academy shall report to parents the progress of their child in acquiring English as a result of participation in the program offered to English learners.

19 TAC 89.1265.

400.100. SPECIAL EDUCATION IDEA POLICIES & PROCEDURES

Sec. 1. NONDISCRIMINATION POLICY

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any service, program, or activity provided or offered by Universal Academy. 42 U.S.C. 12132; 29 U.S.C. 794(a); 34 CFR 104.4(a).

Sec. 2. FREE APPROPRIATE PUBLIC EDUCATION

Eligible students with disabilities shall enjoy the right to a free appropriate public education (“FAPE”), which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. Education Code 29.003(a).

FAPE means special education and related services that:

- 1) Have been provided at public expense, under public supervision and direction, and without charge;
- 2) Meet standards set out by the Texas Education Agency (“TEA”);
- 3) Include an appropriate preschool, elementary school, or secondary school education; and
- 4) Are provided in conformity with the student’s individualized education program (“IEP”).

20 U.S.C. 1401(9); 34 CFR 300.13, 300.17, 300.36.

Sec. 3. LEAST RESTRICTIVE ENVIRONMENT

Universal Academy shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child’s disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. 20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).

Sec. 4. DISCIPLINE

All disciplinary actions regarding students with disabilities shall be determined in accordance with applicable federal regulations, Education Code Chapter 37, and 19 Administrative Code 89.1053. 19 TAC 89.1050(k).

Sec. 5. INSTRUCTIONAL ARRANGEMENTS AND SETTINGS

Instructional arrangements and settings shall be based on the individual needs and IEPs of eligible students receiving special education services. Instructional arrangements and settings include:

1. Mainstream: services provided in the regular classroom in accordance with the student’s IEP;
2. Homebound: services provided at home or hospital bedside;
3. Hospital class: services provided in a classroom, hospital facility, or residential care and treatment facility not operated by Universal Academy;

4. Speech therapy: speech therapy services provided, whether in a regular education classroom or other setting;
5. Resource room/services: services provided in a setting other than the regular classroom for less than 50% of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus: services provided to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus;
7. Off home campus: services provided in an interdistrict program, through Universal Academy personnel in a non-Universal Academy facility, or at a Universal Academy campus that provides only special education and related services.
8. Nonpublic day school: services provided through a contractual agreement with a nonpublic school;
9. Vocational adjustment class/program: services provided to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
10. Residential care and treatment facility (not Universal Academy resident): services provided to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of Universal Academy;
11. State supported living center: services provided to a student who resides at a state supported living center when the services are provided at the state supported living center location; or
12. Other program options, including contracts with other districts and programs approved by TEA.

19 TAC 89.63(c), (f).

Sec. 6. RELATED SERVICES

“Related services” means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device.

20 U.S.C. 1401(26); 34 CFR 300.34.

a) Transportation

Universal Academy shall provide special transportation with federal funds only when the admission, review and dismissal (ARD) committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. 19 TAC 89.1096(e).

b) Extended School-Year Services

Universal Academy shall ensure that extended school-year (ESY) services are available as necessary to provide a student with a disability with a FAPE. ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for a FAPE. Universal Academy may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services. 34 CFR 300.106; 19 TAC 89.1065.

400.110. SECTION 504

Section 1. Policy of Nondiscrimination

It is a policy of LTTS Charter School Inc dba Universal Academy not to discriminate based on disability in its educational programs as required by Section 504 of the Rehabilitation Act of 1973 (Section 504).

Section 2. Section 504 Coordinator

The following position is designated as Section 504 compliance coordinator:

DIRECTOR OF SPECIAL POPULATIONS, UNIVERSAL ACADEMY

Section 3. Section 504 Committee

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

Section 4. Training

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

Section 5. Notice of Nondiscrimination Policy

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

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

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

1. Posting of notices,
2. Publication in newspapers and magazines,
3. Placing notices in school publications; and

4. Distributing memoranda or other written communications.

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

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

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

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

Section 7. Free and Appropriate Public Education

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

SECTION 7.2. Appropriate Education.

1. For the purpose of compliance with this policy, the provision of an appropriate education is the provision of regular or special education and related aids and services that are:
 - a. Designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met; and
 - b. Based upon adherence to procedures that satisfy the requirements of Section 9.
2. Universal Academy may implement an Individualized Education Program or Individualized Section 504 Plan developed in accordance with Section 504 as a means of meeting the standard established in SECTION 7.2(a).
3. Universal Academy may place a student with a disability or refer such a student for aid, benefits, or services other than those that it operates or provides as its means of carrying out the requirements of Section 504.
4. The CEO or CEO's designee shall facilitate accommodations for a Section 504 student, taking the state-mandated assessments when the accommodations have been, determined not to destroy the validity of the test, are necessary for the student to take the

test, are consistent with modifications provided the student in the classroom and are approved by TEA.

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

Section 8. Education Setting

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

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

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

Section 9. Evaluation and Placement

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

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

SECTION 9.3. Evaluation Procedures. The CEO or CEO's designee shall establish,

standards and procedures for the evaluation and placement of students who, because of disability need or are believed to need special education or related services that ensure that:

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

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

1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior,
1. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered,
1. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
1. Ensure that the placement decision is made in conformity with specifications for educational settings in Section 8.

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

Section 10. Procedural Safeguards

SECTION 10.1. Notification Requirements.

1. Prior to Evaluation. The Section 504 Committee chairperson shall notify parents in writing prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the

student.

1. Determination of Eligibility/Ineligibility. The Section 504 Committee chairperson shall notify parents in writing when a student has been determined to be eligible or ineligible for services under Section 504.

1. Significant Change in Services. The Section 504 Committee chairperson shall notify parents in writing prior to a significant change in a student's status or services.

1. Refusal of Parental Request. The Section 504 Committee chairperson shall notify parents in writing if the school has determined that it will not evaluate a student or to provide specific aids and services the parents have requested.

1. Right to Impartial Hearing. The Section 504 Committee chairperson shall notify in writing parents of all students with disabilities of their right to an impartial hearing under SECTION 10.3.

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

SECTION 10.3. Impartial Hearing.

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

1. Impartial Hearing Officer. The impartial hearing shall be conducted by a person who is knowledgeable about the issues involved in Section 504 and who is not employed by the school or related to a member of the Board in a degree that would be prohibited under state laws and rules relating to nepotism. The impartial hearing officer is not required to be an attorney.

1. Timeline. Universal Academy shall conduct hearings within twenty (20) instructional days after it receives the request, unless the hearing officer grants an extension, and at a time and place reasonably convenient to you.

1. Appeal. If a parent or guardian is dissatisfied with the outcome of the hearing and requests an appeal, the parent or guardian must specify the objections in writing and file them with the CEO and the opposing party within twenty (20) instructional days of the date the hearing officer's decision is received. The CEO shall appoint an independent appeals officer to conduct a review of the record as a whole. The officer may, at his/her election, conduct the review with or without oral argument. Such review shall be conducted within twenty (20) instructional days of the receipt of the petition to review, unless either party requests an extension of time.

SECTION 10.4. Complaint to Office of Civil Rights. Nothing in this policy shall be

construed to deny the right of a parent or guardian to file a formal complaint with the Office of Civil Rights at the U.S. Department of Education.

Section 11 Students with Diabetes

To meet the needs of students with diabetes, Universal Academy adopts the following policy.

Section 11.1. Diabetes Management and Treatment Plan (DMNT): If a student needs diabetic care while at school, Universal Academy must have a Diabetes Management and Treatment Plan (DMTP) on file at school. from the treating physician. The DMTP must:

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

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

Section 11.2. Individual Health Plan (IHP): An individual health plan (IHP) for the student will be developed by the CEO, or CEO designee, and the School Nurse. The IHP must be developed in collaboration with the student's parent or guardian and, to the extent practicable, the physician responsible for the student's diabetes treatment and one or more of the student's teachers. A student's IHP will incorporate components of the student's DMTP.

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

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

Section 11.3. Trained personnel: Universal Academy will ensure that a school nurse or at least one unlicensed diabetes care assistant (UDCA) is present and available to provide the required care to a student with diabetes during the regular school day.

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

Section 11.5. Extracurricular Activities: Students with diabetes may not be excluded from

extracurricular activities or school programs because of their diagnosis. Additionally, a student with diabetes may attend field trips and Universal Academy cannot require the student's parent to attend.

Section 12 Website Accessibility

It is the policy of Universal Academy to provide access to all programs, benefits, and services to all members of the community.

Section 12.1. Website Guidelines: Universal Academy requires all website content to follow the Section 508 of the Rehabilitation Act guidelines, including but not limited to:

1. A text equivalent for every non-text element shall be provided (e.g., via "alt", "long desc", or in element content)
2. Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.
3. Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.
4. Documents shall be organized so they are readable without requiring an associated style sheet.
5. A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of these standards, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.

Additional guidelines can be found on the [Section 508 website: https://www.section508.gov/summary-section508-standards](https://www.section508.gov/summary-section508-standards)

Section 12.2. Assistance: If a member of the community is having difficulty accessing information on the website, inquiries and requests should go to the CEO, or CEO designee. This information will also be posted on the homepage of Universal Academy's website and front lobby of campuses.

Section 12.3. Annual Review: Universal Academy will complete a technology review each year using wave.webaim.org or similar program to ensure the school's website and internet programs are accessible and in compliance with Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act.

400.120. INSTRUCTION IDENTIFICATION, EVALUATION, AND ELIGIBILITY OF SPECIAL EDUCATION STUDENTS

Sec. 1. CHILD FIND

Universal Academy shall ensure that all children residing within the Universal Academy boundaries who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to all children with disabilities, including:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 CFR 300.111(a)(1)(i), (c).

h) *Private School Students*

Universal Academy shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools within the Universal Academy boundaries.

Universal Academy shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within the Universal Academy boundaries. *20 U.S.C. 1412(a)(10)(A)(ii)-(iv).*

i) *Preschool Students*

Universal Academy shall develop a system to notify residents within the Universal Academy boundaries with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of such programs. *Education Code 29.009.*

Sec. 2. REFERRAL

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E).*

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of Universal Academy's overall general education referral or screening system. Either a parent, the Texas Education Agency ("TEA"), another state agency, or Universal Academy may initiate a request for an initial evaluation.

a) *Obligation to Refer*

Before referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students. If a student continues to experience difficulty in the general

classroom after the provision of interventions, Universal Academy personnel must refer the student for a full and individual initial evaluation.

b) *Parent Request*

If a parent submits a written request for a full individual and initial evaluation of a student, Universal Academy shall, not later than the 15th school day after the date Universal Academy receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 CFR 300.503, a copy of the procedural safeguards notice required by 34 CFR 300.504, and an opportunity to give written consent for the evaluation; or
2. Refuse to provide the evaluation and provide the parent or legal guardian with notice of procedural safeguards under 20 USC 1415(b).

20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301; 19 TAC 89.1011(a), (b); Education Code 29.004(c).

Sec. 3. NOTICE OF RIGHTS

Universal Academy shall provide written notice to a student's parent or guardian within a reasonable time before proposing or refusing to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education ("FAPE"). *20 U.S.C. 1415(b)(3); 34 CFR 300.503(a).*

Sec. 4. INITIAL EVALUATION

Universal Academy shall conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability. *20 U.S.C. 1414(a)(1)(A).*

a) *Consent for Initial Evaluation*

Universal Academy shall, after providing notice consistent with 34 CFR 300.503 and 300.504, obtain informed consent, consistent with 34 CFR 300.9, from the parent of the child before conducting the evaluation.

If the parent does not provide consent for an initial evaluation or fails to respond to a request to provide consent, Universal Academy may, but is not required to, pursue the initial evaluation by utilizing due process procedures, except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services. *20 U.S.C. 1414(a)(1)(D)(i)(1); 34 CFR 300.300.*

b) *Wards of the State*

If the child is a ward of the state and is not residing with the child's parent, Universal Academy shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Universal Academy cannot discover the whereabouts of the parent, despite reasonable efforts to do so;
2. The rights of the parent have been terminated in accordance with State law; or
3. The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 CFR 300.300(a)(2).

c) *Completion of Written Report*

Universal Academy must complete the written report of a full individual and initial evaluation:

1. Not later than the 45th school day following the date on which Universal Academy in accordance with 20 USC 1414(a) receives written consent for the evaluation signed by the student's parent or legal guardian. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which Universal Academy receives written consent for the evaluation signed by the student's parent or legal guardian.

If Universal Academy receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a full individual and initial evaluation of a student must be provided to the student's parent not later than June 30 of that year.

If Universal Academy receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if Universal Academy receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the report must be completed not later than the 45th school day following the date Universal Academy received written consent, except that the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent.

A student is considered absent for the school day if the student is not in attendance at the official Universal Academy attendance taking time or at the alternate attendance taking time set for that student. A student is considered in attendance if the student is off campus participating in an activity that is approved by the Board and is under the direction of a professional staff member of Universal Academy or an adjunct staff member who has a minimum of a bachelor's degree and is eligible for participation in the Teacher Retirement System of Texas.

"School day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term.

These time frames shall not apply if the parent repeatedly fails or refuses to produce the child for the evaluation.

d) *Transfer Students*

Universal Academy shall ensure that evaluations of children who transfer from one public school to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations.

If a student was in the process of being evaluated for special education eligibility by another public school and enrolls in Universal Academy before the previous school completed the full individual and initial evaluation, Universal Academy must coordinate with the previous school as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R. 300.301(d)(2) and (e) and 300.304(c)(5).

The time lines above do not apply in such a situation if:

1. The new school is making sufficient progress to ensure a prompt completion of the evaluation; and
2. The parent and the new school agree to a specific time when the evaluation will be completed.

20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)–(e); Education Code 29.004; 19 TAC 89.1011.

Sec. 5. PSYCHOLOGICAL EXAMS

If Universal Academy determines that an additional examination or test is required for the evaluation, Universal Academy shall provide the information required by Education Code 29.0041(a) and shall obtain parental consent. If a parent does not give consent within 20 calendar days after the School provides the information, the parent's consent is considered denied.

The time required for Universal Academy to provide information and seek consent may not be counted toward the 60 calendar days for completion of an evaluation. *Education Code 29.0041.*

Sec. 6. ELIGIBILITY AND REEVALUATIONS

A student is eligible to participate in Universal Academy's special education program if:

1. The student is between the ages of 3 and 21, inclusive;
2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and
3. The student is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in the public schools without the provision of special services.

20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035, .1040.

a) Determination of Initial Eligibility

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

Universal Academy shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. *20 U.S.C. 1414(b)(4)(B); 34 CFR 300.306(a).*

The admission, review, and dismissal ("ARD") committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program ("IEP") and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year (ESY) services during that summer.

When a report is provided to a parent not later than June 30 as described at Timeframe for Completion of Written Report, above, the ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, an evaluation indicates that a

student will need ESY services, the ARD committee must meet as expeditiously as possible. *19 TAC 89.1011(d), (e)*.

b) *Consent: Initial Provision of Services*

Universal Academy must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, Universal Academy:

1. May not use the procedures in 34 CFR part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which Universal Academy requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

c) *Consent: Revoking Consent*

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, Universal Academy:

1. May not continue to provide services to the child, but must provide prior written notice in accordance with 34 CFR 300.503 before ceasing services;
2. May not use the procedures in 34 CFR part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and
4. Is not required to convene an IEP Team meeting or develop an IEP for further provision of services.

34 CFR 300.300(b).

d) *Reevaluations*

Universal Academy shall ensure that each child with a disability is reevaluated if Universal Academy determines that the educational or related service needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and Universal Academy agree otherwise; and
2. At least once every three years, unless the parent and Universal Academy agree that a reevaluation is unnecessary.

Universal Academy shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if Universal Academy can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond. *20 U.S.C. 1414(a)(2), (c)(3); 34 CFR 300.303*.

e) *Evaluation for Change in Eligibility*

Universal Academy shall evaluate a child before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to

graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law; a summary of academic achievement and functional performance must be provided in these circumstances. *20 U.S.C. 1414(c)(5); 34 CFR 300.305(e); 19 TAC 89.1070(g).*

f) *Independent Evaluation*

Parents have a right to obtain an independent educational evaluation of their child. Upon such a request, Universal Academy shall provide the parents with information regarding where one can be obtained and Universal Academy’s criteria for independent evaluations.

i. At Public Expense

If a parent requests an independent evaluation at public expense, Universal Academy shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or
2. Ensure that an independent evaluation is provided at public expense, unless Universal Academy demonstrates in a hearing pursuant to 34 CFR 300.507 through 300.513 that the evaluation obtained by the parent did not meet Universal Academy’s criteria for independent evaluations.

ii. At Private Expense

If Universal Academy initiates a hearing, and the final decision is that Universal Academy’s evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense. If the parent obtains an independent evaluation at private expense, Universal Academy shall consider the results of the evaluation, if it meets Universal Academy’s criteria, in any decision made with respect to providing FAPE to the child. *34 CFR 300.502.*

Sec. 7. REQUIRING PRESCRIPTION MEDICATION

Universal Academy employees are prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 *et seq.*) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

Universal Academy employees are not prohibited from consulting or sharing classroom-based observations with parents regarding a student’s academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services. *20 U.S.C. 1412(a)(25).*

400.130. INSTRUCTION DYSLEXIA AND RELATED DISORDERS

Sec. 1. DYSLEXIA AND RELATED DISORDERS

The Board shall ensure that procedures are implemented for identifying and providing appropriate, evidence-based instructional services to students for dyslexia and related disorders. These procedures shall be implemented in accordance with the State Board of Education’s *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook 2018 Update)*. *19 TAC 74.28.* Universal Academy shall provide a copy or a link to the electronic version of the *Dyslexia Handbook* to parents of children suspected to have dyslexia or a related disorder.

Sec. 2. IDENTIFICATION AND TESTING

Students enrolling in Universal Academy shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. This program includes a screening at the end of each school year for each student in kindergarten and each student in first grade.

Universal Academy must make available a process for early identification, intervention, and support for students at risk for dyslexia and related disorders in accordance with the *Dyslexia Handbook*. Universal Academy may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

Screening and further evaluation should only be done by individuals or professionals who are trained to assess students for dyslexia and related disorders.

19 TAC 74.28(d), (j).

j) *Parent Notification*

At least five school days before any identification or evaluation procedure is used with an individual service, Universal Academy must provide written notification of the proposed identification or evaluation to the student's parent. The notice must be in English, or to the extent practicable, the individual's native language. The notice must include:

1. A reasonable description of the evaluation procedure to be used with the individual student;
2. Information related to any instructional intervention or strategy used to assist the student prior to evaluation;
3. An estimated timeframe within which the evaluation will be completed; and
4. Specific contact information for the campus point of contact, relevant parent training and information projects, and any other appropriate parent resources.

k) *IDEA Notice*

Before a full individual and initial evaluation is conducted to determine whether a student has a disability under the Individuals with Disabilities Education Act ("IDEA"), Universal Academy must notify the student's parent of its proposal to conduct an evaluation consistent with 34 CFR 300.503, provide all the information required in the above notice, and provide an opportunity for written consent for the evaluation. Universal Academy must also provide a copy of the IDEA procedural safeguards notice required under 34 CFR 300.504 and a copy of Section 504 information required under Education Code 26.0081.

l) *Options and Services*

Parents of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by Education Code 26.0081(d).

19 TAC 74.28(f)-(h).

Sec. 3. TREATMENT

Universal Academy shall provide each identified student access at his or her campus to instructional programs and to the services of a teacher trained in dyslexia and related services. Universal Academy may, with the approval of each student's parents or guardians, offer additional services at a centralized

location, so long as such centralized services do not preclude each student from receiving services at his or her campus. *19 TAC 74.28(i)*.

a) *Reading Program*

Universal Academy shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components described in the *Dyslexia Handbook*. The professional development activities specified by each school and/or campus planning committee shall include these instructional strategies.

19 TAC 74.28(e).

b) *Reassessment*

Unless otherwise provided by law, a student determined to have dyslexia during testing or accommodated because of dyslexia may not be retested for dyslexia for the purpose of reassessing the student's need for accommodations until Universal Academy reevaluates the information obtained from previous testing of the student.

Sec. 4. PARENT EDUCATION PROGRAM

Universal Academy shall provide a parent education program for parents of students with dyslexia and related disorders. This program must include:

1. Awareness of characteristics of dyslexia and related disorders;
2. Information on testing and diagnosis of dyslexia;
3. Information on effective strategies for teaching dyslexic students;
4. Information on qualifications of those delivering services to students with dyslexia and related disorders;
5. Awareness of information on modification, especially modifications allowed on standardized testing;
6. Information on eligibility, evaluation requests, and services available under IDEA and Section 504; and
7. Contact information for the relevant regional and/or district specialists.

Education Code 38.003; 19 TAC 74.28(l).

400.140.INSTRUCTION TRANSITION SERVICES

Sec. 1. DEFINITIONS

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and includes:

- a. Instruction;
- b. Related services;
- c. Community experiences;
- d. The development of employment and other post-school adult living objectives; and
- e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

20 U.S.C. 1401(34); 34 CFR 300.43.

Sec. 2. INDIVIDUAL TRANSITION PLANNING

In accordance with Education Code 29.011 and 29.0111, not later than when a student reaches 14 years of age, the admission, review, and dismissal (“ARD”) committee must consider, and if appropriate, address the following issues in the individualized education program (“IEP”):

1. Appropriate student involvement in the student’s transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate involvement in the student’s transition by the student’s parents and other persons, if the parent or other persons invited to participate by the student’s parents or Universal Academy;
3. If the student is at least 18 years of age, involvement in the student’s transition and future by the student’s parents and other persons, if the parent or other person is invited to participate by the student or Universal Academy or has the student’s consent to participate pursuant to a supported decision-making agreement under Texas Estates Code, Chapter 1357;
4. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
5. An appropriate functional vocational evaluation;
6. Appropriate employment goals and objectives;
7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student’s transition goals and objectives;
8. Appropriate independent living goals and objectives;
9. Appropriate circumstances for facilitating a referral of a student or the student’s parents to a governmental agency for services or public benefits; and
10. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills and supports and services to foster the student’s independence and self-determination, including a supported decision-making agreement under Texas Estates Code, Chapter 157.

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under paragraph (1) of this subsection.

The student’s ARD committee shall annually review and, if necessary, update relevant portions of the student’s IEP.

20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.0111; 19 TAC 89.1055(h), (j).

Sec. 3. TRANSITION AND EMPLOYMENT GUIDE

Universal Academy shall utilize the transition and employment guide developed by the Texas Education Agency for use with students enrolled in special education programs and their parents, as appropriate. Specifically, Universal Academy shall:

1. Post the transition and employment guide on the Universal Academy website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
 - a. The first ARD committee meetings at which transition is discussed; and
 - b. The first ARD committee meeting at which transition is discussed that occurs after the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

Education Code 29.0112(a)(3).

Sec. 4. GRADUATION

Graduation with a regular high school diploma under 19 TAC 89.1070(b)(1), (b)(2)(D), (g)(1), (g)(2), or (g), or (g)(4)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 TAC 89.1070(b)(2)(A), (B), or (C) or (g)(4)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

Universal Academy is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a free appropriate public education under state law.

Universal Academy shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

20 U.S.C. 1414(c)(5); 34 CFR 300.102(a)(3), 300.305(e)(2); 19 TAC 89.1070(a), (k).

400.150. HEALTH

The governing body ("Board") of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Immunizations & Reportable Diseases

The Executive Director, or designee, of Universal Academy shall ensure compliance with immunization laws and regulations and that Universal Academy complies with laws and regulations regarding reportable diseases.

Section 1.2. HIV/AIDS STATUS.

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

b. Confidentiality. Disclosure of a student's HIV status is a violation of federal and state law. Knowledge of the HIV status of a child shall be kept confidential by school personnel and shall not be released without the consent of the parent or legal guardian of the child except where release is

required or authorized by law. A schoolteacher does not have a right to know the HIV/AIDS status of a student and may not ask the HIV/AIDS status of a student. Administrators and nurses should help teachers to understand the district's policy regarding students with HIV/AIDS.

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

Section 2. Care for Students At-Risk for Anaphylaxis

Section 2.1. Food Allergy Management in the School Setting.

a. Food Allergy Management Team. The CEO shall create a food allergy management team to implement, coordinate, and monitor food allergy management at each Universal Academy campus. Members of the team may include: a school nurse, the principal, food service staff, custodial staff, a counselor, classroom teacher, and bus driver. The food allergy management team will work with parents in supporting students with food allergies on the campus as well as assist campus staff in implementing procedures and student specific strategies.

b. Point of Contact. The CEO shall designate an employee, which is knowledgeable about food allergies, to serve as the point of contact for parents, healthcare providers, and the campus food allergy management team. The designee shall receive ongoing training in the management of food allergies in the school setting, including the provision of administration of epinephrine. The CEO's designee shall ensure that moderate to severe allergic reactions known to Universal Academy shall be documented and submitted in an annual report to the CEO; the CEO shall present this report to the Board during the annual review of the policies and procedures concerning food allergies and anaphylaxis.

c. Storage of Medications. The CEO or CEO's designee shall develop procedures, in accordance with applicable laws, for the storage of medications that are relevant to food allergies and anaphylaxis.

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

a. Food Allergy Information Upon Enrollment & After Diagnosis. The CEO or CEO's designee shall develop, implement, and monitor standardized procedures that will be utilized in obtaining information from a parent/legal guardian, as well as the child's healthcare provider, upon registration and as soon as possible after a child is diagnosed with a food allergy that places them at risk for anaphylaxis. Enrollment procedures shall include a request that a parent, or legal guardian, disclose whether their child has a food allergy or a severe food, allergy that, in the judgment of the parent, or legal guardian, should be disclosed to Universal Academy to enable the Universal Academy to take any necessary precautions regarding the child's

safety. Such information shall be kept confidential according to law and maintained in accordance with law.

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

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

Care Plans.

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

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

- a. Procedures. The food allergy management team shall develop procedures that outline district-wide, campus-wide, classroom-wide, and individual strategies that are to be utilized for managing students with food allergies at-risk for anaphylaxis. In developing these procedures, consideration shall be given in promoting safety in the following areas, including, but not limited to, the cafeteria, all classrooms, hallways, common areas in the school, on the bus, and during all school-sponsored, activities, including field trips, athletic events, on-campus, off-campus, and before and after school activities. The CEO's designee serving as the point of contact, working in collaboration with the campus food allergy management team, and parents may help in

developing individual campus strategies to support students with food allergies at-risk for anaphylaxis.

b. Environmental Controls. The food allergy management team shall develop and implement appropriate environmental controls to help minimize the risk of exposure to a food allergen. Environmental controls include, but are not limited to, consideration of the following:

i. Identifying high-risk areas in the school and implementing strategies to limit exposure to food allergens and implementing general risk reduction strategies throughout the school and at school-sponsored activities. Students at-risk for anaphylaxis should not be excluded from the classroom activities based on their food allergies.

ii. Limiting, reducing, and/or eliminating food from the classroom(s) and other learning environments used by children with food allergies at-risk for anaphylaxis.

iii. Notifying and educating school staff and parents of the need to limit foods as needed on the campus, in the classroom, or at school sponsored activities.

iv. Developing procedures for the management of parent-provided classroom snacks as allowed by Texas statute, with consideration given to students with food allergies at-risk of anaphylaxis.

v. Implementing appropriate cleaning protocols in the school, with special attention to identified high-risk areas.

vi. Providing training to the school food service departments to reduce the risk of cross-contamination during food preparation and food service, as well as minimizing foods served in the cafeteria that may contain food allergens.

vii. Providing training on food allergy awareness to teachers, staff, and parents

viii. Posting of visual reminders promoting food allergy awareness

ix. Educating children about not trading or sharing food, snacks, drinks, or utensils

x. Implementing hand washing protocols before and after meals. Hand washing should be done with soap and water, as hand sanitizers are not sufficient for removing allergens.

xi. Assign staff trained in the administration of epinephrine as monitors in the food service area, as appropriate.

xii. Provide ready access to epinephrine in an accessible, secure but unlocked area.

xiii. Consider risk reduction strategies for the school bus, during extracurricular activities, on field trips, during before-and after school activities, and at sporting events.

xiv. Reinforce rules and expectations about bullying, including bullying of students with food

allergies.

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

a. Training Schedule. The CEO or CEO's designee shall establish a training schedule that ensures that, at a minimum annually, all school staff is trained to recognize and manage a life-threatening anaphylactic reaction. The training schedule may implement a tiered approach including an "awareness training" for all staff and a more "comprehensive training" for the campus food allergy management team and school staff members that will be responsible for the care of individual students.

b. Awareness training. Awareness training is intended to give an overview of food allergies and anaphylaxis including the signs and symptoms of an allergic reaction, as well as treatment of anaphylaxis. At a minimum the training must include information about the most common food allergens, the hazards related to the use of food for instructional purposes, and the importance of environmental controls in protecting the health of students at risk for food allergy related to anaphylaxis.

Additionally, the training must provide information about how to respond when a child exhibits the signs and symptoms of an allergic reaction to food, provide information on implementing the FAAP/EAP, including the skills needed in administration of epinephrine, and notifying the local EMS utilizing the school's emergency response policy and procedures.

c. Comprehensive training. Comprehensive training, at a minimum, should include training on: identifying students at-risk for anaphylaxis and planning for students that do not have epinephrine at school; the signs and symptoms of anaphylaxis; implementing FAAPs/EAPs; the administration and storage of epinephrine; development and implementation of IHPs/504 Plans; communication procedures for initiating emergency protocols, including substitute staff; environmental control measures, to reduce the risk of exposure to a food allergen, including safe food handling, hand washing, and cleaning procedures; working with local EMS; and post anaphylaxis debriefing and monitoring of the food allergy management plans on the campus.

Section 2.6. Post-Anaphylaxis Reaction Review

In the event, that a student has a moderate to severe reaction, to prepare for the child's return to school, the CEO's designee and the campus food allergy management team shall collaborate with the student's parents in collecting and reviewing information and implementing the following activities in order, to prepare for the child's return to the classroom:

a. Identify, if possible, the source of allergen exposure and take steps to prevent future reactions.

b. Review accurate and updated information on the allergic reaction including any new medication(s) which would require new consent forms to be signed by the parents.

c. Identify and interview those who were involved in the emergency care of the student and those that witnessed the event.

- d. Meet with school staff to review the implementation of procedures.
- e. If the allergic reaction is thought to be from food provided by the school food service, work with the school food service department to ascertain what potential food item was served/consumed, how to reduce risk in the cafeteria by reviewing food labels, minimizing cross-contamination and other strategies.
- f. Review of the FAAP/EAP, IHP, and/or 504 Plan and amend to address any changes, that were made by the student's healthcare provider.
- g. If an epinephrine auto-injector was utilized during the reaction, ensure that the parent/guardian replaces it with a new one.

Section 2.7. Review of Policies & Procedures

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

Section 3. Administration of Epinephrine Auto-injector TBD

The Texas Education Code, Section 38.209 requires a school district, open- enrollment charter school, or private school who adopts an epinephrine auto- injector policy under Section 38.208 to report the use of an epinephrine auto-injector within 10 business days to the school district, charter holder if the school is an open-enrollment charter school, or the governing body of the school if the school is a private school, the physician or other person who prescribed the epinephrine auto-injector, and the commissioner of state health services.

Section 4. Administration of Prescription Medication

Section 4.1. Written Request Required.

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

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

Section 4.2. Authorized Employees.

Employees authorized by Universal Academy to administer prescription medication include:

- a. A registered nurse

Section 4.3. Prescription Medication Dispenser.

Employees authorized to administer prescription medication to a student shall ensure that the medication is administered from either:

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

Section 4.4. Self-Administration of Prescription Asthma or Anaphylaxis Medicine.

The principal of each campus shall ensure that a student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine in accordance with legal requirements.

Section 4.5. Non-Prescription Medication. A licensed physician or registered nurse who provides volunteer services to Universal Academy may administer to a student:

- a. Nonprescription medication; or
- b. Medication currently prescribed for the student by the student's personal physician.

Section 4.6. Sunscreen.

A student may use and possess sunscreen for the protection of overexposure to the sun.

Section 5. Psychotropic Medication

Section 5.1. Employee Prohibition: An employee may not:

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

Section 5.2. Exceptions to Prohibition: Section 3.1 does not prevent an employee from:

- a. Making an appropriate referral under the Individuals with Disabilities Education Act,
- b. Recommending that a child be evaluated by an appropriate medical practitioner if the employee is a registered nurse, advanced nurse practitioner, physician, or certified/credentialed mental health professional,
- c. Discussing any aspect of a student's behavior or academic progress with the student's parent/guardian or another charter school employee.

Section 6. Prohibition of Tobacco and Alcohol

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

Universal Academy students are also prohibited from possessing e-cigarettes or tobacco products at a school- related or school-sanctioned activity, on or off school property. The CEO shall ensure that this prohibition is enforced by school personnel.

Section 7. Posting of Steroid Notice

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

400.160. STUDENT SAFETY

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Sec. 1. GENERAL GUIDELINES

Universal Academy personnel shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student’s behavior, to maintain essential order, or to protect other students, school employees, or property.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case.

Disciplinary consequences shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, age, or national origin.

Sec. 2. STUDENT CODE OF CONDUCT

The Board shall adopt a Student Code of Conduct, which shall establish standards for behavior and identify general types of prohibited behavior and their possible consequences. The Student Code of Conduct shall also outline Universal Academy’s due process procedures with respect to expulsion. *Education Code 12.131(a)*.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Made available for review in the Principal’s office; and
2. Made available on the Universal Academy website and/or as hard copy to students, parents, teachers, administrators, and to others on request.

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.

Sec. 3. OUT-OF-SCHOOL SUSPENSION AND STUDENTS WHO ARE HOMELESS

Universal Academy may not place a student who is homeless in out-of-school suspension unless the student engages in the following conduct while on school property or while attending a school-sponsored or school-related activity on or off of school property:

1. Conduct that contains the elements of an offense related to weapons under Penal Code 46.02 or 46.05;
2. Conduct that contains the elements of a violent offense under Penal Code 22.01, 22.011, 22.02, or 22.021; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - a. Marijuana or a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 USC 801;
 - b. A dangerous drug, as defined by Health and Safety Code Chapter 483; or
 - c. An alcoholic beverage, as defined by Alcoholic Beverage Code 1.04.

Education Code 37.005(d).

Sec. 4. CORPORAL PUNISHMENT

The Board prohibits the use of corporal punishment in Universal Academy. Students shall not be spanked, paddled, or otherwise physically disciplined for violations of the Student Code of Conduct.

Sec. 5. EXTRACURRICULAR STANDARDS OF BEHAVIOR

Sponsors and coaches of extracurricular activities may develop and submit for approval standards of behavior that are higher than the Universal Academy-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off Universal Academy property. Extracurricular behavioral standards shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, age, or national origin.

Students shall be informed of any extracurricular behavior standards at the beginning of each school year or when the students first begin participation in the activity. Students and their parents shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

Sec. 6. EXPULSION

The Superintendent or designee shall determine conduct for which students may be expelled from school. Expellable offenses shall be described in the Student Code of Conduct, which shall be distributed to students and parents on an annual basis, as well as made available at each Universal Academy campus and posted on the Universal Academy website. *Education Code 12.131.*

a) *Federal Firearm Provision*

In accordance with the Gun-Free Schools Act, Universal 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 any Universal Academy campus. The Superintendent may modify the term of expulsion for a student or assess another comparable penalty that results in the student's exclusion from the regular school program on a case-by-case basis. *18 U.S.C. 922.*

For the purposes of this provision, "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;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer; or
4. 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 one-quarter 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 one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described in this item, and from which a destructive device may be readily assembled.

18 U.S.C. 921(a).

b) *Expulsion Proceedings*

iii. *Due Process*

Before a student may be expelled, the Board or its designee shall provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution. The minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved. Federal due process requires notice and some opportunity for hearing.

iv. *Notice*

The notice should contain a statement of the specific charges and grounds that, if proven, would justify expulsion. In some cases, the student should be given the names of the witnesses against him or her and an oral or written report on the facts to which each witness testifies.

v. *Hearing*

The rights of the student may properly be determined upon the hearsay evidence of school administrators who investigate disciplinary infractions.

vi. *Representative*

At the hearing, the student is entitled to be represented by the student's parent, guardian, or another adult who can provide guidance to the student and who is not an employee of Universal Academy. If Universal Academy makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, Universal Academy may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

vii. Term of Expulsion

If the period of expulsion is inconsistent with the guidelines on length of expulsion in the Student Code of Conduct, the order must give notice of the inconsistency.

viii. Appeals

The Superintendent or designee shall develop an appeal process for expulsion decisions; this process shall recognize the Board's final authority to hear or decide a parent or student appeal of an expulsion. The Superintendent or designee shall ensure that the appeal process is made available to students and parents through the Student Handbook. The Board's decision is final and may not be appealed.

Disciplinary consequences shall not be deferred pending an appeal.

Section 2. Transfer Option for Victims of Violent Acts

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

Section 3. Child Abuse, Maltreatment and Neglect

Section 3.1. Sexual Abuse of Children, Neglect, Sex Trafficking, and Maltreatment of Children.

a. The CEO or CEO's designee shall develop and implement procedures detailing methods to increase staff, student, and parent awareness of the sexual abuse, neglect, sex trafficking, and other maltreatment of children, including prevention techniques and knowledge of likely warning signs.

b. The CEO or CEO's designee shall be responsible for having a safety plan developed that details action that a child who is a victim of sexual abuse, neglect, sex trafficking or other maltreatment should take to obtain assistance and intervention. This plan shall also provide for available counseling options.

c. Resources used to implement this policy will include those developed by the Texas Education A.

d. The procedures shall include how a child that is a victim of sexual abuse, neglect, sex trafficking, and other maltreatment may obtain assistance and intervention and counseling options available to the child.

Section 3.2. Required Training. As part of new employee orientation, new open-enrollment charter school employees and those existing charter school employees who have not yet received such training, shall receive training

concerning prevention techniques for, and recognition of, sexual abuse, neglect, sex trafficking and all other maltreatment of children. At the discretion of the CEO or CEO's designee, any charter school staff member may annually receive training in these areas.

a. The CEO or CEO's designee, shall ensure that training under this section shall comport with legally mandated criteria, including training that concerns:

- i. Factors indicating a child is at risk for sexual abuse, neglect, sex trafficking, and all other maltreatment of children,
- ii. Likely warning signs indicating a child may be a victim of sexual abuse, neglect, sex trafficking, and all other maltreatment of children,
- iii. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, neglect, sex trafficking, and all other maltreatment of children, including referral to a school counselor, social worker, or another mental health professional,
- iv. Techniques for reducing a child's risk of sexual abuse, neglect, sex trafficking, and all other maltreatment of children; and
- v. Community organizations that have relevant existing research-based programs that are able to provide training or other education for charter school staff members, students, and parents.

b. Universal Academy will be using sexual abuse and sex trafficking prevention modules created by the Texas Education Agency as part of the school's health curriculum. Prior to the beginning of each school year Universal Academy will provide written notice to the parents of each student enrolled in a health course that will be using these training modules. The notification will include:

- i. A statement that Universal Academy will provide instruction relating to sexual abuse and sex trafficking awareness to students,
- ii. A description of the material that will be used to provide this instruction and
- iii. A statement informing each parent that the parent has the right to review the material and remove the parent's child from the instruction.

Section 3.3. Reporting Child Abuse. A(n) Universal Academy employee, volunteer, or agent that believes a child has been adversely affected by physical or mental abuse or neglect shall make a report within 48 hours of first suspecting such abuse or neglect. The report shall be made to law enforcement or the Department of Family and Protective Services, Child Protective Services.

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

The CEO or CEO's designee shall ensure that Universal Academy posts a sign in English and in Spanish that contains the toll-free number operated by the Department of Family and Protective Services to receive reports of child abuse or neglect in a clearly visible location in a public area of

the school that is readily accessible to students.

Section 4. School Visitors

Section 4.1. Visitors. The CEO or CEO's designee shall ensure conspicuous signs are posted at each campus entrance requiring all visitors to sign-in at the school campus administrative office. All visitors must present a form of identification or at a minimum their name and date of birth.

Universal Academy personnel shall process each visitor through the Texas Department of Public Safety's Sex Offender Registry Search or other database system which checks for sex offender status. All visitors will be issued a badge that is to be worn at all times while visiting the school campus. Upon their departure they must sign-out at the central administrative office and return the visitor's badge.

Visitors who do not submit a form of identification or their name and date of birth for the purpose of checking sex offender status shall not be allowed on school grounds. However, a parent/legal guardian of a student enrolled at Universal Academy, who has previously established with the school that they are the parent/guardian of the student but does not provide identification or their name and date of birth at the time of the school visit, shall follow the policy outlined in Section 4.2(a) and (b).

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

a. Exceptions

i. A student enrolled in the school, or a student visiting from another school participating in any event at the school,

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

1. To attend a conference at the school with school personnel to discuss the academic and/or social progress of the parent/guardian's child,

2. When the principal has requested the parent/guardian's presence for any other reason concerning the parent/guardian's child; or

3. To pick up their child from school.

b. Requirements for the Exception to Apply:

i. The parent/guardian must notify the principal of the purpose of the visit and when the visit will occur, including date and time, before the parent/guardian enters the school grounds.

ii. The principal shall notify the administrative offices of the parent/guardian's intent to visit.

iii. The parent/guardian must check in at the campus administrative office upon arrival and departure from the school.

iv. The parent/guardian must remain under the direct supervision of staff at all times,

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

SECTION 5. Weapon and Handgun Prohibition

Section 5.1. Weapons Prohibited. Universal Academy prohibits the use or possession of any firearm, illegal knife, club, or other weapon while on the premises of the school or any school grounds or building in which a school-sponsored activity is being conducted. Use or possession of any firearm is also prohibited while school-sponsored activities are taking place in the parking lots, sidewalks, or driveways.

This policy does not prohibit a handgun license holder from storing a firearm or ammunition in the license holder's personal vehicle, so long as the firearm or ammunition is in a locked vehicle and cannot be seen.

Section 5.2. Handgun Prohibition. Universal Academy prohibits the use or possession of a handgun on all Universal Academy campuses and property, even if the handgun is carried by a licensed handgun holder. The Executive Director shall ensure signs, containing the following language are conspicuously placed on school campuses and property: "Pursuant to Section 30.06, Penal Code (trespass by holder of a license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a handgun." Or: "Pursuant to Section 30.07, Penal Code (trespass by holder of a license to carry a handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun law), may not enter this property with a handgun."

SECTION 6. Protective Eye Devices

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

- a. the use of hazardous chemicals,
- b. the use of hot liquids or solids,
- c. the use of molten materials,

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

SECTION 7. Concussion Oversight of Student Athletes (TBD)

SECTION 8. Internet Use

SECTION 8.1. Computer System Access. Access to all of Universal Academy's computers, computer networks, electronic mail, and the Internet is for educational and administrative purposes. The CEO or CEO's designee shall require all users to agree in writing to comply with Universal Academy's policies and procedures in regards, to such access. Failure to comply may result in disciplinary action.

SECTION 8.2. Protection Measure. The CEO or CEO's designee shall ensure that Universal Academy utilizes a filtering device or software that prevents any Universal Academy computer, and prevents Universal Academy's Internet service, from accessing material that is obscene, child pornography, or harmful to minors.

SECTION 8.3. Internet Safety. The CEO or CEO's designee, shall implement a safety plan that ensures:

- a. Online activities of minors are monitored at the discretion of the CEO or CEO's designee,
- b. Students' Internet access to inappropriate material is controlled,
- c. Students' safety is ensured when using electronic communication, including, but not limited to electronic mail, social networking sites, and chat rooms,
- d. The prevention of unauthorized access, including hacking, and other unlawful activities,
- e. The prevention of the unauthorized disclosure, use, and dissemination of personal information regarding minors; and

f. Students are educated about appropriate online behavior including interacting with other individuals on social networking websites and chat rooms, and cyber-bullying awareness and response.

SECTION 8.4. Monitored Computer Use. The use of Universal Academy's computers and/or Internet system is not confidential and may be monitored by designated Universal Academy personnel to ensure appropriate use.

Section 9. Prohibition Against Discrimination, Harassment, Intimidation, or Bullying

Universal Academy strives to provide students and staff with a school environment free from discrimination, harassment, intimidation and bullying. The CEO shall take appropriate actions to ensure Universal Academy's Harassment, Intimidation and Bullying Policy and procedures are enforced.

Section 9.1. Dissemination of Policy. At the beginning of each school year, Universal Academy's Prohibition Against Harassment, Intimidation, or Bullying Policy will be disseminated to all students, parents, employees and volunteers. Universal Academy will also make information available to students about recognizing and preventing harassment, intimidation, or bullying.

Staff will receive the policy annually during new employee orientation or the first staff development of the year. Staff will receive training in harassment, intimidation, and bullying prevention, awareness, and reporting.

Section 9.2. Prohibition. Universal Academy explicitly prohibits discrimination, harassment, intimidation, and/or bullying on the basis of race, color, national origin, sex, gender, gender identity, disability, age, sexual orientation, and/or religion, or any other basis protected by law. Universal Academy prohibits discrimination, harassment, intimidation, or bullying in any form, including:

- a. occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property,
- b. occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; or
- c. is considered cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity, *if* the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Section 9.3. Definitions.

- a. Discrimination against a student is defined as conduct directed at the student on the basis of race, color, national origin, sex/gender, gender identity, disability, age, sexual orientation, religion, or any other basis prohibited by law, that adversely affects the student.
- b. Sexual harassment by an 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 District 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:

1. 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

2. Creates an intimidating, threatening, hostile, or abusive educational environment,

- Romantic or inappropriate social relationships between students and District employees are prohibited.

Any sexual relationship between a student and a District employee is always prohibited, even if consensual.

c. Sexual harassment by others 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 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.

d. Bullying includes a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

- materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- infringes on the rights of the victim at school. Bullying includes cyberbullying.

e. Cyberbullying is bullying that is done through the use of any electronic communication device, including a cell phone or other phone, a computer, a camera, e-mail, an Internet website, or any other Internet-based communication tool. Cyberbullying includes conduct that occurs off school property or outside of a school-sponsored or school-related activity if it:

- interferes with a student's educational opportunities, or
- substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Section 9.4. Reporting. Universal Academy encourages students who believe they are being subjected to discrimination, harassment, intimidation, or bullying and students who have first-hand knowledge of such harassment, to report the matter promptly to any Universal Academy employee, adult volunteer, contractor, or agent who is not involved in the alleged discrimination, harassment, intimidation or bullying. Reports may be made orally or in writing, and reports may be made anonymously.

Students or parents may contact the front desk to obtain a form that may be used to submit the report but use of a form is not required to make a report.

Any Universal Academy employee, adult volunteer, contractor or agent who witnesses, overhears or receives a report, formal or informal, written or oral, of discrimination, harassment, intimidation, or bullying shall immediately report the incident to the campus administrator responsible for discipline or the principal.

Section 9.5. Notification. The principal or principal's designee will provide notice of an incident of bullying:

- a. to the parent or guardian of the alleged victim within three (3) business days after the incident is reported; and
- b. to the parent or guardian of the alleged bully within a reasonable amount of time after the reported incident.

Section 9.6. Investigation. Once a campus administrator receives a report of intimidation, harassment, and/or bullying of a student, the campus administrator must begin an immediate, appropriate, and impartial investigation of the incident. An investigation will include:

- a. Conducting interviews of students involved,
- b. Conducting interviews of witnesses; and

- c. Reviewing any video surveillance available,

If a report of bullying gives the school reasonable belief that a student may have evidence of bullying or cyberbullying, Universal Academy may conduct a search in accordance with school policy and in compliance with state and federal law.

Universal Academy may report an incident of bullying to local law enforcement, if a campus administrator believes that the type of bullying or cyberbullying necessitates the involvement of law enforcement.

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

- a. Discipline in accordance with the Student Code of Conduct:
- b. Change of classroom placement,
- c. Change of campus placement,
- d. Mediation between students,
- e. Social and behavioral skills training for students,

The campus administrator will also ensure that a student who is a victim of intimidation, harassment, or bullying, a witness to intimidation, harassment, or bullying, and for a student who engages in intimidation, harassment, or bullying is provided with information regarding school counseling options.

Section 9.7. Consequences. Any student found to have engaged in harassment, intimidation, and/or bullying in violation of this policy may be subject to disciplinary action up to and including expulsion. A student who is a victim of bullying, that has been found to have acted in self-defense, may not be disciplined. Students who qualify for special education services will be disciplined in accordance with the Individuals with Disabilities Education Act. Students and parents can review the Student Code of Conduct for the full disciplinary policy of Universal Academy.

Any staff member who permits harassment, intimidation, or bullying of a student may be subject to disciplinary action up to and including termination of employment. Any staff member who receives complaints of harassment, intimidation, and bullying and does not act promptly or does not forward the complaint to the staff member's supervisor shall be subject to disciplinary action up to and including termination of employment. Staff members may review the personnel handbook/employee handbook regarding staff discipline.

Section 9.8. Compensatory Services. Universal Academy may be required to provide additional services to a student who is harassed in order to address the effects of the harassment. The need for compensatory services and

the services provided will be determined on an individual basis.

Section 9.9. Retaliation Prohibited. Universal Academy prohibits retaliation against any person who in good faith reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with Universal Academy policies and procedures. Individuals who intentionally fabricate allegations of harassment, intimidation or bullying may be subject to disciplinary action in accordance with Universal Academy policies and procedures.

400.170. MISCELLANEOUS PROVISIONS RELATING TO STUDENTS

The governing body (“Board”) of LTTS Charter School Inc dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Religious Discrimination Prohibited. Universal Academy prohibits discrimination, harassment, or retaliation on the basis of religion. A student enrolled at Universal Academy has the right to silently pray or meditate at Universal Academy so long as it does not disrupt the instructional or other activities of the school. Universal Academy shall not require, encourage, or coerce any student to engage in or to refrain from prayer or meditation during any school activity.

Section 2. Homeless Children

Section 2.1. Homeless Liaison. The CEO or designee is appointed the homeless liaison of Universal Academy.

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

400.180. STUDENT FEES, FINES, AND CHARGES

SECTION 1. AUTHORIZED FEES

Universal Academy may require payment of:

1. A fee for materials used in any program in which the resultant product is in excess of minimum requirements and, at the student's option, becomes the personal property of the student. Fees may not exceed the cost of materials.
2. Membership dues in student organizations or clubs, and admission fees or charges for attending extracurricular activities when membership or attendance is voluntary.
3. A security deposits for the return of materials, supplies, or equipment.
4. A fee for personal physical education and athletic equipment and apparel. However, any student may provide his or her own equipment or apparel if it meets reasonable requirements and standards relating to health and safety established by the Board.
5. A fee for items of personal use or products that a student may purchase at the student's option, such as student publications, class rings, annuals, and graduation announcements.
6. A fee specifically permitted by any other statute.
7. A fee for an authorized, voluntary student health and accident benefit plan.
8. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by Universal Academy.
9. A fee for items of personal apparel that become the property of the student and that are used in extracurricular activities.
10. A parking fee and fees for identification cards.
11. A fee for driver training courses, provided that such fees shall not exceed the actual Universal Academy cost per student in such programs for the current school year.
12. A fee for courses offered for credit that require the use of facilities not available on the school premises or the employment of an educator who is not part of the school's regular staff if participation in the course is at the student's option.
13. A fee for courses offered during summer school, except that the Board may charge a fee for a course required for graduation only if the course is also offered without a fee during the regular school term.
14. A reasonable fee for transportation of a student who lives within two miles of the school the student attends to and from that school, except that the Board may not charge a fee for transportation for which Universal Academy receives funds under Education Code 48.151(d).
15. 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 under Education Code 25.092.
16. If Universal Academy does not receive any funds under Section 48.151 and does not participate in a county transportation system for which an allotment is provided under Section 48.151(i), a reasonable fee for the transportation of a student to and from the school the student attends.
17. A fee for enrollment in an electronic course provided through the Texas Virtual School Network (TxVSN) in accordance with Education Code 30A.155.

Education Code 11.158(a), (d), (h)

SECTION 2. PROHIBITED FEES

Universal Academy may not charge fees for:

1. Instructional materials, workbooks, laboratory supplies, or other supplies necessary for participation in any instructional course except as authorized under the Education Code.
2. Field trips required as part of a basic educational program or course.
3. Any specific form of dress necessary for any required educational program or diplomas.
4. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
5. Library materials required to be used for any educational course or program. However, fines may be assessed for lost, damaged, or overdue materials.
6. Admission to any activity the student is required to attend as a prerequisite to graduation.
7. Admission or examination in any required educational course or program.
8. Lockers. Students may be required to furnish personal or consumable items, including pencils, paper, pens, erasers, notebooks, and school uniforms, except that students who are educationally disadvantaged may be required to furnish school uniforms as provided by Education Code 11.162.
9. A district may operate a school store where students may purchase school supplies and materials.
10. A district shall adopt reasonable procedures for waiving a deposit or fee if a student or the student's parent or guardian is unable to pay it. This policy shall be posted in a central location in each school facility, in the school policy manual, and in the student handbook

Education Code 11.158(b)-(c), (e)-(g).