



**2020–2021 Parent-Student Handbook  
and  
Code of Conduct**

**Nolan Creek School**

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Para solicitar la traducción oral de todo o parte de este documento, llame a la oficina de la escuela.

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## PREFACE

To Students and Parents:

Welcome to Nolan Creek School! This new academic year is going to be incredible and our hope is that this year will be an especially positive and productive experience for each student. For this to happen, we must all work together: students, parents, and staff. This Parent–Student Handbook (“the Handbook”) is designed to help us accomplish this goal.

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

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

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

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

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

On behalf of the entire Nolan Creek School family, best wishes for a great 2018–2019 school year!

Sincerely,

Ken Wiseman  
Nolan Creek School Principal

## **SECTION 1: GENERAL INFORMATION**

### **Board of Directors**

Andrew Cottrill, Chairperson  
Travis Graves, Vice-chairperson  
Liz Mealy, Ph.D., Member  
Herman Matthews, Ph.D., Member  
Mick Swope, Member

### **Administration**

Superintendent/COO	Carla Silber
Nolan Creek School Principal	Kenneth Wiseman
Instruction Coordinator	Catherine Ramirez
Chief Financial Officer	Margina Escobar
Director of Human Resources	Teresa Moreno
Director of Development and Community Relations	Kelsey Rentschler
Director of IT	Albert Rodriguez
Director of Special Education	Melissa De Leon

### **Orenda Education – Sponsoring Entity**

Chairperson of Board	Andrew Cottrill
Founder/CEO	Richard Rickey



## **About Nolan Creek School**

Nolan Creek School is an open-enrollment public charter school that offers grades K-8 to students in Bell County. Utilizing small school design, Nolan Creek School promotes academic and intellectual growth through student-centered learning experiences. Our students embrace creative discovery in collaborative and hands-on learning. Rigorous academics enhance skills through blended and project based learning and individualized lessons. We encourage imagination, critical thinking and risk-taking to create new and meaningful ideas to solve real world problems. At Nolan Creek School, our students develop independence and flexibility, as well as respect and responsibility; critical characteristics for success in life.

Distinguishing itself with the innovative STEAM (Science, Technology, Engineering, Art and Math) instructional framework, Nolan Creek School will attract students that are looking for challenging and engaging coursework. STEAM instruction boosts creativity and curiosity by removing limitations and inspiring students to explore and internalize their own learning. Partnering with BCYC and the surrounding community, Nolan Creek School will increase enrollment by presenting our unique vision of academic discovery.

AVID (Advancement Via Individual Determination), a research-based system of best practices and student centered strategies is implemented school wide. This means your child starts (or continues) their learning journey with the best tools available. AVID also means their learning and academic performance is limited only by how high and how far they want to go.

Intentionally smaller and more personal, Nolan Creek offers a tuition free, public school education that feels and functions like a private school. With a projected senior class of about 50 students each year – Nolan Creek will be about 1/8 the size of other area public high schools. “Small by design” is critical because, as we grow from a K-8 campus to one that spans Kindergarten to 12<sup>th</sup> grade, our “human scale” learning environment allows students greater access to teaching staff, resources and school activities.

Nolan Creek School represents some of the best thinking in educational innovation. We differ from the large, traditional school model in several ways: intentionally small, Blended Learning, “flipped classroom” instructional techniques, Project Based Learning, our STEAM framework plus having a one to one computer to student ratio, but our strongest advantage is YOU. We cannot overstate the value that you, our families, bring to our school. Regardless of our growth, we have been and will remain an open door environment that welcomes and encourages parental input, support, criticism, and help. Our PTA is just one way that you can become involved with our school community.

## **Circle of Courage Approach**

Orenda schools utilize the “Circle of Courage” philosophy. The Circle of Courage is an integrated, holistic approach to child development and learning intended to promote a sense of belonging, mastery, independence and generosity. The Circle of Courage serves as a moral character development guide for our faculty and our students and helps set the tone for the students to become successful academically. At the core is our commitment to provide a school culture where all our students feel welcomed and know they are a vital part of the school community (**Belonging**). We believe that each student has unique talents

and gifts that must be discovered before the student can begin to feel competent. Increased competency enhances self-esteem and provides the motivation for further achievement (**Mastery**). At Orenda schools, our goal is to provide a stimulating academic experience where students can grow, develop and have ownership over their learning. Our schools are a place where students can have the freedom to learn in their own style, at their own pace and through their own interests (**Independence**). We also believe every student has a tremendous capacity for good will. We teach the importance of being generous and unselfish and expect our students to serve the school and the community through participation in our various service clubs (**Generosity**).

Nolan Creek School provides a safe environment that is conducive to learning and student achievement. All components of the Student Code of Conduct, located in Section 4 of the Handbook, and classroom rules and procedures have been created under these guiding principles. **All components of the Student Code of Conduct are applicable to students in grades K-8.**

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

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

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

- The Title IX Coordinator, for concerns regarding discrimination on the basis of sex/gender, is Carla Silber, Superintendent, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.
- The ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability, is Carla Silber, Superintendent, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.
- The Age Discrimination Coordinator, for concerns regarding discrimination on the basis of age, is Teresa Moreno, Director of Human Resources, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.
- The Race, Color, or National Origin Coordinator, for concerns regarding discrimination on the basis of age, is Teresa Moreno, Director of Human Resources, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.
- All other concerns regarding discrimination may be directed to Carla Silber, Superintendent, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.

### **General Admissions and Enrollment Information**

Admission and enrollment of students shall be open to persons who reside within the geographic boundaries stated in the School’s charter, and who are eligible for admission based on lawful criteria

identified in the charter and in state law. The total number of students enrolled in Nolan Creek School shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by Nolan Creek School based on occupancy limitations, code compliance and staffing requirements as deemed necessary.

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

### **Exclusion from Admission**

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

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

Students wanting to attend Nolan Creek School must submit an application during the School's open enrollment period, which takes place **during the month of January each year**, or as otherwise set by the administration. Enrollment forms are available at Nolan Creek School's information sessions, at individual appointments with the Principal, and online through the School's website during the month of January.

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

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

Families offered an enrollment seat will be sent a registration packet with instructions for registering. This notice will be sent **no later than February 28**. Families must complete and return the registration packet by the published deadline in order to secure enrollment. If an enrollment offer is declined or if you do not complete the registration packet by the established deadline, your child's seat will be offered to the next potential student on the waiting list.

*Exceptions to Lottery Process:* Federal guidelines permit Nolan Creek School to exempt from the lottery students who are already attending the School including students transferring from another Orenda campus; siblings of students already admitted to or attending an Orenda campus; and children of the School's founders, teachers, and staff, so long as the total number of students allowed under this exemption constitutes only a small percentage of the School's total enrollment.

### **Official Enrollment and "No Show"**

Per the Student Attendance Accounting Handbook, students are not officially enrolled until the student is physically present during the official attendance accounting period for that school year on a particular campus. Students not in attendance by the third day of the school year will be considered a "no show" and will lose their seat. Students who are not in attendance by the district deadline of three days after

submitting their completed registration will lose their seat. Parents may submit a waiver request in writing to the COO to start later than the district enrollment deadline due to unforeseen circumstances such as illness or death of an immediate family member.

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

Homeless children and youth are ensured specific educational rights and protections. A listing of these specific rights may be obtained from Nolan Creek School by contacting Carla Silber, Chief Operating Officer, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020.

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

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

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

### **Student Information**

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

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

Nolan Creek School will forward a student’s records on request to a school in which a student seeks or intends to enroll without the necessity of the parents’ consent.

### **Food Allergy Information**

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

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

Nolan Creek School may also require information from a child’s physician if the child has food allergies.

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

### **Establishing Identification**

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

### **Undocumented Students**

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

### **Residency Verification**

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

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

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

### **School Calendar**

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

### **School Day**

Elementary classes start at 7:30 a.m. and are dismissed at 2:40 p.m. Students may be dropped off as early as 7:00 a.m. They will be supervised, but there are no organized activities before the instructional day begins.

On early release days, students in K–7 are dismissed at 11:40 a.m.

Students in grades K–8 enrolled in after-school programming, provided that all applicable fees for activities have been paid. These fees vary, and will be published on our website and communicated to parents.

**Students in grades K–8 who are not scheduled for after-school programming or supervision are expected to be picked up by 3:00 p.m. at the latest, unless arrangements have been made at least 24 hours in advance.**

**Please be aware that the BCYC After School Program starts at 3:00 pm and only students enrolled in that program can be in the building. This excludes NCS students in tutorials or other school activities.**

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

All students must be dropped off and picked up ONLY in the designated areas. Parents can also park and walk to drop off and pick up their child from the designated areas. The current drop off and pick up maps are available at [www.nolancreekschool.org](http://www.nolancreekschool.org).

For maximum safety, vehicles must stay in a single line in the drop-off and pick-up line so students can exit from both sides of the vehicle. PLEASE DO NOT PASS CARS UNLOADING STUDENTS. If your child needs extra time getting out of the car, please park in available visitor spaces and walk your child into the building. While in the school parking lot, please drive slowly and carefully.

Parents or designated adults who are responsible for picking up children in the elementary car line must have a grade-level appropriate car tag. Parents will receive these tags at Meet the Teacher night and are available for replacement via email to your child’s teacher. Anyone picking up your child needs to be on file with the office as approved by the parent and may be required to show valid identification. If pick up arrangements change, a written or emailed request needs to be delivered to the classroom teacher no later than 45 minutes before dismissal. Any changes after that time need to be made through the front office via phone call.

### **Attendance**

Regular attendance is expected of all Nolan Creek School students due to the rigor of our curriculum. Consistent school attendance is an essential component of each student’s education. Official attendance is taken each day and recorded each instructional period. Tardies and early checkouts are also recorded each day.

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

### **Texas Compulsory Attendance Law**

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

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

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

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

In accordance with the Nolan Creek School charter and Board Policy, a student must attend at least 90% of the days a class is offered in order to receive credit or a final grade in the class. These days include both excused and unexcused absences. A student who attends fewer than 90% of the days the class is offered may receive credit or a final grade for the class if he or she completes, no later than June 30<sup>th</sup>, an Individual Academic Plan (“IAP”) approved by the Principal that allows the student to make-up lost instructional time to fulfill the requirements for the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit or a final grade without approval from the judge presiding over the student's case.

If credit is lost or a final grade is not earned due to excessive absences, the student or parent may submit an appeal following the grievance policy process starting at Level Two – Chief Operating Officer.

### **Absence and Tardiness**

When a student must be absent from school, parents are asked to call the School each day the student will be absent. Upon returning to school, the student must bring a note, signed by the parent, or a medical excuse signed and dated by a provider that describes the reason for the absence. Notes should be submitted to the School registrar, and may be scanned and emailed, submitted through the Nolan Creek School website, or faxed to the School. If a note is not received within five school days of the absence, the absence will be recorded as unexcused. In addition, only a maximum of three parent notes per semester will be accepted for illness-related absences. Any additional absences will require a doctor's note or other medical documentation to qualify as an excused absence. Please note that, unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence. The final determination of excused/unexcused will be made by the Principal.

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

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

## **Excused Absences**

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

- Religious holy days.
- Required court appearances.
- Activities related to obtaining student's own United States citizenship including US nationalization oath.
- Service as an election clerk.
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. The appointment must be a face-to-face consultation with a health care professional. If a student returns to school the same day or attends part of the day prior to a doctor's appointment and then presents a doctor's note verifying the appointment, the absence is excused and the student is counted present. Students should be picked up and signed out for early dismissal in the office. We cannot call your student from the classroom until you are in the front office signing them out.
- Mental health or therapy appointments for students in the conservatorship (custody) of the state.
- Court-ordered family visitations or any other court-ordered activity provided when it is not practicable to schedule the student's participation in the activity outside of school hours.

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

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

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

## **Unexcused Absences**

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

## **Tardiness and Late Arrival**

Students who arrive late, after 7:30 a.m. for K-8, must sign in with their parent at the main office in the administration building and obtain a tardy slip. Late arrivals are documented. Any student arriving after the official attendance time of 10:15 a.m. will be marked absent for average daily attendance purposes. Students who arrive less than 10 minutes late to any class during the school day will be marked tardy. Students who arrive late 10 or more minutes late or leave before the last 10 minutes for any class during the school day, with the exception of the official attendance class, will be marked absent for that class.

## **Make-Up Work**

If a student misses class for any excused absence reasons above, a teacher may assign make-up work that incorporates the instructional objectives for the class and that will assist the student to master the essential knowledge and skills necessary to meet subject or course requirements. Students are responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the



teacher. Teachers will provide students and parents with additional information regarding penalties for failure to complete make-up work within the time allotted, and the process for making up tests missed due to absence. No work will be provided in advance of an absence.

**Except as outlined below, students are not allowed to make-up work for unexcused absences.**

For students in grades 1–8, any work missed during an unexcused absence will result in a grade of 65 if the work is completed and returned after the unexcused absence within the deadline set by the teacher.

**Release of Students from School**

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

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

**Closed Campus**

Students are not permitted to leave campus for lunch. Parents are welcome to eat lunch with their child in the cafeteria. Parents may only bring lunch for their own children. Students and adults may not bring in or give away food to other students.

**Withdrawals**

**Voluntary Withdrawal**

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

Withdrawing students and parents are expected to:

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

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

**Involuntary Withdrawal**

Nolan Creek School may initiate withdrawal of a student under the age of 18 for non-attendance if:

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

## **Dress and Grooming**

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

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

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

Students may NOT wear:

- Clothing or conspicuously displayed jewelry or accessories with inappropriate advertising or statements that are offensive or inflammatory are prohibited. This prohibition includes, but is not limited to, alcoholic beverages, profanity, sex, tobacco, drugs, gangs, guns and other weapons, excessively violent or gory imagery, and the promotion of violence.
- Any pajama-type pants or tops, or other sleeping attire.
- Any form of flip flops, slippers or "house shoes."
- Yoga pants, athletic pants, tights without covering them with appropriate dress code shorts, shirt, or skirt.
- Large chains, such as those attached to wallets.
- Jeans or any pants that have tears or holes larger than one inch. NO holes or tears may be above the knee.
- Any clothing, jewelry, or other item that is gang related or shows affiliation with any other inappropriate organization.
- Hair must be neat and clean. Unconventional hairstyles that are considered to be distracting and/or disruptive to the educational environment are prohibited. For further clarification on what is unconventional, please consult with the campus administration.
- Visible tattoos and similar body painting(s) that promote violence or reflect gang activity are prohibited. Visible tattoos and similar body painting(s) that are considered offensive, inflammatory or disruptive to the learning environment are prohibited. This prohibition includes, but is not limited to, inappropriate advertising or statements that are offensive or inflammatory alcoholic beverages, profanity, sex, tobacco, drugs, gangs, guns and other weapons, excessively violent or gory imagery, and the promotion of violence.

Female students must also adhere to the following rules:

- Skirts and shorts must reach at least two inches above the knee.
- Halter tops, exposed midriffs, strapless and/or low cut tops that expose breasts or cleavage, exposed backs, spaghetti straps and see-through clothing are not permitted.
- Shirts may not expose midriffs.
- Undergarments must not be able to be seen through clothing.

- Any sleeveless tops must have straps that are at least two inches wide. Oversized armholes/jersey-type tanks are not permitted without a sleeved undershirt.
- Clothing may not be too tight or revealing.
- **Appropriate undergarments must be worn at all times, and may not be visible or exposed.**

Male students must adhere to the following:

- No sleeveless shirts may be worn. This applies to undergarment-type tank tops as well as athletic tank tops, unless worn in athletics/PE.
- Pants must be worn at the waist and secured with a belt, if needed.
- **Appropriate undergarments must be worn at all times, and may not be visible or exposed.**

Kindergarten students only are asked to bring a change of clothes in a labeled bag to include a shirt, pair of shorts or pants, pair of socks, and clean underwear. These items will remain in the student backpack and will need to be replenished as they are used.

Nolan Creek School will periodically review its dress and grooming policies, and make changes as needed.

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

## **Student Fees**

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

1. A fee for materials for a class project that the student will keep, if the fee does not exceed the cost of materials;
2. Membership dues in voluntary student clubs or organizations and admission fees to extracurricular activities;
3. A security deposit for the return of materials, supplies or equipment;
4. A fee for voluntary student health and accident benefit plan;
5. A fee for items of personal apparel used in extracurricular activities that become the property of the student;
6. A fee for replacement of a student identification card;
7. A fee for an optional course offered for credit that requires the use of facilities not available on campus or the employment of an educator who is not part of the School's regular staff;
8. A fee for summer school courses that are offered tuition-free during the regular school year;
9. A reasonable fee, not to exceed \$50, for costs associated with an educational program offered outside of regular school hours through which a student who was absent from class receives instruction voluntarily for the purpose of making up the missed instruction and meeting the level of attendance required for class credit, so long as the fee would not create a financial hardship or discourage the student from attending the program;
10. A fee for lost, damaged, or overdue library book; or
11. A fee specifically permitted by any other statute.

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

Supply lists are posted on the School website and are distinct for each of our programs. For secondary students, the most important supply will be a device with which to access our Learning Management System. Nolan Creek School does not provide printing/copying materials for secondary students.

Students are discouraged from bringing money to school except when needed for lunch, supplies, or other special requests such as field trips and school pictures. Any money (cash or check) sent to school should be placed in an envelope labeled with the student's name, teacher's name, and the reason for the payment.

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

### **Textbooks and Curriculum Materials**

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

Students must return all textbooks and supplemental materials to the teacher at the end of the school year or when the student withdraws from school. Any student failing to return issued materials in an acceptable condition loses the right to free textbooks and educational materials until the student and/or parent pay for the damages. However, a student will be provided textbooks and educational materials for use during the school day. Nolan Creek School may reduce or waive the payment requirement if the student is from a low-income family. Release of student records, including official transcripts, will be delayed pending payment for lost or severely damaged textbooks or other outstanding fees owed.

### **Food Service**

Nolan Creek School will not be providing breakfast/lunch during the 2020-2021 school year. Students should bring a nutritious lunch from home. Lunches should be clearly labeled with the student's first and last name and the name of the student's teacher. Nutritious snacks are also advised.

Nolan Creek School does not have any vending machines available to students.

During lunch in the cafeteria, students must:

1. Respect other students and adults.
2. Keep hands, feet, and belongings to themselves.
3. Use appropriate table manners.
4. Use quiet voices.
5. Remain seated.
6. Raise your hand for assistance.
7. Do not share any food or drinks.
8. Do not play with your food, tray, or trash.
9. Clean up your area and drop all trash into the wastebasket upon dismissal.
10. Follow line expectations at all times.

Consequences for inappropriate cafeteria behavior follow the Student Code of Conduct. As a general practice, students will receive a verbal warning for the first offense and will be moved to a time-out table to finish lunch on the second offense.

## **Transportation**

Nolan Creek School will provide regular transportation to school from certain specified locations. Specific locations will be communicated to interested families outside of this handbook. Additionally, Nolan Creek School may provide transportation in school vehicles for educational field trips and participation in athletic and other extra-curricular events.

Riding a school vehicle is a privilege. School vehicle drivers have the authority to maintain discipline and require seating charts. When riding a school vehicle, students are held to behavioral standards established in this Handbook and the Student Code of Conduct. Students must:

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

Only designated students are allowed to ride in the vehicle. Students may neither ride the vehicle to a different location nor have friends ride the vehicle to participate in after-school activities. Parents and non-students are not allowed to ride in school vehicles.

If a student with a disability is receiving school transportation as a result of an IEP, the Admission Review and Dismissal ("ARD") Committee will have the discretion in determining appropriate disciplinary consequences related to inappropriate behavior in a school vehicle.

## **Field Trips**

Field trips are an extension of the learning experience and align to grade level essential knowledge and skills. Students are representatives of Nolan Creek School and are held to behavioral standards established in this Handbook and the Student Code of Conduct while on field trips. Annual parent permission is required prior to students attending any field trips.

Parents will not be charged for field trips required as part of a basic educational program or course. For all other field trips, parents are responsible for the cost of admission to field trip destinations. Field trips are subject to last minute cancellations for reasons related to student safety or other unexpected events. Nolan Creek School is not responsible for any non-refundable monies paid by students, parents, or guardians in the event trips are cancelled. Nolan Creek School will do its best to reschedule any cancelled field trips. If the cancelled trip cannot be rescheduled, Nolan Creek School will refund any fees not paid in advance. If a student or chaperone does not attend a field trip due to illness or other unexpected absence, there will be no refunds on fees paid in advance.

## **Birthdays**

Birthday treats, along with all the necessary paper goods and utensils, can be brought by the parent to school at the beginning of the school day for teacher distribution. Parents should notify their child's teacher of this event at least 24 hours prior to delivery so precautions and preparations can be made, especially for students with medical issues such as food allergies.

Invitations to birthday parties can be distributed to students in grades k-4 during the school day as long as each student in the class receives one or at minimum, all students of the same sex. Should parents desire to exclude any classmates, all invitations should be distributed at home.

### **Award Assemblies**

Students in grades K - 8 have the opportunity to earn honor roll, attendance, and citizenship awards, and assemblies to recognize those students will be held at the end of the academic year. Students have the opportunity to earn the following awards:

“A” Honor Roll: Grades in all subjects of a 90–100 on the 9-week report card.

“A-B” Honor Roll: Grades in all subjects of an 80–100 on the 9-week report card.

Perfect Attendance: No absences and fewer than three tardies in a 9-week grading period.

Horned Frog Award: Awarded to students in each class who have been nominated by their teacher as having exemplary citizenship.

Principal’s Award: Awarded to one student per grade for overall academic, athletic, and social excellence.

Other distinctions may be awarded at the discretion of the Principal.

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

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

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

#### **School Materials**

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

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

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

Non-school literature shall not be distributed by students on Nolan Creek School property if:

- The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
- The materials endorse actions endangering the health or safety of students.
- The materials promote illegal use of drugs, alcohol, or other controlled substances.

- The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
- The materials contain defamatory statements about public figures or others.
- The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
- The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups, or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
- There is reasonable cause to believe that distribution of the non-school literature would result in material and substantial interference with School activities or the rights of others.

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

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

### **Electronic Device Policy**

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

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

A parent will be contacted to pick up the item and pay the applicable fine. A \$15 fee will be assessed before the parent is able to retrieve the device after the second time the device is confiscated. An additional \$15 fee will be assessed each subsequent time a device is confiscated. Any disciplinary action will be in accordance with the Student Code of Conduct.

Nolan Creek School will not be responsible for damage to or loss or theft of confiscated items.

### **Toys, Animals, Valuables and Other Personal Items**

Toys, including items such as trading cards, games, and stuffed animals, are not permitted on campus unless they are part of the instructional program and have been pre-approved by the classroom teacher. If

these items are brought to school, they will be confiscated by the teacher, labeled, stored, and returned on the last day of school unless a parent personally retrieves the item(s) from the teacher.

Live animals (except for an approved service animal) should not be brought on campus unless special arrangements have been made in advance with the Principal or designee.

Students should not bring expensive jewelry, watches or other personal valuables to school and, if any jewelry is worn, it must be kept on at all times. The loss of valuables can be traumatic for students. Nolan Creek School is not responsible for lost or stolen items.

### **Lost and Found**

Parents are encouraged to label items such as jackets, lunch boxes, and backpacks so lost items can be identified and returned to the owner. Lost and found boxes are located in each campus building. Any items not claimed by the end of the nine weeks will be donated to a charitable organization.

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

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

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

### **Prayer and Meditation**

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

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

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

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

### **Tobacco-Free School Notice**

Smoking (including electronic cigarettes, cigars, and pipes) and using tobacco products is prohibited in school buildings, vehicles, or on or near school property, or at school-related or school-sanctioned events off school property. Students may not possess tobacco products at any of the locations or activities listed above. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.



## **Drug-Free School Notice**

Nolan Creek School believes that student use of illicit drugs is both wrong and harmful. Consequently, Nolan Creek School prohibits the use, sale, possession, or distribution of illicit drugs by students on school premises or any school activity, regardless of its location. Nolan Creek School also prohibits the use, sale, possession, or distribution of look-alike substances and/or synthetic substances designed to imitate the look and/or effects of illicit drugs. In addition, possession of any medications, prescription or over-the-counter, by students unless approved by campus administration is prohibited. At no time should students sell or give any medications to another student. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

## **Substance Abuse Prevention and Intervention**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The Texas Department of State Health Services (“TDSHS”) maintains information regarding children’s mental health and substance abuse intervention services on its Web site: <http://www.dshs.state.tx.us/mhsa-child-adolescent-services/>.

## **Suicide Awareness**

Nolan Creek School is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access <http://www.texasuicideprevention.org> or contact the school counselor for more information related to suicide prevention services available in your area.

## **Asbestos Management Plan**

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

## **Bacterial Meningitis Information**

State law requires Nolan Creek School to provide the following information:

### **WHAT IS MENINGITIS?**

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious. Meningitis caused by bacteria is the most likely form of the disease to cause serious, long-term complications. It is an uncommon disease but requires urgent treatment with antibiotics to prevent permanent damage or death.

Bacterial meningitis can be caused by multiple organisms. Two common types are *Streptococcus pneumoniae*, with over 80 serogroups that can cause illness, and *Neisseria meningitidis*, with 5 serogroups that most commonly cause meningitis.

### **WHAT ARE THE SYMPTOMS?**

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

Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness, and drowsiness or confusion. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

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

### **HOW SERIOUS IS BACTERIAL MENINGITIS?**

If it is diagnosed early and treated promptly, most people make a complete recovery. If left untreated or treatment is delayed, bacterial meningitis can be fatal, or a person may be left with permanent disability.

### **HOW IS BACTERIAL MENINGITIS SPREAD?**

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing; sharing drinking containers, utensils, or cigarettes) or when people cough or sneeze without covering their mouth and nose.

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

### **HOW CAN BACTERIAL MENINGITIS BE PREVENTED?**

#### **Vaccination**

Bacterial meningitis caused by *Streptococcus pneumoniae* and *Neisseria meningitidis* may be prevented through vaccination. The vaccine which protects against *Streptococcus pneumoniae* is called pneumococcal conjugate vaccine or PCV. This vaccine is recommended by the Advisory Council on Immunization Practices (ACIP) for children in the first year of life. *Neisseria meningitidis* is prevented through two types of vaccines. The first is a meningococcal conjugate vaccine which protects against 4 serogroups A, C, W, and Y and is referred to as MCV4. The second is a vaccine against *Neisseria meningitidis* serogroup B and is referred to as MenB.

The ACIP recommends MCV4 for children at age 11-12 years, with a booster dose at 16-18 years. In Texas, one dose of MCV4 given at or after age 11 years is required for children in 7th-12th grades. One dose of MCV4 received in the previous five years is required in Texas for those under the age of 22 years and enrolling in college. Teens and young adults (16-23 years of age) may be vaccinated with MenB. This vaccine is not required for school or college enrollment in Texas.

Vaccines to protect against bacterial meningitis are safe and effective. Common side effects include redness and pain at the injection site lasting up to two days. Immunity develops about 1-2 weeks after the vaccines are given and lasts for 5 years to life depending on vaccine.

#### **Healthy habits**

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Wash your hands. Limit the number of persons you kiss. Cover your mouth and nose when you sneeze or cough. Maintaining healthy habits, like getting plenty of rest and not having close contact with people who are sick, also helps.

### **WHO IS AT RISK FOR BACTERIAL MENINGITIS?**

Certain groups are at increased risk for bacterial meningitis caused by *Neisseria meningitidis*. These risk factors include HIV infection, travel to places where meningococcal disease is common (such as certain countries in Africa and in Saudi Arabia), and college students living in a dormitory. Other risk factors include having a previous viral infection, living in a crowded household, or having an underlying chronic illness.

Children ages 11-15 years have the second highest rate of death from bacterial meningitis caused by *Neisseria meningitidis*. And children ages 16-23 years also have the second highest rates of disease caused by *Neisseria meningitidis*.

## **WHAT YOU SHOULD DO IF YOU THINK YOU OR A FRIEND MIGHT HAVE BACTERIAL MENINGITIS?**

Seek prompt medical attention.

### **FOR MORE INFORMATION**

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all infectious diseases. You may call your family doctor or [local health department](#) office to ask about meningococcal vaccine. Additional information may also be found at the web sites for the Centers for Disease Control and Prevention (CDC): <https://www.cdc.gov/meningitis/index.html> and the Texas Department of State Health Services (DSHS): <https://www.dshs.texas.gov/immunize/PreteenVaccines.aspx> or <https://dshs.texas.gov/IDCU/disease/meningitis/Meningitis.aspx>

### **Communicable Diseases**

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

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

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

Please contact the school nurse if you have questions or if you are concerned about whether a child should stay home.

### **Head Lice**

Head lice, although not an illness or a disease, is common among children and is spread through head-to-head contact during play, sports, or nap time and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice or nits (eggs), the school nurse will contact the student's parent to discuss a plan for treatment with an FDA-approved medicated

shampoo or cream rinse that may be purchased from any drug or grocery store. The parent may choose to take their student home for treatment at that time, and the remainder of that day will be an excused absence. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used, and the student may return to school. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return. All treatments regimens require retreatment 7-10 days following the first treatment in order to prevent reinfestation.

More information on head lice can be obtained from the TDSHS website at: <http://www.dshs.state.tx.us/schoolhealth/lice.shtm>.

## **Immunization Requirements**

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

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

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

## **Provisional Enrollment**

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

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

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

## **Exclusions from Immunization Requirements**

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

To claim exclusion for medical reasons, the student must present a statement signed by the student's physician (M.D. or D.O.), duly registered and licensed to practice medicine in the United States who has examined the student, in which it is stated that, in the physician's opinion, the vaccine required is medically contraindicated or poses a significant risk to the health and well-being of the student or any

member of the student's household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

To claim an exclusion for reasons of conscience, including a religious belief, a signed Texas Department of State Health Services ("TDSHS") affidavit must be presented by the student's parent, stating that the student's parent declines vaccinations for reasons of conscience, including because of the person's religious beliefs. The affidavit will be valid for a period of two years. The form affidavit may be obtained by writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347, or online at <https://webds.dshs.state.tx.us/immco/default.aspx>. The form must be submitted to the Principal within 90 days from the date it is notarized. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student. Students who have not received the required immunizations for reasons of conscience, including religious beliefs, may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

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

### **Immunization Records Reporting**

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

### **Student Health Information**

Orenda Charter School staff will share health information provided with staff who are directly involved with a student to ensure the student's safety during the day. School staff may contact the doctor's office or health clinic related to immunizations and health plans to provide clarification on implementation at school. Parents should keep health and contact information up-to-date (emergency phone numbers, allergies, health conditions, etc.). Updates can be made at any time during the year in the Frontline (formally TEAMS) Parent Portal.

### **Health Insurance**

Orenda Charter School does not provide student health insurance to cover the costs of medical treatment for any school-related injuries or ongoing medical treatment.

### **Student Illness**

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

If a student becomes ill during the school day, he or she must receive permission from the teacher before reporting to the school nurse. School staff will provide first aid for minor illness and injuries. If the nurse determines that the child should go home, the nurse will contact the parent.

### **Emergency Medical Treatment**

If a student has a medical emergency at school or a school-related activity and the parent cannot be reached, Nolan Creek staff will seek emergency medical treatment.

## **Administration of Medication**

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

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

Changes to daily medications require written instruction from the physician or ANP and written permission from the parent. Parents are responsible for advising Nolan Creek School that a medication has been discontinued. Students are not allowed to possess medication of any type while on school property except under the conditions below.

## **Asthma and Anaphylaxis Medication**

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

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

## **Steroid Notice**

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

## **Dyslexia and Related Disorders**

All kindergarten and first-graders students will be screened for dyslexia and related disorders. Additionally, all students beyond first grade will be screened or tested as appropriate. The parent or guardian of each student in kindergarten, first grade, or second grade who is determined to be at risk for dyslexia or other reading difficulties based on the results of the screener and reading instruments will be notified, and an accelerated reading program will be provided to these students.

## **Fitness Testing**

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

## **Spinal Screening**

All girls will be screened for abnormal spinal curvature during the fall semester of grade 5 and grade 7. All boys will be screened for abnormal spinal curvature during the fall semester of grade 8.

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

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

## **Vision and Hearing Screenings**

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

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

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

## **School Health Advisory Council (SHAC)**

The Nolan Creek School Health Advisory Council holds quarterly meetings. The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing issues such as school health services, counseling services, a safe and healthy school environment, recess recommendations, improving student fitness,

mental health concerns, and employee wellness. If you are interested in serving on this committee, contact the Principal.

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

### **Statement of Nondiscrimination**

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

### **Discrimination**

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

### **Prohibited Harassment**

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

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

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

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

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

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

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



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

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

- A School employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
- The conduct is so severe, persistent, or pervasive that it:
  - Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - Creates an intimidating, threatening, hostile, or abusive educational environment.

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

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

### **Dating Violence**

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

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

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

### **Retaliation**

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

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

### **Reporting Procedures**

Any student who believes that he or she has experienced prohibited harassment or believes that another student has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, the Principal or designee, or other school employee. Alternatively, a student may report prohibited harassment directly to the appropriate Compliance Coordinator designated on pages 10–11 of this Handbook.

A student shall not be required to report prohibited harassment to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX Coordinator, the ADA/Section 504 Coordinator, and/or the Age Discrimination Coordinator may be directed to Richard Rickey, Superintendent, 2951 Williams Drive, Building 1, Georgetown, Texas 78628, 512-869-3020. If a report is made directly to the Superintendent, Nolan Creek School shall appoint an appropriate person to conduct an investigation.

### **Investigation of Complaints**

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

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

### **Confidentiality**

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

### **Appeal**

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

### **Freedom from Bullying and Cyber-bullying**

Nolan Creek School prohibits bullying as defined by this section, as well as retaliation against anyone involved in the complaint process. Bullying occurs when 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

occurs on school property at a school-sponsored or school-related activity, or in a vehicle operated by Nolan Creek School that:

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

Conduct described above is considered bullying if that conduct:

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

Nolan Creek School also prohibits cyber-bullying, which is defined as the use of any electronic communication device to engage in bullying or intimidation.

### **Reporting Procedures**

Any student who believes that he or she has experienced any form of bullying, or believes that another student has experienced bullying, should immediately report the alleged acts to a school employee or anonymously report through paper forms available on campus or online via a link on the Nolan Creek website. Any School employee who receives notice that a student has or may have experienced bullying shall immediately notify the Principal or designee.

### **Investigation of Report**

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

The Principal or designee shall complete a written report of the investigation, including a determination of whether hazing and/or bullying occurred. If the results of an investigation indicated that hazing and/or bullying occurred, the School shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. Nolan Creek School may take action based on the results of an investigation, even if the School concludes that the conduct did not rise to the level of hazing and/or bullying under this policy. The parent/guardian of the alleged victim will be notified on or before the third business day after the incident was reported. The parent/guardian of the alleged bully will be notified within a reasonable timeframe after the date the incident was reported.

### **Confidentiality**

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

## **Appeal**

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the Nolan Creek School grievance procedure.

## **Law Enforcement Agencies**

### **Questioning of Students**

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

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

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

### **Students Taken into Custody**

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

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

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

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

## **Child Abuse Reporting and Programs**

Nolan Creek School provides child abuse anti-victimization programs and cooperates with official child abuse investigators as required by law. The School also provides training to its teachers and students in preventing and addressing incidents of sexual abuse and other maltreatment of children, including

knowledge of likely warning signs indicating that a child may be a victim of sexual abuse or maltreatment. Assistance, interventions and counseling options are also available.

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

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

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

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

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

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

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

### **Reporting Obligation**

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

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

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

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

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

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

**For Parents:** Parents must be aware of warning signs indicating that their child may have been or is being sexually abused or otherwise maltreated. A child who has experienced sexual abuse or other maltreatment should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that evidence of sexual abuse or other maltreatment may be more indirect than disclosures or signs of physical abuse. It

is important to remain calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing in coming to you.

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

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

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

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

These websites are also helpful:

- Texas Education Agency – Prevention of Child Abuse Overview:  
[http://tea.texas.gov/Texas\\_Schools/Safe\\_and\\_Healthy\\_Schools/Child\\_Abuse\\_Prevention/Child\\_Abuse\\_Prevention\\_Overview/](http://tea.texas.gov/Texas_Schools/Safe_and_Healthy_Schools/Child_Abuse_Prevention/Child_Abuse_Prevention_Overview/)
- Sexual Abuse Prevention Programs:  
<https://www.childwelfare.gov/topics/preventing/programs/sexualabuse/>
- Promoting Healthy Families in Your Neighborhood:  
<https://www.childwelfare.gov/pubPDFs/packet.pdf>
- Signs of Child Abuse:  
[http://www.keepkidshealthy.com/welcome/commonproblems/child\\_abuse.html](http://www.keepkidshealthy.com/welcome/commonproblems/child_abuse.html)
- DFPS – Prevent Child Abuse (HelpandHope.org)  
<http://helpandhope.org>  
DFPS – How to Report Child Abuse or Neglect  
[http://www.dfps.state.tx.us/Contact\\_us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_us/report_abuse.asp)
- Texas Attorney General – What Can We Do About Child Abuse?  
<https://www.texasattorneygeneral.gov/cvs/what-can-we-do-about-child-abuse>
- Prevent Child Abuse.org – Texas Chapter  
[www.preventchildabusetexas.org](http://www.preventchildabusetexas.org)
- Texas Council on Family Violence – Abuse Prevention Links  
<http://www.tcfv.org/>

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

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

- Nightmares, sleep problems, extreme fears without an obvious explanation.
- Sudden or unexplained personality changes; becoming withdrawn, angry, moody, clingy, “checking out” or showing significant changes in eating habits.
- Depression or irritability.
- An older child behaving like a young child, for example, bedwetting or thumb sucking.

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

Physical symptoms of possible sexual abuse or other maltreatment include:

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

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

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

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

### **Available Counseling Options**

A list of counseling providers can be found at:

[http://www.dfps.state.tx.us/Prevention and Early Intervention/Programs Available In Your County/](http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/)

### **Interrogations and Searches**

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

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

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

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

### **Desk and Locker Searches**

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

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

### **Random Drug Searches**

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

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

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

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

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

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



## **Visitor and Volunteer Policy**

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

- Visitors **MUST** sign in at the main office whenever they are on campus. They will be provided with a visitor ID that must be worn while on campus. Visitors are not permitted to make unscheduled or drop-in visits to classrooms.
- When visiting campus to meet with teaching staff, visitors must have a pre-arranged time set up with the teacher(s) in question except for urgent matters. Times are best arranged via email. An email directory is located on our website. With few exceptions, conferences are scheduled during teacher/team planning time, and/or immediately before or after school. Under no circumstances can a teacher be interrupted while providing instruction before, during, or after the school day to meet with a parent.
- Visitors to campus must be the parent, guardians, or other adult family members with permission of the parent/guardian. Students' friends, younger siblings, and other non-related individuals cannot visit the campus during school hours.
- Shadow days are an effective way for prospective students to visit the school and learn about what makes Nolan Creek School unique for current students. Prospective students are assigned a student that they spend the day with. These students are carefully selected. Shadow days must be scheduled in advance with the Principal or designee.
- Volunteers **MUST** go through a background check conducted by our district office. Once the check is cleared, volunteers are notified and may begin helping on campus. Until this clearance is obtained, they are not to be involved in any educational or extra-curricular activities, including attending field trips.

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

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

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

## **Disruptions**

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

- Disrupts classes while on school property or on public property that is within 500 feet of school property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; entering a classroom without authorization; and disrupting the activity with profane language or any misconduct.
- Interferes with an authorized activity by seizing control of all or part of a building.
- Interferes with the movement of people at an exit or an entrance to school property.

- Interferes with the movement of people in an exit, an entrance, or a hallway of a school building without authorization from an administrator.
- Interferes with the transportation of students in school vehicles.
- Uses force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Uses force, violence, or threats in an attempt to prevent people from entering or leaving school property without authorization from an administrator.
- Uses force, violence, or threats to cause disruption during an assembly.

### **Emergency Closings**

The decision to delay or cancel a school day is officially made by the Orenda Charter Schools Superintendent, and that decision is posted on the school web site and school *Facebook Fan* page no later than 6 a.m. Nolan Creek School may also need to close during certain emergency situations beyond the control of school officials. The announcement of non-weather related school closings will be posted on the school website and school *Facebook* page.

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

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

Students in grades 7-8 will annually be provided instruction on the use of bleeding control stations to respond to traumatic injury. For more information see [Homeland Security's Stop the Bleed](#) and [Stop the Bleed Texas](#).

### **Pest Control Information**

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

### **Right to Transfer**

Students who attend a persistently dangerous school, as identified by TEA, or who have been victimized during a violent criminal incident have the right to transfer to a safe school campus. Parents will be offered a transfer within 14 calendar days of the incident. All transfer requests will be processed and approved within 14 calendar days of the date the request is made known to Orenda in writing. The transfer approval will include the duration of the transfer and the procedures for renewal of the transfer.

### **Videotaping of Students**

For safety purposes, including the maintenance of order and discipline, surveillance cameras may be used to monitor student behavior in classrooms, on school vehicles, and in school common areas. Video recordings may be reviewed routinely to document student misconduct and used by Nolan Creek School staff when investigating an incident. Tapes and other video recordings will be available for viewing pursuant to the Family Educational Rights and Privacy Act ("FERPA").

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

### **Academic Programs**

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

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

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

### **Curriculum and Instruction**

The Texas Essential Knowledge and Skills (“TEKS”) require all students to demonstrate the knowledge and skills necessary to read, write, compute, problem solve, think critically, apply technology, and communicate across all subject areas. TEKS are the basis of curricular planning for each grade level and each content area.

Nolan Creek School offers instruction in the TEKS of the appropriate grade levels in the following required curriculum:

1. A foundation curriculum that includes:
  - a. English language arts and reading;
  - b. Mathematics;
  - c. Science;
  - d. Social studies; and
2. An enrichment curriculum that includes
  - a. Languages other than English, to the extent possible;
  - b. Health education;
  - c. Physical education (“PE”);
  - d. Fine Arts; and
  - e. Technology applications.

### **Progress Reports/Report Cards**

Students and parents are provided a report card every nine weeks. Interim progress reports are sent to students who are below a 75% midway through the report cards by the end of week five. Please familiarize yourself with our school calendar and our marking periods. Please note that teachers regularly update their grades via our Learning Management System (“LMS”), and families are expected to follow student progress on a regular basis.

For students receiving special education services, progress is reported in the same manner as all students. The student’s ARD committee will conduct at least one formal annual review each year to evaluate overall progress.

### **Grading and Credit**

All nine-week and semester grades in kindergarten and grade 1 are reported using checklists with the following letter grades:

E = Exceeds Expectations -Exceeds age appropriate expectations consistently

S = Satisfactory – Meets age appropriate expectations  
N = Needs Improvement – Frequently needs support to meet age appropriate expectations  
U = Unsatisfactory – Rarely meets age appropriate expectations

All nine-week and semester grades in grades 2–8 are recorded as numerical grades and given submitted by the teacher of record. In determining course credit, the following method is used:

90-100 = A  
80-89 = B  
75-79 = C  
70-74 = D  
< 70 = F

### **Homework and Assignments**

Research reveals that homework, when carefully designed, implemented, and evaluated, is an effective tool for improving understanding, enriching learning, encouraging personal connections, and providing opportunities to pursue special interests. In broad terms, homework includes written work, reading, studying and preparing for class, and other activities related to classroom work, but assigned to be done at home. Homework is designed for students to complete independently given reasonable effort. Teachers have the discretion to set deadlines for students to complete and return homework and other assignments.

For K–8 students, students are expected to orally practice their reading and math facts for a minimum of 20 minutes per night. In addition to night reading and math for 20 minutes, parents should expect homework assigned with the following time parameters:

- Kindergarten – 10 minutes
- First Grade – 15 minutes
- Second Grade – 20 minutes
- Third Grade – 25 minutes
- Fourth Grade – 30 minutes
- Fifth Grade – 30 minutes
- Sixth Grade – 30 minutes
- Seventh Grade – 30 minutes
- Eighth Grade – 30 minutes

### **Late Work**

The highest grade a student may earn for a late assignment is a 70.

All work submitted by the posted due date will be eligible for full credit. A reasonable amount of make-up time will be given for excused absences.

For absences due to other legitimate reason such as personal medical events/illness, deaths in immediate family, or any other unforeseen events, staff and teachers will work cooperatively with parents and students to adjust the due dates in advance. Make-up work will only be accepted with prior approval after the student has returned from the absence. Students grades K–2 are not allowed to make-up work from unexcused absences, including family vacations, except as otherwise provided in this Handbook.

Given the dynamic nature of learning based on best practices under the Teaching-Learning Cycle where teachers are modifying their curriculum to fit learning needs, it is not always possible for teachers to have an exact plan of assignments for future weeks. For this reason, it is not possible to provide students work

in advance of other students to facilitate time off. Teacher lessons and assignments are posted weekly on the LMS.

### **Transfer Students Grades K-8 Placement**

Students entering Nolan Creek School in grades K–8 from home school programs will be assessed by school staff to determine the level to which the grade-level and subjects align to Texas state standards (TEKS) and Nolan Creek School courses. Students in grades K–8 will also be given reading and math assessments upon enrollment. Data from these assessments will be used in conjunction with the overall assessment of the curriculum used in the home school setting to place the students in the appropriate grade.

### **Standardized Testing**

STAAR testing at Nolan Creek School for the 2020 – 2021 Academic year will occur for students in grades 3 through 8.

### **Texas English Language Proficiency Assessment System (“TELPAS”)**

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

### **Promotion and Retention**

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

Students will be advanced based on a number of factors, including state test results; reading and math ability; maturity (in lower grades); and class grades. Decisions are made by a committee comprised of teachers, administrators, and, where applicable, counseling and special education staff. Parents are notified at least four weeks before the end of the school year if retention is a possibility.

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

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

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

Parents of students who do not perform satisfactorily on their STAAR will be notified that their child will participate in an Accelerated Instructional Program designed to improve performance.

A student in grade 5 will have two additional opportunities to take a failed assessment. A grade placement committee, consisting of the Principal or designee, the student's teacher, and the student's parent will be held after the second failure of the grade 5 math or reading test to determine the additional special instruction the student will receive.

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

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

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

### **Students with Disabilities**

Upon the recommendation of the Admission, Review, and Dismissal ("ARD") Committee, a student with disabilities who is receiving special education services may be promoted and/or permitted to graduate under the provisions of his or her Individualized Education Program ("IEP"). For students in grades 5 and 8, the ARD committee will meet after the first and second administration of the reading and math STAAR but before the retest to determine if the student will be promoted or retained and in what manner the students shall participate in accelerated instruction.

### **Credit by Exam and Grade Advancement**

Nolan Creek School uses examinations and guidelines established by the State Board of Education to offer credit and acceleration by exam.

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction or to accelerate to the next grade level. The exams offered by Nolan Creek School are approved by the Board of Directors and include University of Texas at Texas, Texas Tech University, College Board Advancement Placement (AP), and College-Level Examination Program (CLEP) exams. The dates on which exams are scheduled will be published on the Nolan Creek School website.

A student in grade K–8 will be eligible to accelerate to the next grade level if (1) the student scores at least 80 on each exam in the subject areas of language arts, mathematics, science, and social studies; (2) the Principal recommends that the student be accelerated; and (3) the student's parent gives written approval of the grade advancement.

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

## **Computer Resources**

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

## **Counseling**

### **Personal Counseling**

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

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

## **Physical Education**

### **Physical Education Requirements**

All students in grades K–5 will engage in at least 135 minutes of physical activity each week as part of the physical education curriculum.

### **Physical Education Exemption**

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

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

## **Special Programs**

### **Bilingual/ESL Services**

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

## **Special Education Services**

Nolan Creek School has the responsibility of identifying, locating, and evaluating individuals with disabilities who are 5 to 21 years of age and who fall within the school's jurisdiction. If you know or suspect that your student has a disability, please contact Carla Silber, Chief Operating Officer, at (512) 869-3020 for information about available programs, assessments, and services.

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

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

The *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*, can be obtained from a campus administrator or at the Texas Education Agency Special Education Website: [http://tea.texas.gov/Curriculum and Instructional Programs/Special Education/](http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/).

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

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

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

## **Special Education Referrals**

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

Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts and charter schools must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children



who are suspected of being a child with a disability and in need of special education. However, a verbal request does not require the district or charter school to respond within the 15-school-day timeline.

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

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

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

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

### **Contact Person for Special Education Referrals**

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

Melissa De Leon, Director of Special Education  
Phone Number: 512-869-3020

### **Section 504 Referrals**

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

### **Contact Person for Section 504 Referrals**

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

Catherine Ramirez, Instructional Coordinator  
Phone Number: 512-869-3020

### **Additional Information**

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

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

- [Texas Project First](#)

### **Section 504 Services**

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

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

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

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

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

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

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

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

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

## **Authority and Jurisdiction**

Nolan Creek School has disciplinary authority over a student:

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

## **Reporting Crimes**

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

## **Standards for Student Conduct**

Each student is expected to:

- Know and practice Nolan Creek School's 3R's: Respect, Responsibility and Ready to Learn.
- Know and practice the Circle of Courage tenets: Belonging, Mastery, Independence and Generosity.
- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet Nolan Creek School's standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other Nolan Creek School staff and volunteers.
- Respect and act responsibly concerning the property of others, as well as Nolan Creek School property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

## **Discipline Management Techniques**

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

misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

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

### **Techniques**

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

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

### **Corporal Punishment**

Nolan Creek School will NOT administer corporal punishment upon a student for misconduct.

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

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

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

1. Causing an individual to act through the use of threat or coercion.
2. Cheating or copying the work of another.
3. Directing profanity, vulgar language, or obscene gestures toward another student or school employee.

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

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

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

## **Level II Offenses**

1. Abusing over-the-counter drugs. (See glossary for “abuse.”)
2. Being a member of, pledging to become a member of, joining, or soliciting another person to join, or pledge to become a member of a public school fraternity, sorority, gang or secret society or organization as defined by Texas Education Code § 37.121.
3. Being under the influence of prescription or over-the-counter drugs that cause impairment of physical or mental faculties. (See glossary for “under the influence.”)
4. Committing extortion or blackmail, meaning obtaining money or an object of value from an unwilling person.
5. Creating or participating in the creation of a “hit list.” (See glossary.)
6. Damaging or vandalizing property owned by others, including but not limited to school property or facilities, property of Nolan Creek School employees, or property of other students.
7. Defacing or damaging Nolan Creek School property—including textbooks, lockers, furniture, and other equipment—or property of any other person, with graffiti or by any other means.
8. Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
9. Engaging in inappropriate verbal, physical, or sexual conduct directed toward another person, including a Nolan Creek School student, employee, or volunteer.
10. False accusation of conduct that would constitute a misdemeanor or felony.
11. Fighting or arranging a fight. School is not a place to arrange fights, whether those fights take place on or off school grounds. Fighting is an instance of physical contact in anger, regardless of whether fists or weapons are used. Students who involve themselves in fighting or arranging a fight will, at a minimum, be suspended for the remainder of the day.
12. Forgery of school documents at school or otherwise.
13. Gang-related activity of any kind or nature (behavior that is deemed serious gang-related activity may be elevated or addressed as a Level III Offense).
14. Non-Title 5 felony; school is notified by police.
15. Participating in “hazing.” (See glossary.)
16. Possessing or selling look-alike drugs, or attempting to pass items off as drugs or contraband.
17. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
18. Possessing, smoking, or using tobacco products and/or e-cigarettes at school or at a school-related or school-sanctioned activity on or off school property. (See glossary.)
19. Possession of stolen property.
20. Possessing, using, giving, or selling paraphernalia related to any prohibited substance (illegal, prescription, and over-the-counter drug). (See glossary for “paraphernalia.”)
21. Possession or use Prohibited Items, including but not limited to:
  - a. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - b. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - c. A “look-alike” weapon;
  - d. An air gun or BB gun;
  - e. Ammunition;
  - f. A stun gun;
  - g. A pocketknife or any other small knife with a blade less than 1.5” in length;
  - h. Mace or pepper spray;
  - i. Matches or a lighter;
  - j. A laser pointed for other than an approved use; or
  - k. Any articles not generally considered to be weapons, including school supplies, when the Principal or designee determines that a danger exists.
22. Any repetitive Level I Offenses – *i.e.*, two or more Level I offenses within a semester, whether the same or any combination.

23. Threatening or bullying a student, employee, or volunteer of Nolan Creek School, whether on or off school property. If the conduct causes a substantial disruption of the educational environment it may be elevated to a Level III Offense depending on circumstances as determined by Nolan Creek School.
24. Violating the Nolan Creek School medication policy.

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

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

### **Level III Offenses**

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

19. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
20. Engaging in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  - a. The student receives deferred prosecution (see glossary);
  - b. A court or jury finds that the student has engaged in delinquent conduct (see glossary); or
  - c. The Principal or designee has reasonable belief (see glossary) that the student engaged in the conduct.
21. Engaging in conduct that constitutes discrimination or harassment, including conduct motivated by race, color, religion, national origin, gender, disability, or age and directed toward another student or Nolan Creek School employee. (See glossary.)
22. Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a Nolan Creek School student, employee, or volunteer.
23. Engaging in conduct that contains the elements of retaliation against any Nolan Creek School employee or volunteer, whether on or off of school property.
24. Engaging in inappropriate or indecent exposure of private body parts.
25. Felony criminal mischief against school property, another student, or school staff.
26. Gang activity (violent or likely to cause harm to another or disrupt the educational environment in any way).
27. Inappropriate sexual conduct.
28. Indecency with a child.
29. Issuing a false fire alarm.
30. Manslaughter.
31. Murder.
32. Persistent Level I offenses (four or more Level I offenses committed in any one school year).
33. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
34. Possessing, selling, distributing, or being under the influence of inhalants.
35. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
36. Possession, use, transfer or exhibition of any firearm, illegal knife, club, or any other prohibited weapon or harmful object (as determined by Nolan Creek School).
37. Public lewdness.
38. Required registration as a sex offender.
39. Setting or attempting to set fire on school property (not arson).
40. Sexual abuse of a young child or children.
41. Sexual assault.
42. Stealing from students, staff, or Nolan Creek School.
43. Targeting another individual for bodily harm.
44. Use, exhibition, or possession of a knife with a blade more than 1.5” in length, including but not limited to switchblade knives or any other knife not defined as an illegal knife.
45. Taking inappropriate pictures of students or staff and/or sharing (including showing on an electronic device) those pictures with others.
46. Violating computer use policies, rules, or agreements of Nolan Creek School, such as the Student Acceptable Use policy, including but not limited to:
  - a. Attempting to access or circumvent passwords or other security-related information of Nolan Creek School or its students or employees, and uploading or creating computer viruses, including such conduct off school property if the conduct causes a substantial disruption to the educational environment.
  - b. Attempting to alter, destroy, or disable Nolan Creek School computer equipment, Nolan Creek School data, the data of others, or other networks connected to the Nolan Creek School



- system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment.
- c. Using the Internet or other electronic communications to threaten Nolan Creek School students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
  - d. Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
  - e. Using email or web sites at school to encourage illegal behavior or threaten school safety.
47. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.

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

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

## **Student Code of Conduct Consequences**

### **Detention**

Detention may be held on each day during school before or after school or during lunch. Students who serve detention must make transportation arrangements to come early or stay late. Parents may request, in person, a delay of the detention; no phone calls or notes will be accepted.

The following rules apply to students assigned to school detention:

1. Students will work on academic or teacher assigned work during detention.
2. Sleeping is not permitted.
3. Students will follow all rules concerning classroom behavior. Failure to comply will mean suspension from school.
4. Any student assigned to detention must stay the entire time. Students refusing or upon the direction of parent refusing to complete their time will be suspended from school.

### **Suspension**

Nolan Creek School utilizes two kinds of suspension: in-school suspension and out of school suspension.

#### ***In-School Suspension***

The following rules and regulations apply to all students assigned to in-school suspension (“ISS”):

1. Students will work on academic or teacher assigned work during ISS.
2. Sleeping is not permitted.
3. No disruptive behavior will be allowed.
4. Unexcused absences from suspension will be referred to the Principal.
5. Students must abide by the Nolan Creek School policies and behavioral standards during their suspension period.
6. A student who misses a scheduled ISS session without a confirmed excuse will be assigned one day out of school suspension. If a student misses more than one scheduled ISS session without a confirmed excuse, he or she may be subject to expulsion.

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

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

The Principal or designee will give notice of suspension and the reasons for the suspension to the student. In deciding whether to order out-of-school suspension, the administrator may take into consideration factors including self-defense, prior discipline history, intent or lack of intent and other appropriate or mitigating factors determined by the administrator. Out-of-school suspension can only be assigned to students in grades 4 or above.

### **Removal from School Transportation**

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

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

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

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

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

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

### **Prerequisites to Suspension**

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

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

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

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

### **Credit During Suspension**

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

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

### **Notice**

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

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

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

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

### **Hearing Before the Chief Operating Officer**

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

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

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

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

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

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

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

### **No Credit Earned**

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

### **Emergency Placement and Expulsion**

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

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

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

### **Suspension/Expulsion Requirement**

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

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

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

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

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

## **Glossary**

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

**Abuse** is improper or excessive use.

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

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

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

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

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

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

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

Arson also occurs when a person:

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

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

**Bullying** is defined by Texas Education Code § 37.0832(a)-(b) to mean engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored event, or school related activity, or in a vehicle operated by Nolan Creek School and that: has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student or damage to the student's property; or is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student. The conduct described above is also considered bullying if that conduct exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression and physical conduct, and interferes with a student's education or substantially disrupts the operation of Nolan Creek School. "Cyber-bullying" means the use of any electronic communication device to engage in bullying or intimidation.

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

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

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

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

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

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

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

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

**Delinquent conduct** is conduct that:

- Violates either state or federal law, other than a traffic offense, and is punishable by imprisonment or confinement in jail;
- Violates a lawful order of a court under circumstances that would constitute contempt of that court in a justice or municipal court, or a county court for conduct punishable only by a fine;
- Constitutes an intoxication and alcoholic beverage offense under Chapter 49 of the Texas Penal Code; or

- Violates Texas Alcoholic Beverage Code § 106.041 relating to driving under the influence of alcohol by a minor (third or subsequent offense).

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

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

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

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

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

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

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

**Harassment** is:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

## **Parent Contact Information**

Parents are responsible for notifying Nolan Creek School of any changes in their address, telephone number, and/or email address so that we can update our records accordingly. Parents are encouraged to check the campus website and Learning Management System (“LMS”) on a regular basis as it is our primary means of communication. It is important for parent communication that Nolan Creek School has a valid, working parent email address.

## **Student Records**

Educational and special education eligibility records are confidential and are available only to professionals within the school with a legitimate educational interest. All other parties need written consent from parents before reading or copying any information. Current educational and special education records are housed on the campus. Official special education records for current and previous years are archived at the Orenda Charter Schools office, which is located at 2951 Williams Drive, Georgetown, Texas 78628.

No fee is charged to search for or to retrieve the educational and special education records of a student. Copies of student records made for parents/guardians are available at a cost unless that fee effectively prevents a parent from exercising his or her their right to inspect and review those records. A waiver of fee should be requested in writing.

- Standard-size paper copy                      \$0.10 per page
- Personnel charge                                 \$15.00 per hour
- Postage and shipping charge                 Actual cost
- Fax charge
  - Local     \$0.10 per page
  - Long distance                                   \$0.50 per page
- Miscellaneous supplies                         Actual cost

A complete copy of the policies concerning parent rights and confidentiality of records may be obtained upon request from the Orenda Charter School Administrative Office, 2951 Williams Drive, Georgetown, Texas 78628.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the School is given a copy of the court order terminating these rights. Unless prior arrangements are made, the School will mail all communications to the address provided at the time the student is registered. Student records are the property of the School and must be reviewed in the presence of a member of the school staff.

## **Access to Records (Special Education Records)**

A record of access will be maintained as long as Nolan Creek School maintains the student’s special education file. It is available only to parents/guardians, school officials responsible for custody of records, and those state and federal officials authorized to audit the operation of the system.

Records may be reviewed during regular school hours upon request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student’s records shall be maintained at all times, and the records shall be restricted to use only in the offices of special education.

The campus leadership is custodian of all campus special education records. A current listing of the name and positions of employees within Nolan Creek School who may have access to personally identifiable information contained in the students' cumulative folders is posted on the file cabinets that house special education records.

### **District and Campus Parent and Family Engagement Policy**

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

1. Encouraging your student to put a high priority on education and working with your student on a daily basis to make the most of the educational opportunities the School provides. Be sure your child comes to school each day prepared, rested, in appropriate attire, and ready to learn.
2. Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered by Nolan Creek School. Discuss with the Principal or designee any questions you may have about the options and opportunities available to your child.
3. Monitoring your student's academic progress and contacting teachers as needed.
4. Attending scheduled conferences and requesting additional conferences as needed. To schedule a conference with a teacher, please call or email the teacher directly. A teacher will usually return your call or meet with you at a mutually convenient time during the teacher's planning time or after school. To schedule a conference with the Principal, please call the school office for an appointment. Please contact teachers first with concerns before scheduling a conference with administration.
5. Becoming a school volunteer. For further information, contact the Principal or Registrar. All volunteers must complete a Volunteer Application and criminal background check prior to volunteering. The Volunteer Application is available on the school website.
6. Offering to serve as a parent representative on a planning committee to assist in the development of educational goals and plans to improve student achievement. For further information, contact the Superintendent's office.
7. Participation in Parent Teacher Association ("PTA") events.
8. Parent education workshops.
9. Parent involvement bulletin boards.
10. Checking the Nolan Creek School website and Learning Management System ("LMS") along with the weekly -home folder, student agenda, and Frog Facts newsletter.
11. Completing parent surveys.
12. Attending Board meetings to learn more about Nolan Creek School's operations.

### **Translation Procedure**

If at least 10% of the student population at the campus has either the same home or student language other than English as marked on the Home Language Survey and recorded in the Student Information System (e.g. 10% of the student population has student or home language marked as Spanish), Orenda will provide a written translation of essential campus documents such as the parent and family engagement policy, school parent compact, and campus improvement plan into that language. For campus documents not provided as a written translation, parents may call the campus office to request oral translation. If less than 10% of the student population across the campus has the same home or student language other than English, oral translation of written documents is available upon request by contacting the campus office.

## **Surveys and Activities**

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

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

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

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

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

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

## **Notice of Teacher Qualifications**

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

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

Please contact Carla Silber, Chief Operating Officer, to request this information.

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

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

- Immunization requirements;

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

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

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

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

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

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

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

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

### **Informal Conferences**

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

### **Formal Grievance Process**

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

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

### ***Level One Complaint – Principal Review***

A parent or student shall submit a written Level One Grievance to the Principal within the later of (1) fifteen school days from the time the event(s) causing the complaint were or should have been known, or (2) within five school days following an informal conference with the Principal. The School reserves the right to require the grievant to begin the grievance process at Level Two. The grievance should be specific with examples and evidence and where possible, suggest a resolution.

The Level One Decision must be issued within fifteen school days of the Principal's receipt of the complaint.

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

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

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

If the student or parent is not satisfied with the Level Two Decision, or if no decision is provided, the parent or student may submit to the Chief Operating Officer or designee a written appeal to the Board of Directors. The request must be filed within ten school days of the Level Two Decision or the response deadline if no Decision is made. The student or parent shall be informed of the date, time, and place of the hearing.

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

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

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

### **Additional Complaint Procedures**

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

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, religion, or any other characteristic protected by law shall be submitted as described in "Freedom from Discrimination, Harassment, and Retaliation," page 30 of this Handbook.
2. Complaints concerning retaliation related to discrimination and harassment shall be submitted as described in "Reporting Procedures," page 32 of this Handbook.
3. Complaints concerning bullying or retaliation related to bullying shall be submitted as described in "Freedom from Bullying and Cyber-Bullying," page 33 of this Handbook.

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

## **SECTION 6: IMPORTANT NOTICES**

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

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

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

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

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

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

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

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

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

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

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



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

Parental consent is not needed prior to sharing student name and email address with online learning platform providers to set up accounts for school related purposes only. Student information stored in online learning platforms is maintained by the district and protected under FERPA. This information will not be shared with third parties without prior consent from the parent or eligible student.

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

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

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

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

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

### **Access to Medical Records**

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

### **Destruction of Records**

Orenda Charter School will post the notice of destruction of records on the Orenda Education website homepage along with each campus website. The notice will include the records to be destroyed, when they will be destroyed, and who to contact to request records be maintained.

### **Notice for Directory Information**

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

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

- Student name;
- Date and place of birth;
- Dates of attendance;
- Grade level;
- Most recent educational institution attended;
- Participation in officially recognized activities and sports; and

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

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

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

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

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

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

## **Student Acceptable Use Policy**

### **Computer Resources**

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

### **Technology Mission Statement**

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

### **Instructional Resource**

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

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

### **Student Safety**

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

### **Purpose**

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

### **User Responsibilities**

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

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

## **Policy Terms and Conditions**

### **Acceptable Use**

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

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

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

### **Monitored Use**

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

### **Vandalism**

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

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

### **Network Etiquette**

Each network user is expected to:

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

### **Consequences**

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

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

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