



FAMILY AND STUDENT HANDBOOK

2023-24

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Dear Promesa Academy Families,

Welcome to the 2023-24 school year! Together, we will spend this year redefining what school can and should look like to best meet the needs of your children and ensure that they are loved, respected, and supported every day. We promise that we will do everything in our capacity to deliver on **our 'promise' of an excellent education for your child.**

From the very beginning, it has been our goal to co-found Promesa with our families and community and we look forward to working together for many years to come as we continue to build out and refine the vision for our school.

One piece of ensuring your child's success is to make sure that we are all aligned on the terms under which our school operates. This Family Handbook ("the Handbook") is designed to help us accomplish this goal. The Handbook is an overview of the school's goals, services, and rules. It is an essential reference book describing what we expect of our parents/guardians and students and what they can expect of us, the school.

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

We are beyond grateful that you have agreed to join our founding community and look forward to building Promesa with you.

With love and gratitude,

The Promesa Academy Team

Promesa Academy Overview

Our Design Pillars

At Promesa Academy, our focus is supporting, loving, and growing children. Our core pillars define how we will provide our future students with an engaging, inspirational, and nurturing learning environment that will cultivate their lifelong love for learning.

- a. **Teacher Specialization** - We believe that students learn the most when taught by teachers who are experts in their subject matter. At Promesa Academy, we recognize that elementary education is the foundation and determiner for students' future success in middle and high school and college, and as a result, we will ensure that our students have teachers who are deeply knowledgeable and passionate about the subjects they teach. Specialization also benefits our teachers who will be able to focus on subjects about which they are passionate and well-trained; that enthusiasm and preparation will carry into their classes and propel their students' success.
- b. **Creating Authentic Learning Experiences** - We believe that to truly engage students in the academics they are learning inside of the classroom, we need to also expose them to how the content they learn is relevant to the world beyond the classroom. Too often students ask the question, "When will I ever use this?" as they lack engagement in the material they are being taught. At Promesa Academy, we will design learning experiences so that our students are aware of the importance and relevance of the material they are being taught.
- c. **School-Family-Community Partnerships** - At Promesa Academy, we feel privileged to serve the families of San Antonio and will proactively build supportive and productive relationships with families and the community. We strongly believe in engaging our surrounding community and will partner with local organizations to offer extracurricular and enrichment activities, as well as much needed resources for our families.
- d. **Nurturing the Whole Child** - It is too often the case that public schools in our most underserved communities resort to punitive disciplinary practices. For children who are already living with trauma and are from challenging communities, this approach to discipline can make even their schooling environment feel unsafe. We believe that relationships should be at the foundations of our classrooms. We will work to build a strong sense of both classroom and schoolwide community and to develop our students' social-emotional learning skills to help our students grow into caring, respectful, responsible members of our community.

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Section 1: General Information

1.1 Statement of Non-Discrimination

Promesa Academy is committed to actively supporting equality for all persons. Promesa Academy does not discriminate on the basis of race, color, religion, creed, sex, gender identity, sexual orientation, disability, or relationship or association with an individual with a disability in providing educational services, activities, and programs, including vocational and career technology programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; the Individuals with Disabilities Education Act, as amended; Title IX of the Educational Amendments of 1972, as amended; the Americans with Disabilities Act (“ADA”), as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

The Board of Directors has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors. The school prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, gender identity, sexual orientation, national origin, disability, or any other basis prohibited by law. The school also prohibits dating, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of school policy.

1.1.1 Prohibited Harassment

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

- Affects 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 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.

1.1.2 Sexual Harassment

In compliance with the requirements of Title IX, the school does not discriminate on the basis of sex in its educational programs or activities. The school does not tolerate sexual harassment of a

student by employees or other students. 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.

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.

1.1.3 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, or other school employee. Alternatively, a student may report prohibited harassment directly to one of the officials below:

Reports of discrimination based on sex, including sexual harassment, may be directed to the Principal who acts as the Title IX Coordinator. Reports of discrimination based on disability may be directed to the Special Education teachers who are the ADA/Section 504 Coordinator.

The CEO/Superintendent shall serve as coordinator for purposes of school compliance with all other anti-discrimination laws.

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

After receiving a complaint of sexual harassment, the 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 Title IX Coordinator or other authorized school official shall promptly authorize and undertake an investigation. When appropriate, the school may take interim action to avoid additional opportunities for 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.

The investigator will prepare a written report of the investigation. The report shall be filed with the Title IX Coordinator or other school official overseeing the investigation. If the results of the investigation establish that prohibited harassment occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment and prevent its recurrence. The school may take disciplinary action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of harassment prohibited by law or policy.

1.1.4 Confidentiality

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

1.1.5 Appeal

A student or parent/guardian who is dissatisfied with the outcome of the investigation may appeal through the school's 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.

1.2 Attendance

1.2.1 School Operating Hours

The school's main office is open from 7:00 a.m. to 4:00 p.m. Monday-Thursday and 7:00 a.m. until 1:30 p.m. on Fridays. Classes begin at 7:45 a.m. every day. Classes will be dismissed between 3:00-3:30 p.m. Monday-Thursday and 1:00-1:30 p.m. on Fridays.

1.2.2 Daily Attendance

Attendance at school is vital to a student's academic and social progress and success. Regular attendance allows children to develop regular routines, meaningful connections with staff and other students, and invaluable social and emotional skills. We ask that families try their best to schedule appointments with doctors or other specialists during vacation periods, after school hours, or on weekends whenever possible.

Our Attendance Policy can be found here: [Student Attendance Quick Guide for Families](#)

1.2.3 Regular Attendance Hours

We ask that students not arrive on campus before 7:15 a.m. unless they are a part of an activity organized by the school. Students can arrive anytime between 7:15-7:45am for breakfast and classes will begin at 7:45am.

1.2.4 Tardies

Students reporting to school after 7:45 a.m. will be considered tardy. If a student is tardy, he/she must be walked to the front entrance by a parent/guardian and must be signed in to obtain a tardy pass. Parents/guardians of students receiving an excessive number of tardies per our attendance policy in a nine-week period will be requested to meet with our administrative team so that we can collaboratively find solutions to ensure that your child is not missing out on valuable learning opportunities.

1.2.5 Dismissal

Students will be dismissed between 3:00-3:30 p.m. on Mondays through Thursdays and between 1:00-1:30 p.m. on Fridays. The front office will close at 4:00 p.m. on Mondays through Thursdays and at 1:30 p.m. on Fridays.

Students may not remain on school grounds after dismissal unless they are participating in a school-sanctioned after-school activity under the direct supervision of a faculty member. Students

staying for tutoring, detentions, make-up work, etc. need to have made prior arrangements for transportation.

1.2.6 Leaving School Early

Checking your child out of school before 3:00 p.m. on Mondays through Thursdays or before 1:00 p.m. on Fridays counts as an “Early Check-Out” notation on your child’s truancy record. It is considered unexcused unless a medical note is provided from a doctor or dentist stating your child had a medical appointment during a time period that warranted leaving early.

Students may leave school early for the following reasons:

1. A dental or medical appointment
2. An emergency
3. A reason excused by an administrator

To leave school early and for it to be counted as an Excused “Early Check-Out”, students must adhere to the following procedures:

1. Parent/guardian will report to the front office with a reason for early release and an acceptable form of Identification.
2. The Front Office staff will call for the child to come to the office, where the parent/guardian will sign out the child.
3. Upon return to the campus (same day or immediate next school day), the student must present a provider’s note to the front office. The note must contain the name of the health care provider and a phone number, which may be used for verification.

Unexcused “Early Check-Out” notations are considered missing part of a school day and may count towards the 10 unexcused absences that trigger a truancy filing.

We ask that families limit early check-outs to before 2:30 pm on Mondays through Thursdays and before 12 pm on Fridays.

1.2.7 Afterschool Activities

Students are highly encouraged to participate in co-curricular activities, many of which occur after-school. Students remaining on campus after regular school hours for co-curricular activities must be under the direct supervision of a staff member/sponsor. Students participating in after-school activities must be picked up within 15 minutes of the scheduled completion time for that activity.

1.2.8 Types of Absences

Promesa Academy recognizes two kinds of absences: excused and unexcused.

1. Excused Absences: An absence will be considered excused if the absence is for one or more of the following reasons *and is accompanied by official documentation*:
 - a. Illness (When a student's absence for personal illness exceeds 7 cumulative days, the principal may require a statement from a physician or health clinic verifying the illness or other condition requiring the student's extended absence from school).
 - b. Appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship;
 - c. Documented health care appointments, if the student begins classes or returns to school on the same day as the appointment;
 - d. Family emergency;
 - e. Observing religious holidays;
 - f. Required screening, diagnosis, and treatment for Medicaid-eligible students;
 - g. Serving as an election clerk;
 - h. Taking part in a student's United States naturalization oath ceremony; or
 - i. Temporary absence resulting from any cause acceptable to the Principal or the student's teacher.

Any student participating in an activity listed above will be allowed one day's excused absence for traveling to the activity and one day's excused absence for returning from the activity.

2. Unexcused Absences: Any absence not listed above will be considered an unexcused absence. Examples of unexcused absences may include, but are not limited to:
 - a. Failure to bring a an official doctor's note or other official documentation within two school days following an absence;
 - b. Leaving school without the permission of the Campus Administrator or other administrator;
 - c. Personal business; and
 - d. Vacations.

1.2.9 Compulsory Attendance

Two state laws, one dealing with compulsory attendance, the other with attendance for course credit, are of special interest to students and parents/guardians:

The state compulsory attendance law requires that a student between the ages of six, or who is younger than six and has been previously enrolled in first grade, and who has not yet reached age

18, must attend school unless the student is otherwise legally exempted or excused. School employees must investigate and report violations of the state compulsory attendance law. If a student is absent from school for ten or more days or parts of days without permission within a six-month period in any one school year or is absent for three or more days or parts of days without permission within a four-week period, the school may be required to report that parent/guardian for truancy or to Child Protective Services.

It is our hope to be able to partner with families to avoid having to report families for truancy. If a family is facing attendance challenges, we hope that you will give us a chance to work with you to ensure that you have the resources you need to support your child.

The 90% Rule states that a student who is present for at least 90 percent of the days the class was offered is eligible to receive credit or a final grade for it. A student who is in attendance for at least 75 percent, but less than 90 percent, of the days a class is offered may be given credit or a final grade if the student completes a plan approved by the Principal that provides for the student to meet the instructional requirements of the class. A student who is in attendance less than 90 percent of the days a class is offered may not earn enough credit and may be retained.

1.3 Withdrawing from School

A student under 18 may be withdrawn from school only by a parent or legal guardian. The school requests notice from the parent/guardian at minimum 48 hours in advance so that records and documents may be prepared. The parent/guardian may obtain information regarding the withdrawal process from the front office.

1.3.1 Involuntary Withdrawal

The school may initiate withdrawal of a student under the age of 18 for nonattendance under the following conditions:

1. The student has been absent ten consecutive school days; and
2. Repeated efforts to locate the student have been unsuccessful.

1.4 School Uniform Policy

At Promesa, we strive to create a positive school culture for all of our students. We reached out to our future families to determine whether they support a uniform policy and the majority of our families expressed support for a uniform policy that also allows for some flexibility.

Our uniform policy can be found here: [Promesa Academy Uniform Guidelines](#)

Students are expected to be in uniforms on Mondays-Thursday and every Friday will be a free dress day. If a student comes to school not wearing all or parts of the uniform, the homeroom teacher will offer for the student a change of clothes, and will notify the family. Promesa will offer assistance for any families to ensure students have access to uniforms. Families can reach out to the Family Engagement Coordinator to request items as needed, and the school will host opportunities for “uniform swaps”.

1.4.1. Uniform Policy/Dress Code Violations

Our goal is that all students have the resources they need to follow the uniform policy to prevent repeated infractions which would then lead to disciplinary consequences per the Promesa Student Code of Conduct.

Students may not remain at school dressed in a manner that (1) creates a safety hazard for the student or other students and/or (2) constitutes a serious and unnecessary distraction to the learning process, and/or (3) tends to disrupt campus order. Students will be required to modify their clothing and or apparel in such a manner that it no longer violates this policy. If necessary, the parent/guardian will be called to bring the student the proper attire.

Inappropriate dress includes, but is not limited to:

See-through clothing, tank-tops, tops that are low cut or do not cover the midriff, gang-related clothing, clothing advertising or depicting tobacco products, alcoholic beverages, drugs, or offensive/obscene language or pictures.

Ripped or torn clothing is not allowed. Students should not wear sandals, crocs, flip-flops, roller shoes, child-size heels, or dressy shoes, as these types of shoes do not provide protection and could be a safety hazard.

The Principal possesses final discretion in determining appropriate dress and appearance. Failure to adhere to established dress codes will result in a meeting with the parent/guardian or other disciplinary consequences.

1.5. Student Fees

As a public charter school, we will provide our families with the resources that their children need to be successful at Promesa. There may, however, be times when a family is required to pay a fee. These include:

- a. Membership dues in voluntary student clubs or organizations and admission fees for extracurricular activities.

- b. A fee for voluntarily purchased items, such as student publications, class rings, pictures, or yearbooks.
- c. A fee for items of personal apparel used in extracurricular activities that become the property of the student.
- d. A fee for lost, damaged, or overdue library books.
- e. A fee for lost or damaged technology due to negligence.
- f. A fee for damaged school property due to vandalism.
- g. A fee specifically permitted by any other statute.

The school may waive any fee or deposit if the student and parent/guardian are unable to pay. A request for such a waiver must be made in writing to the main office and include evidence of the inability to pay.

1.6 Lost and Found

The Lost and Found is located in the main office. Please label all removable items, such as clothing, lunch boxes and books with your child's name. Unclaimed and unlabeled articles are donated to a local charity at the end of each month.

1.7 Food Services

Promesa Academy participates in the School Breakfast Program (SBP) and National School Lunch Program (NSLP) which ensure that nutritional food is provided to all our students following state and federal nutrition guidelines.

Menus are posted monthly on the Promesa Academy website, Facebook page, and in the cafeteria. They may also be obtained at the school's front office.

Free and reduced-price breakfasts and lunches are available. For meal benefit assistance, you must submit a meal application each school year. A paper application is available in the school office. For meal application assistance, you may contact the Food Service Manager at creyes@promesaacademy.org or 210-942-1702. Information about a student's participation is confidential.

If your child has special dietary needs, please communicate those needs to the Food Service Manager. We have vegetarian and allergy-friendly meals upon request. Promesa Academy's meal charge policy can be found [here](#).

1.8 Use of Personal Electronics

We strongly encourage students to leave electronics at home in order to ensure student engagement and safety. The use of electronic devices during school hours is prohibited. All

electronic devices must be stored and turned off and out of sight during the school day. If there is a need to contact your child during the school day, we ask that you contact the front office for urgent matters, so that the need for a cell phone is not needed. Students are always encouraged to communicate any needs to their teachers, who will support students if there is a need to get in touch with families if needed.

If a school employee observes a student with any electronic or telecommunications device (including a cell phone) during the school day, the employee will collect the item and turn it into the main office. This means that all phones should be turned off and be stored in the student's bag or backpack while at school.

When a device is confiscated, the school will release it to the parent/guardian at the end of the day. Repeated offenses will trigger a meeting with the administrative team in which an agreement will be put in place with the family to restrict this from reoccurring in the future.

Promesa Academy will not be responsible for damage, loss, or theft of any personal electronic or confiscated items brought to campus.

1.9 Distribution of Published Materials or Documents

1.9.1 School Materials

Publications prepared by, and for, the school may be posted or distributed with prior approval by the Principal. Such items may include school posters, brochures, etc. The school newsletters and the yearbook are available to all students.

1.9.2 Non-School Materials

Approval must be obtained from the Principal 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 school property if:

- a. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
- b. The materials endorse actions endangering the health or safety of students.
- c. The materials promote illegal use of drugs, alcohol, or other controlled substances.
- d. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
- e. The materials contain defamatory statements about public figures or others.
- f. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.

- g. 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.
- h. 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.

1.9.3 Non-Student Non-School Materials

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

1.10 Fundraising

Student clubs or classes, outside organizations, and/or parent/guardian groups occasionally may be permitted to conduct fundraising drives for approved school purposes. An application for permission must be submitted to the Director of Operations, at least ten days before the event. Fundraising activities not approved by the Director of Operations are not permitted on school property.

1.11 Sales

Advertising may be permitted for approved school-related activities. This may include school newspapers, yearbooks, and other fundraising projects. Advertising material that promotes the use of alcohol and/or tobacco is strictly prohibited. No person may display, solicit, or sell any item or service to students or school personnel while on school property, at school-sponsored events, or on school transportation without the written permission of the Promesa Leadership Team.

1.12 School Transportation

If a special needs student is receiving bus transportation as a result of an Individual Education Plan (IEP), the Admissions Review and Dismissal (ARD) Committee will have discretion in determining appropriate disciplinary consequences for improper behavior in a school vehicle.

1.13 Field Trips

At Promesa, we embrace the opportunity to connect our students to the community around them. Parent/guardian permission for field trips and the emergency care consent form must be completed prior to your child's participation in any field trip.

1.14 Animals and Pets on Campus

The Board recognizes the importance of preserving the health, safety and welfare of occupants of school facilities and grounds. Permitting of dogs and other animals in school facilities or on school grounds property is strictly controlled. Advance notice and authorization must be granted by the superintendent or designee to permit animals (domestic pets) within a school facility. The District administration reserves the right to ask that an animal be removed from District grounds and/or facilities if it becomes a health and safety concern and/or displays disruptive behavior.

In any instance when a domesticated pet is permitted on school grounds or in facilities, it must strictly adhere to the following conditions:

- The pet must be under the control of an adult at all times and wear clearly labeled tags indicating current vaccination and ownership.
- The pet must be on a leash no longer than 6 feet in length.
- Pet owners must immediately remove waste and dispose of it in a sealed, non-absorbent, leak-proof container.
- Pets must be up-to-date with required vaccinations.

Dogs are not allowed in fenced-in athletic areas, such as soccer fields. Dogs trained and certified to accompany and assist police and other state and federal agencies shall be exempt from the terms of this policy.

Pursuant to the American with Disabilities Act, 28 C.F.R. Part 36, the District acknowledges the responsibility to permit a service animal to accompany the individual with a disability anywhere on District property where others individuals in the same category (student, employee, member of the public) are permitted to go. Unless it is readily apparent what work or tasks the animal is trained to perform, the individual it accompanies may be asked whether it is a service animal required because of a disability and what work or task it performs for the individual. Crime deterrence or the

provision of emotional support, well-being, comfort or companionship is not considered work or tasks performed for the individual sufficient to qualify the animal as a service animal.

Documentation regarding the training of a service animal is not required as per the (ADA) American with Disabilities Act.

Before permitting a service animal to accompany an individual, the District shall evaluate whether the respective facility can accommodate the type, size and weight of the animal. A service animal must at all times be under the control of the individual it serves, or a trainer or other handler. This control shall involve the use of a harness, leash, or other tether, unless either the individual is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks.

A service animal must be housebroken, meaning the service animal only urinates and defecates outside or where designated to do so, in order to accompany the individual within doors; the individual is required, when outdoors, to remove waste immediately and dispose of it in a sealed, non-absorbent, leak-proof container. If a service animal proves not to be housebroken, or is out of control and is not able to be brought back under control, or is ill, the individual accompanying it may be asked to remove the animal.

An individual using a service animal or the parent of such an individual is encouraged to notify the District as soon as possible of the intent to be accompanied by a service animal. The District will make reasonable efforts to accommodate individuals with allergies or other significant side effects that may be triggered by the presence of a service animal.

Advance notice and authorization must be granted by the superintendent or designee to permit therapy animals within a school facility by school personnel or outside persons. Therapy animals (dogs) are not the same as "emotional support animals" or "service animals". Animal Assisted Therapy is a goal-driven intervention, which is directed and/or delivered by a health, human, or education service professional and is meant to improve physical, social, emotional and/or cognitive function of an individual.

A therapy animal, most notably a dog, must have been individually trained, evaluated and registered with his/her handler to provide animal assisted activities, animal assisted therapy and animal assisted interactions within a school or other facility. The handler shall submit proof from a licensed veterinarian that the therapy animal (dog) is in good health and has been immunized against diseases. Such vaccinations shall be kept current and up-to-date at all times. The handler shall assume full liability and responsibility for the therapy animal's (dog's) supervision, care, behavior, and suitability for interacting with students and others in the school while the therapy dog is on school district property.

The District administration reserves the right to ask that an animal be removed from District grounds and/or facilities if it becomes a health and safety concern and/or displays disruptive behavior.

1.15 Dangerous Products

To maintain student safety at Promesa, we strive to be aware of items that are toxic or can cause harm. Promesa will ensure teachers and staff are aware of any items that should not be used in classrooms and that students and families are aware of items that should not be brought to school.

For example, water beads can pose serious health risks, hence they will not be allowed at school. You can read more about the dangers of water beads [here](#).

Section 2: Important Information for Parents/Guardians

2.1 Parent/Guardian Involvement

Engaged parents/guardians help make Promesa Academy a special place. We will continually seek to involve parents/guardians and other family members in every aspect of your child's educational process and will ensure that our doors are always open to parent/guardian volunteers and visits.

2.2 Parent/Guardian Volunteers

Parents/guardians are strongly encouraged to volunteer each school year in support of the school, its mission and activities. More information on the school's volunteer program, including guidelines and volunteer responsibilities, are available from the front office.

2.3 Criminal Background Check

All volunteers, including parent/guardian volunteers, are subject to a criminal background check prior to volunteering with the school.

2.4 Volunteer Expectations of Students, Parents/Guardians, and Promesa Academy

As volunteers, you are an essential part of Promesa Academy. The time and energy you give to our school greatly benefits all students. Volunteering is a bridge in building understanding and communication between our school and our community.

The purpose of our volunteer program is to provide positive adult role models and support for students in classrooms, give individualized assistance, and enrich our students' educational experiences.

It is asked that parents/guardians agree to the following guidelines when volunteering:

“As a parent/guardian volunteer at Promesa Academy, I agree that it is my responsibility to preserve and protect the right of privacy of any child that I observe, or have contact with during the course of my work at school. I will protect the confidentiality of children by not discussing them with others. I will contact only the child’s teachers if I have pertinent information that must be shared.”

- 1) The sign-in sheet must be signed when attending any meetings.
- 2) Minors/students may not volunteer on behalf of parents/guardians.

All visitors and parent/guardian volunteers must report to the front office and sign in, even if you have a scheduled meeting. Please wear one of our visitor badges as well. This will ensure a safe school environment for all our students.

2.5 School and Classroom Visits

Promesa Academy will continually seek to involve parents/guardians and other family members in every aspect of their child's educational process, including visits to the school or your student's classroom. Visiting classrooms is encouraged. To visit a classroom during instructional time, please reach out to the teacher at least 48 hours in advance to arrange the visit. Upon departure from the school, all visitors must sign-out at the central administrative office and return the visitor's badge.

2.6 Contacting Your Child

It is the policy of Promesa Academy to take messages for teachers and students while they are in class. Calling a teacher or student during class time is disruptive to the learning process. If you wish to speak with your child's teacher, please suggest times when the teacher may return your call. In cases of emergency, a staff member will pass on a message and the teacher or your child will return your call as soon as possible.

2.7 Visitors

All visitors must sign in with the Front Office Coordinator in the central administrative office and wear a visitor's badge at all times while on campus. All visitors, including parents/guardians, must present a form of identification (driver's license or other form of identification issued by a governmental entity containing the person's photograph). Visitors participating in special programs

that have been invited to the school (e.g. college representatives, military recruiters, etc.) are required to comply with the school's rules and policies regarding visitors.

2.8 Parent/Guardian or Student Concerns and Complaints

When a parent/guardian, student, or a member of the public has a complaint or concern regarding Promesa Academy, the individual shall first bring the complaint or concern in writing to the Principal. The complaint must be brought within 15 school days of the date that the complainant knew or should have known of the alleged harm. The complaint must be specific, and where possible suggest a resolution. The Principal must hear the complaint, attempt to remedy the complaint in the best interest of the affected parties, and document the outcome. The Principal must respond to the complainant and issue a final decision in writing within 10 days of the Principal's receipt of the complaint.

2.9 Birthdays

We love celebrating our students on their special day, and we know that our families may want to bring a treat for the class. We ask that you check in with the homeroom teacher to ensure there is a plan for when treats will be shared with the class.

We know our students love their friends, and at times may only be able to invite some of their friends at school. If this is the case, we ask that you reach out to the parents of the children invited, rather than sending invitations to school.

Personal party invitations may only be given to the entire class during the school day. No party invitations will be distributed to other classrooms/students during the school day. Teachers are not responsible for distributing invitations.

Section 3: Student Health and Safety

3.1 Alcohol, Drug, and Tobacco-Free Campus

In order to provide a safe environment for students and employees, all alcoholic beverages are prohibited on school property at all times, and at all school-sanctioned activities occurring on or off school property.

Smoking and using smokeless tobacco are not permitted 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. All violators are subject to possible prosecution, as allowed by law.

The school believes that student use of illicit drugs and vaping is both wrong and harmful. Consequently, the school prohibits the use, manufacture, sale, possession, or distribution of illicit drugs or a controlled substance by students on school premises or any school activity, regardless of its location. Student violators are subject to possible prosecution, as allowed by law.

3.2 Bacterial Meningitis

State law specifically requires the district 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. Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

What are the symptoms? — Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms. Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, 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, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

How is bacterial meningitis spread? — Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing, sharing drinking containers, utensils, or cigarettes). The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body's immune system and cause meningitis or another serious illness.

How can bacterial meningitis be prevented? — Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of people you kiss. While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85-90 percent). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

What should you do if you think you or a friend might have bacterial meningitis? — You should seek prompt medical attention.

Where can you get more information? — Your school administrators, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Texas Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the web sites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Texas Department of State Health Services, <http://www.dshs.state.tx.us/>.

3.3 Communicable Diseases

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. Parents/guardians of students with a communicable or contagious disease should notify the Director of Operations so that other students who might have been exposed to the disease are alerted. Any student excluded from school attendance for reason of communicable disease may be readmitted by one or more of the following methods:

- 1) 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;

- 2) Submitting a permit for readmission issued by a local health authority; or
- 3) Meeting readmission criteria as established by the Commissioner of Health.

Written permission from a physician is required after surgery, stitches, casts, orthopedic appliances, or previous illnesses requiring hospitalization.

3.4 Immunization

The State of Texas requires that every child in the state be immunized against 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 recent “Texas Minimum State Vaccine Requirements for Students Grades K-12” document. This reference and more information about school vaccine requirements are available at the Texas Department of State Health Services (“DSHS”) website: www.ImmunizeTexas.com—click on the link for “School & Child-Care Immunization Requirements”).

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

Provisional Enrollment — A student may 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 immunization records.

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 vaccine required by law. 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. The 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, the student is not in compliance and the school shall exclude him or her from school attendance until the required dose is administered.

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

Exclusions from Immunization Requirements — Exclusions from immunization compliance are allowable on an individual basis for medical reasons, reasons of conscience, and active duty with the armed forces of the United States.

If a student should not be immunized for medical reasons, the student must present a statement signed by the child's physician (M.D. or D.O.), duly registered and licensed to practice medicine in the United States who has examined the child, 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 child or any member of the child'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 exclusion from immunization requirements for reasons of conscience, including a religious belief, a signed DSHS affidavit must be presented by the student's parent/guardian, stating that the student's parent/guardian declines vaccinations for reasons of conscience, including because of the person's religious beliefs. The affidavit will be valid for a two-year period. Information for obtaining an affidavit for exclusion from immunization requirements is available at www.ImmunizeTexas.com (click on the link for "School & Child-Care Immunization Requirements"). The official DSHS affidavit form must be notarized and submitted to the school office within 90 days from the date it is notarized. The school will accept only official DSHS affidavit forms developed and issued by DSHS; no other forms or reproductions will be allowed. The student who has 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.

If a parent/guardian seeks an exemption for more than one student, a separate form must be provided for each student.

Immunization Records Reporting — The school's record of your student's immunization history, while private in most instances, may be inspected by the Texas Education Agency, local health departments, and the Texas Department of Health and transferred to other schools associated with the transfer of your student to those schools.

3.5 Medical Emergencies

If a student has a medical emergency at school or a school-related activity, when the parent/guardian cannot be reached, school employees will seek emergency medical treatment unless a parent/guardian has previously provided a written statement denying this authorization.

3.6 Illnesses During the School Day

Students becoming ill or injured during the school day are directed to report to the school nurse. The Principal reserves the right to send any student home for medical issues that render the student incapable of continuing their day.

3.7 Lice

Lice infestations are a common occurrence among school-aged children. To contain the spread of lice, parents/guardians who suspect their child has lice or has been exposed to lice should contact the child's teacher or the nurse immediately. A student found to have head lice is sent home for treatment and will be allowed to return to school after being treated and proof of treatment has been presented to the nurse. If the school nurse determines that a child has lice, the parent of the child will be informed as soon as possible but not later than 48 hours after the nurse becomes aware of the fact. A notification will be shared with all families in the classroom (no later than the 5th day after the date on which the nurse becomes aware of the fact), without identifying the child with lice. The notice will include recommendations from the Centers for Disease Control and Prevention for the treatment of lice.

3.8 Administration of Medication

Unless otherwise authorized or described below, school employees and volunteers are prohibited from administering medications to students, including vitamins and food supplements. Additionally, students should never carry and/or self-administer medications, vitamins or food supplements at school. Medication should be administered outside of school hours, if possible. If necessary, medication can be administered at school under the following circumstances:

- 1) Nonprescription medication brought to school must be submitted to the school by a parent/guardian 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.
- 3) Prescription medications must be submitted in a labeled container directly to the nurse 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 bags or unlabeled containers will NOT be administered.
- 4) If the substance is herbal or a dietary supplement, it must be provided by the parent/guardian 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 the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- 6) In certain emergency situations, the school may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the

school and when the parent/guardian 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/guardian. Parents/guardians are responsible for advising the school Front Office Coordinator that a medication has been discontinued.

Asthma and Anaphylaxis Medication — Asthma and anaphylaxis are life-threatening conditions, and in accordance with recommendations from the American Lung Association and Texas Education Code § 38.015, students with those conditions are entitled to possess and self-administer prescription medication while on school property or at school-related events.

Student possession and self-administration of asthma or anaphylaxis medication at school requires that the student has demonstrated his or her ability to self-administer the medication to the student's physician or other licensed health care provider as well as school personnel. Requirements also include written authorization from the student's parent/guardian 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 an inhaler device upon request.

Students are never allowed to share medication with another student or staff member nor are they allowed to administer medications to other students.

3.9 Fitness Testing

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

Excuses from Physical Education — Any child who is to be excused, for reasons of health, from physical education or any other normal school activity, must bring a note from home to the school office stating the reason why and the duration of the excuse. This note will be sent to the appropriate teacher.

3.10 Dyslexia and Related Disorders

From time to time, students may be screened and treated for dyslexia and other related disorders in accordance with programs, rules, and standards approved by the State of Texas. Parents/guardians will be notified should the school determine a need to identify or assist a student diagnosed with dyslexia or related disorder.

3.11 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 Kindergarten (within 120 days of admission), and 1st, 3rd, and 5th grade levels (before the end of the school year) shall be screened for vision and hearing problems.

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

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/guardian, managing conservator, or guardian, must submit to the front office on or before the day of admission an affidavit stating the objections to screening.

3.12 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:

- The Principal will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student at school.
- The Principal ordinarily will make reasonable efforts to notify the parents/guardians unless the interviewer raises what the Principal considers to be a valid objection.
- The Principal ordinarily will be present unless the interviewer raises what the Principal considers to be a valid objection.

Students Taken Into Custody — State law requires the school to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services, Texas Department of Family and

Protective Services, 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.

- To comply with a properly issued directive to take a student into custody.

Staff Notification — The school is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been arrested or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

3.13 Child Abuse Reporting and Programs

Promesa Academy provides child abuse anti-victimization programs and cooperates with official child abuse investigators as required by law. The school also provides training to its teachers and students in preventing and addressing incidents of sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse. 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/guardian, if necessary.

3.14 Plan for Addressing Sexual Abuse and Other Maltreatment of Students

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>.
- The San Antonio Police Department at **210-207-7273**
- Call 911 for emergency situations.

The school has established the following Plan for Addressing Sexual Abuse of Children (the “Plan”).

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

For Teachers — The school annually trains teachers in all content areas addressed in the Plan. Training will include contents of board policy and is provided by campus staff, administrative staff, or outside agencies as determined by the campus administration.

For Students — The Central Leadership Team or 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 all students.

For Parents/Guardians — Parents/Guardians 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/guardian 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/guardian or other family member does not remove your obligation to protect the child. Parents/guardians 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 report to the appropriate authorities.

Also remember that parents/guardians 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. DFPS also provides early abuse intervention through counseling programs. The Bexar County location may be contacted at (210) 270-4000. Services available in your county can be accessed at the following web address:

www.dfps.state.tx.us/prevention_and_early_intervention/programs_available_in_your_county/

Likely Warning Signs of Sexual Abuse or Other Maltreatment — Psychological and behavioral signs of possible sexual abuse 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 may include:

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

pregnancy

Any one sign does not necessarily mean that a child has been sexually abused or maltreated, but the presence of several signs is the time you should begin asking questions and seeking help. Signs often 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.

3.15 Interrogation and Searches

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

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

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. Express or implied coercion – such as threatening to contact parents/guardians or police – invalidates apparent 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; i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

3.16 Vehicles on Campus

Vehicles parked on school property and property under school control are under the jurisdiction of the school and may be searched at any time if reasonable suspicion exists to believe that the search will result in evidence that school rules or other laws have been violated. If a vehicle subject to search is locked, the owner/driver of the vehicle shall be asked to unlock the vehicle and consent to a search of the vehicle. If the owner/driver refuses to permit the vehicle to be searched, the school may contact the student's parents/guardians and/or law enforcement officials. A student or the owner/driver of the vehicle may be held responsible for and in possession of prohibited items found in his or her vehicle parked on school property or at a school-related event.

3.17 Procedures for Use of Restraint

At Promesa, we work to provide an environment in which children feel safe, supported, and loved by every adult. Although we hope to never have to restrain a child, there may be times when a child needs to be restrained to protect the child or those around them. In these cases, only staff trained to do so will be allowed to restrain the child, using the minimum force necessary.

Any use of restraint by trained staff is 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

“Restraint” generally means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

In a case where restraint is used, school employees, volunteers, or independent contractors shall document the incident as required by the Texas Education Agency. Additionally, Promesa Academy shall report electronically to the Texas Education Agency, following standards provided by the Commissioner of Education, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by the Commissioner of Education for reporting the use of restraint involving students with disabilities.

3.18 Emergency Drills

Fire and other emergency drills are conducted at minimum the number of times required by state law.

3.19 Emergency Closings

Promesa Academy will follow the San Antonio Independent School District (SAISD) in our school closure decisions for weather-related events. Any closures for weather will be broadcast on local television stations.

The school may also need to close during certain emergency situations beyond the control of school officials. Any emergency closures will be posted on the school's social media and school officials will contact families via email, text messages, and/or phone calls.

3.20 Pest Control Information

The school periodically applies pesticides inside school buildings and on school grounds. Except in an emergency, signs will be posted 48 hours before application. Students may not re-enter a treated area inside a building or use an area on school grounds for at least 12 hours following application. Parents/guardians who want to be notified prior to pesticide application may contact the Director of Operations.

3.21 Weapons Prohibition

Promesa Academy Public Schools prohibits the use or possession of any firearm, illegal knife, club, or other weapon while on the premises of the school or any school grounds or building in which a school activity is being conducted.

3.22 Concealed Handgun Prohibition

Promesa Academy prohibits the use or possession of a concealed handgun on school campus and property, even if the handgun is carried by a licensed handgun holder. The only exception to this is an armed guard that is employed and/or contracted by the school as permitted by Texas state law.

Section 4: Academics and Grading

4.1 Homework Policy

At Promesa, we want our students to be able to be children and play and spend time with their families outside of school and do not want to put additional and unnecessary pressure on our families to have to complete homework with their children after school hours. We believe that if we do our job right as educators, our students will be excited about continuing the conversations about what they are learning at home and will want to further explore what they're learning in class without being forced to do homework.

Very little, if any, homework will be mandated for our students. We will encourage our students to spend time reading at home as we hope to set a culture at our school where students love reading. Students in Kinder to 5th grade will have a take-home folder daily as a school/family communication resource. Teachers will provide reading logs, reading practice materials, and activities to complete at home. We will also provide additional work for students who are eager to extend their learning outside of school.

We believe in the importance of establishing a foundation for student organization, time management, and goal setting. Students in 4th and 5th grade will be supported in using a student planner to track assignments and daily schedules. These planners are a great tool for families to support your student's organizational and study skills.

4.2 ESL Services

At Promesa, we value bilingualism. Although all core instruction will be delivered in English, we aim to empower our students to maintain their native language while becoming fully fluent in English listening, speaking, reading and writing.

In keeping with state and federal law, we offer English as a Second Language ("ESL") services at all appropriate grade levels for English language learners who have a home language other than English. The school's goal 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 Tests to qualify for placement in the program. If test results indicate either limited oral or limited cognitive academic English ability, the student (with parent/guardian approval) is provided additional English language support.

4.3 Special Education Services

The school has the responsibility of identifying, locating, and evaluating individuals with disabilities who are 5–21 years of age and who fall within the school's jurisdiction. If you know or suspect that your child has a disability, please contact our special education case managers, Joe Sifuentes

(jsifuentes@promesaacademy.org) (K-2) or Samantha Buresch (sburesch@promesaacademy.org) (3-5). for information about available programs, assessments, and services.

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

If a parent/guardian disagrees and the ARD committee does not reach mutual agreement with the subsequent IEP, they have a right to request an additional ARD meeting, with the parent/guardian agreeing to a recess of not more than 10 school days unless the parties mutually agree on an extended timeline. During the recess the members shall consider alternatives, gather additional data, and/or obtain additional resource persons to enable them to reach mutual agreement. This recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense which may lead to a placement in an alternative education program (AEP). If the recess is declined by the parents/guardians or adult student, or if after the recess the ARD committee still cannot reach mutual agreement, the district shall implement the IEP that it has determined to be appropriate for the student. When a district implements an IEP with which the parent/guardian disagrees or the adult student disagrees, the district shall provide written notice to the parent/guardian or the adult student.

If an Independent Educational Evaluation (IEE) is conducted at the district's expense, Promesa Academy will not pay unreasonable charges for the evaluation. An unreasonably excessive fee is one that is more than 25% above the prevailing fees in the area as established in the Medicaid/Medicare Service Provider Manual for the specific evaluation being considered. In addition, Promesa Academy's criteria for IEEs typically limits the selection of evaluators to a 75 mile radius.

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/Guardians of students with Disabilities, can be obtained from the Director of Special Education or at the Texas Education Agency Special Education Website: www.tea.state.tx.us/special.ed/

4.3.1 Options And Requirements For Providing Assistance To Students Who Have Learning Difficulties Or Who Need Or May Need Special Education Services

If a child is experiencing learning difficulties, the parent/guardian may contact the Director of Curriculum and Instruction to learn about the school's overall general education referral or screening system for support services. This system may link students to a variety of support options, including potential referral for a special education evaluation. Students having difficulty in a regular classroom must be considered for, and provided service from, all tutorial, compensatory, and other support services such as MTSS prior to a referral for special education services.

If a parent makes a written request for an initial evaluation for special education services to the K-2 or 3-5 special education case manager 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.

4.4 Section 504 Services

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

Qualified students with disabilities will be placed in the regular educational environment, unless the school demonstrates that education in the regular environment with the use of supplemental aids and services cannot be achieved satisfactorily. Should an alternate educational environment be necessary, the school shall comply with all legal requirements regarding least restrictive environment and comparable facilities for students with disabilities. In providing or arranging for nonacademic and extracurricular services and activities, the school shall 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/guardians or teachers should contact the school for information concerning available programs, assessments, and services. For further information, please contact the Section 504 Coordinators, Joe Sifuentes (jsifuentes@promesaacademy.org) (K-2) or Samantha Buresch (sburesch@promesaacademy.org) (3-5).

4.5 Communicating Progress to Families and Students

Students grow and learn every day and it is our hope at Promesa to capture our students' growth and share it with our families regularly. Promesa will prepare formal report cards for our parents four times annually, at the end of each quarter. These reports will include narratives and a description of your child's progress towards their goals. We do not grade children on a 0-100 or A-F scale as we firmly believe that your child's learning cannot be captured in a single number or letter. Instead, we write reports that celebrate your child's growth and identify areas in which we believe we need to further support your child.

4.6 Teacher Conferences

Informal conferences may be scheduled with teachers at any time during the school year and are strongly encouraged. Conferences are critical to ensure that we are partnering with families to the best of our ability. Additionally, we will reach out to schedule conferences with our families in the middle of each semester to discuss progress reports.

4.7 Promotion and Retention

At Promesa, we will collaborate with our families to determine what is best for their child when considering retention. We know that the research around retention oftentimes suggests that it can have a negative, long-term impact on students, therefore before making any retention decisions, we will meet with the child's family and primary teacher to discuss the best course of action for that child.

Parents/guardians of students who do not perform satisfactorily on their exams will be able to participate in a grade placement committee (comprised of a parent/guardian, a teacher, a school administrator, and a special education teacher (if applicable) and/or ESL teacher (if applicable)) to determine if it is in the child's best interest to be retained.

Students with attendance below 90% at the end of the school year will also be considered for retention.

4.8 Academic Integrity

Promesa Academy values academic integrity very highly and does not permit dishonesty that unfairly or improperly enhances a student's academic progress in any way. Specifically, plagiarism, defined as claiming someone else's work as your own, is treated seriously. It is our responsibility as a school to ensure that our students understand the importance of crediting others for their work and if a student is found to have plagiarized, we will have a discussion with that student and his/her parent/guardian to ensure that the student understands the implications of plagiarism. The Student Code of Conduct outlines disciplinary actions for repeated offenses.

4.9 Testing

In the spring, students in 3rd grade and above are given the STAAR Achievement Test, a standardized, criterion-referenced achievement test mandated by the state of Texas. Results are used in schoolwide and classroom instructional program planning and evaluation, to align our curriculum and teaching standards with state and national standards. Certain students may be eligible for accommodations to state-mandated exams.

Promesa Academy believes in its curriculum. We are fully confident that, in teaching our curriculum, standardized testing will take care of itself. Please do not allow yourself or your child to become obsessed with the STAAR to the exclusion of a love of learning. While the test can be an important measuring tool, it is only one of them.

Section 5: Student Code of Conduct

5.1 Our Approach to Behavior Management

We deeply believe that children thrive on connection. When children feel safe and loved, they are able to function in an executive brain state and manage their own emotions and experiences with increasing success. When they are in a survival or emotional state, however, children need a safe, loving connection with an adult to learn to regulate their emotions and responses in a way that brings them back to emotional equilibrium. This being said, we also know that even as adults, it can be difficult to manage emotional triggers and stress, and we recognize that before this work can be done with our children, it must be done within ourselves. At Promesa, we are deeply committed to developing ourselves and our staff in order to unlearn harmful ways of thinking about behavior and to allow space for personal and professional growth. The ultimate outcome is a campus where staff are responsive instead of reactive, where children are able to learn to manage themselves in healthy ways, and where everyone involved feels safe, loved, and supportive.

As a school community, we are committed to applying these policies in a fair and equitable manner so as not to disproportionately impact our students of color, students with disabilities, LGBTQ+ students, students who speak a native language other than English, or any other at-risk students that have been historically marginalized in schools.

5.2 Conscious Discipline at Promesa¹

Conscious Discipline is a comprehensive, multidisciplinary, self-regulation program that integrates social-emotional learning, school culture, and discipline. It helps teachers and administrators build schools based on the internal resources of **safety, connection, and problem solving** instead of external rewards and punishments. It is based on brain research that indicates our internal states dictate our behavior. Its goal is to provide systematic changes in schools by fostering the emotional intelligence of teachers first and children second. Simply put, as we become more emotionally intelligent, we are better equipped to create positive, healthy educational climates that help create and maintain optimal learning states. The three core components of Conscious Discipline in our school community are:

1. **Safety:** Safety, through self-regulation, enhances adults' and children's ability to recognize and manage physiological and emotional upset.
2. **Connection:** Connection, through creating a compassionate school family culture, motivates adults' and children's willingness to engage in healthy relationships, help each other be successful, and change perceptions about conflict.

¹ Bailey, Rebecca Anne. *Conscious Discipline: Building Resilient Classrooms*. Loving Guidance, 2015.

3. **Problem-Solving:** Problem solving, through changing our response to conflict and upgrading social-emotional skills, boosts adults' and children's ability to adapt to changing situations.

With these components, everyday events and conflicts become opportunities to teach life skills. The social-emotional curriculum does not come from prescribed sequential lessons added to core standards; the curriculum emerges from daily challenges, acts of kindness, academic struggles, interpersonal conflicts, chronic rule breaking, and celebrations.

Here is a brief overview of how our approach using the Conscious Discipline framework at Promesa compares to traditional disciplinary models:

Traditional Discipline		Conscious Discipline	
<ol style="list-style-type: none"> 1. It is possible to control others through environmental manipulations. 2. Rules govern behavior. 3. Conflict is a disruption to the learning process. 		<ol style="list-style-type: none"> 1. Controlling and changing ourselves is possible and has a profound impact on others. 2. Connectedness governs behavior. 3. Conflict is an opportunity to teach. 	
Belief	Value it Teaches	Belief	Value it Teaches
It is possible to make others change.	Failure to make others change equals failure on the teacher's part.	Changing ourselves is possible.	It is our choice whether or not to change.
When others don't do what we want, we must try to coerce them.	The more insubordinate they are, the more external power/force is expected and justified.	We are in charge of ourselves.	We can become the person we want to be.
When we succeed in making others behave, we demonstrate power and authority.	Power comes from overpowering people.	We are empowered by choosing to control ourselves instead of others.	Power comes from within.

5.3 Restorative Practices at Promesa

In the classroom, Restorative Practices may be implemented through daily rituals and practices, disciplinary responses, or simply through the interactions between teachers and students. Classroom practices may include circles, teaching students self-awareness through "I" statements, resolving conflicts through restorative questions and conversations, and providing opportunities for reflection.

Restorative Justice is a mindset that values **relationships** at the center of community life. When we are focused on relationships, we are invested in creating and maintaining a strong community by **building** relationships proactively and **repairing** relationships when harm occurs.

Restorative Justice Mindset	Non-Restorative Justice Mindset
Intentionally builds relationships and trust within a community	Assumes relationships and trust automatically exist in a community
Values and welcomes multiple perspectives	Sides with a perspective that aligns with their own values, beliefs or truths
Acknowledges that healing is crucial to restoration and that it is a process	Does not acknowledge healing, or believes that people should “get over it and move on”
When harm is caused, the harm-doer is asked to take an active role in repairing the harm, often together with the one harmed, and with the support of the community	When harm is caused, the harm-doer is punished and separated from the individual who is harmed.
Interpersonal conflicts are resolved by dialogue that gets at the root of the conflict and best ways to move forward. It includes all parties involved.	Interpersonal conflicts do not need to be resolved; they “disappear,” or are resolved with other mechanisms (i.e. violence, screaming, etc.)

5.4 Authority and Jurisdiction

Promesa Academy has disciplinary authority over a student:

1. During lunch periods in which a student is allowed to leave campus;
2. During the regular school day and while the student is going to and from school on Promesa Academy transportation;
3. For any expulsion offense committed away from Promesa Academy property and not at a school-sponsored or school-related event, if the misconduct creates a substantial disruption to the educational environment;
4. For any expulsion offense committed while on Promesa Academy property or while attending a school-sponsored or school-related activity of Promesa Academy or another school in Texas;
5. For any school-related misconduct, regardless of time or location;
6. When criminal mischief is committed on or off Promesa Academy property or at a school-related event;
7. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
8. When the student commits a felony, including those provided by Texas Education Code §§ 37.006 or 37.0081, regardless of time or location;

9. While a student is participating in any remote / virtual classroom or other period of online instruction provided by Promesa Academy;
10. While the student is attending any school-related activity, regardless of time or location; and
11. While the student is in transit to or from school or to or from school-related activities or events and/or any situation that interrupts schools' learning environment and operations of school.

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.

5.5 Student Code of Conduct

Our goal is to provide a positive learning environment that promotes learning and fosters a safe and caring school experience for students and staff. We fundamentally believe that all children mean well and that negative behaviors should be perceived as a call for help rather than disrespect. Our teachers and staff will intervene in ways that are aimed at addressing the root cause of behaviors and will focus on teaching new behaviors as opposed to punishing a child.

Our approach towards behavior is tailored to the individual student and varies in method and severity according to the nature of the behavior, the age of the child, and the child's history of behaviors.

When managing behaviors, our school does not:

- 1) Use zero-tolerance policies that lead to suspensions or expulsions except if required for student safety
- 2) Advise or encourage students or families to voluntarily leave our school in order to avoid formal disciplinary action;
- 3) Use corporal punishment;
- 4) Use restraint or seclusion for punishment.

The following things are taken into consideration before assigning a response to the behavior and in assigning disciplinary action for level 2 and 3 offenses:

1. Self-defense,
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,

4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Below is are the levels of offenses and possible corresponding actions that we will take in addressing behaviors:

Level 1 Offenses:

1. Being in an unauthorized area.
2. Causing an individual to act through the use of threat or coercion.
3. Computer system violations.
4. Damaging or vandalizing property owned by others.
5. Defacing or damaging school property, including textbooks, lockers, furniture, and other equipment, with graffiti or by other means.
6. Disobeying conduct rules regarding school transportation.
7. Disrespect of school staff and persons in authority.
8. Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
9. Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
10. Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or a school employee.
11. Failure to complete assigned homework.
12. Failure to comply with directives of school staff (insubordination).
13. Failure to comply with school dress code policies and grooming standards.
14. Failure to leave campus within 30 minutes of school dismissal (unless involved in an activity under supervision).
15. Failure to report known hazing, harassment, or bullying of students.
16. Improperly discharging a fire extinguisher.
17. Inappropriate behavior (not abusive, threatening, violent).
18. Making false accusations or hoaxes regarding school safety.
19. Persistent tardiness (tardy, without excuse, on four or more days within a period of 45 rolling school days).
20. Possessing any electronic devices without permission.
21. Possessing matches, lighters, etc.
22. Possessing aerosol canisters or any other object used to set off fire alarms.
23. Refusing to accept discipline management techniques assigned by a teacher or the Principal or designee.

24. Repeatedly violating campus or classroom standards of behavior.
25. Skipping class, detention, or mandatory tutorial sessions.
26. Using a skateboard, scooter, and/or roller blades while on campus.
27. Using any telecommunications or other electronic devices, without permission, during school hours.

Response/Follow Up Actions to Level 1 Incidents:

- Reteach the appropriate behavior
- De-escalation technique
- Peer-to-peer conversation
- Restorative conversation or intervention
- Loss of time or participation in a school-based activity to fix any harm from the behavior (e.g. missing the first 5 minutes of recess to clean up a mess created in the restroom or classroom)
- Temporary confiscation of items causing disruption
- Grade reductions for academic dishonesty
- In-school suspension
- Out-of-school suspension for up to three days
- Removal from the classroom and/or placement in another classroom
- School-assessed and school-administered probation
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.

Level 2 Offenses:

1. Responding with a raised voice, physical reaction, angry expression, or argument at earning a consequence
2. Ignoring or refusing to comply with teacher directions
3. Disrespectful comments about an individual
4. Spreading rumors about others or verbally teasing and minor name calling
5. Not following teacher directives when given more than three times
6. Leaving marks on school property
7. Use of resources not intended for student use (e.g. staff refrigerator, laminator, etc.)
8. Putting hands on another person with the intent to harm
9. Talking during any emergency drill
10. Repeated unsafe behavior
11. Abusing over-the-counter drugs.
12. Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
13. Academic dishonesty (cheating or copying the work of another).
14. 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, secret society, or gang, as defined in Texas Education Code § 37.121.
15. Bypassing Internet blocks on school computers or networks to enter unapproved sites.
16. Committing extortion, coercion, or blackmail (obtaining money or another object of

- value from an unwilling person).
17. Damaging or vandalizing property owned by others, including but not limited to Promesa Academy property or facilities, property belonging to school employees or other students.
 18. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety; using e-mail or Web sites at school to encourage illegal behavior; or threatening school safety.
 19. Defacing or damaging Promesa Academy property, including textbooks, lockers, furniture, and other equipment, or property of any other person with graffiti or by any other means.
 20. Engaging in offensive conduct of a sexual nature (verbal or physical).
 21. Failure to comply with conditions of in-school suspension placement.
 22. Failure to comply with Promesa Academy's medication policies.
 23. False accusation of conduct that would constitute a misdemeanor or felony.
 24. Falsifying records, passes, or other school-related documents.
 25. Fighting/mutual combat.
 26. Gambling.
 27. Gang-related activity of any kind or nature (behavior that is deemed serious gang-related activity may be elevated or addressed as a Level Three offense).
 28. Inappropriate behavior (e.g., violent; threat of being violent; racially, ethnically, or culturally motivated actions).
 29. Interference with school activities or discipline.
 30. Involvement in a felony offense not listed in Title 5, Texas Penal Code, and Promesa Academy is notified by the police.
 31. Leaving classroom, school property, or school-sponsored events without permission.
 32. Making an obscene gesture.
 33. Persistent Level I offenses (two or more Level One offenses within a semester).
 34. Possessing drug paraphernalia.
 35. Possessing, viewing, or distributing pictures, text messages, emails, or other material of a sexual nature in any media format.
 36. Refusing to allow lawful student search.
 37. Sexual harassment/sexual abuse not defined as a Level III offense.
 38. Theft.
 39. Threats (nonviolent/verbal or written).
 40. Throwing objects not considered an illegal weapon that can cause bodily injury or property damage.
 41. Trespassing on Promesa Academy property.
 42. Unruly, disruptive, or abusive behavior that interferes with the teacher's ability to communicate effectively with the students in the class.
 43. Use of profanity or vulgar/offensive language (oral or in writing).
 44. Engaging in threatening behavior toward another student or school employee on or off school property.
 45. Inappropriate or indecent exposure of a student's private body parts.
 46. Inappropriate public display of affection: (Public displays of affection deemed inappropriate by public standards such as lewd or inappropriate—kissing, touching, fondling, holding hands, etc.).

47. 21. Insensitivity to others.
48. Using the Internet or other electronic communications to threaten students or employees, or cause disruption to the school program.
49. Verbal or written abuse (e.g., name calling, racial or ethnic slurs, or derogatory statements that may disrupt the school environment, etc.).
50. Willful destruction of school or personal property and/or vandalism.
51. Throwing objects that can cause bodily injury or property damage.

Response/Discretionary Follow Up to Level 2 Incidents:

- Any Level 1 response
- A formal conference with the parent/guardian
- Out-of-school suspension for up to five days.

Level 3 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 Promesa Academy property or at a school-related event.
2. Aggravated assault.
3. Aggravated kidnapping.
4. Aggravated robbery.
5. Aggravated sexual assault.
6. Any offense listed in Sections 37.006(a) or 37.007 (a), (b), and (d) of the Texas Education Code, no matter when or where the offense takes place.
7. Arson.
8. Assault.
9. Burglary of a motor vehicle on campus.
10. Capital murder.
11. Commission of a felony offense listed under Title 5, Texas Penal Code.
12. Committing or assisting in a robbery or theft, even if it does not constitute a felony according to the Texas Penal Code.
13. Committing the following offenses on school property or within 1,000 feet of school property as measured from any point on Promesa Academy's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - a. Behaving in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - b. Behaving in a manner that contains the elements of the offense of public lewdness or indecent exposure.
 - c. Committing an assault under Texas Penal Code 22.01(a)(1).
 - d. Engaging in conduct punishable as a felony.
 - e. 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.
 - f. 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.

14. Conduct endangering the health and safety of others.
15. Creation or participating in the creation of a "hit list" under Texas Education Code § 37.001(b)(3).
16. Criminal attempt to commit murder or capital murder.
17. Criminal mischief.
18. Criminally negligent homicide.
19. Deliberate destruction or tampering with Promesa Academy's computer data or networks.
20. Engaging in bullying and/or cyberbullying.
21. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
22. Engaging in conduct punishable as a felony.
23. Engaging in conduct punishable as a felony listed under Title 5 of the Texas penal Code when the conduct occurs off Promesa Academy's property and not at a school-sponsored or school-related event and:
 - a. The student receives deferred prosecution;
 - b. A court or jury finds that the student has engaged in delinquent conduct; or
 - c. The Principal or designee has reasonable belief that the student engaged in the conduct.
24. Engaging in conduct punishable as a Level III expulsion offense when the conduct occurs off Promesa Academy's property and not at a school-sponsored or school-related event, and the conduct creates a substantial disruption to the educational environment.
25. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.
26. Engaging in conduct relating to a false alarm to induce emergency response.
27. Engaging in conduct relating to harassment of a Promesa Academy employee, including but not limited to:
 - a. Initiating communication and in the course of the communication making a comment, request, suggestion, or proposal that is obscene;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the treat, to inflict bodily injury on the person or to commit a felony against the employee, a member of the employee's family or household, or the employee's property;
 - c. Conveying, in a manner reasonably likely to alarm the employee receiving the report, a false report, which is known by the scholar to be false, that another person has suffered death or serious bodily injury; or
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.
28. Engaging in conduct that constitutes dating violence, including 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.
29. 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 Promesa Academy employee.
30. Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word,

gesture, or any other conduct directed toward another person, including a Promesa Academy student, employee, or volunteer.

31. Engaging in conduct that contains the elements of retaliation against any Promesa Academy employee or volunteer, whether on or off of school property.
32. Engaging in the electronic transmission of sexually explicit visual material that:
 - a. Depicts any person engaging in sexual conduct; or
 - b. Depicts a person's intimate parts exposed; or
 - c. Depicts the covered genitals of a male person that are in a discernibly turgid state; and
 - d. Is not sent at the request of or with the express consent of the recipient.
33. Engaging in inappropriate or indecent exposure of private body parts.
34. Engaging in online impersonation.
35. Failure to complete more than one scheduled in-school suspension without a confirmed excuse.
36. Felony criminal mischief against school property, another student, or school staff.
37. Gang activity.
38. Hazing.
39. Inappropriate sexual conduct.
40. Inciting violence against a student through group bullying.
41. Indecency with a child.
42. Inhalant abuse.
43. Issuing a false fire alarm.
44. Manslaughter.
45. Murder.
46. Persistent Level I offenses (four or more Level I offenses committed in any one school year).
47. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
48. Possessing any prohibited items, including but not limited to:
 - a. A "look-alike" weapon (includes but is not limited to BB guns, CO2 guns, air pistols or rifles, pellet guns, or any other device designed to appear to be a firearm or other weapon);
 - b. A laser pointer for other than an approved use;
 - c. A pocketknife or any other small knife with a blade less than 1.5" in length;
 - d. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
 - e. A stun gun;
 - f. Ammunition;
 - g. An air gun or BB gun;
 - h. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic or explosive device;
 - i. Mace or pepper spray;
 - j. Matches or a lighter;
 - k. Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device or accessory to a vapor product; or
 - l. Any articles not generally considered to be weapons, including school supplies, when the Principal or designee determines that a danger exists.
49. Possessing or selling look-alike drugs or items attempted to be passed off as drugs or

contraband.

50. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
51. Possessing or using alcohol.
52. Possessing, selling, distributing, or being under the influence of inhalants.
53. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
54. Possessing, smoking, or using tobacco products and/or e-cigarettes at school or a school-related or school-sanctioned activity on or off school property.
55. Possessing, using, giving, or selling paraphernalia related to any prohibited substance, including illegal, prescription, and over-the-counter drugs.
56. Possession, use, transfer or exhibition of any firearm, handgun, improvised explosive device, location-restricted knife, club, or any other prohibited weapon or harmful object (as determined by Promesa Academy).
57. Public lewdness.
58. Releasing or threatening to release “intimate visual material” of a minor or a student who is 18 years of age or older without the student’s consent.
59. Required registration as a sex offender.
60. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a cannabidiol (CBD) substance, a dangerous drug, or an alcoholic beverage.
61. Sending or distributing sexually suggestive, nude, or partially nude photographs and/or sexually explicit message via text message, social media applications, or other methods of electronic delivery while at school, or while away from school if the conduct creates a substantial disruption to the school environment.
62. 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.
63. Setting or attempting to set fire on school property.
64. Sexual abuse of a young child or children.
65. Sexual assault.
66. Stealing from students, staff, or Promesa Academy.
67. Targeting another individual for bodily harm.
68. Use, exhibition, or possession of a hand instrument designed to cut or stab another by being thrown, including but not limited to a dagger; dirk; stiletto; poniard; bowie knife; sword; spear; switchblade; assisted-open knife (regardless of length); or as otherwise defined by Board of Director’s policy.
69. 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 a location-restricted knife.
70. Using a cell phone or other electronic device to make an audio and/or video recording of another person in a restroom, locker room, changing room, or other similar area.
71. Vandalism or conduct constituting criminal mischief with respect to school facilities or property.
72. Violating the terms and conditions of a student behavior contract.
73. Violating Promesa Academy’s computer use policies, rules, or agreements, such as the Student

Acceptable Use policy, and including conduct involving but not limited to:

- a. Attempting to access or circumvent passwords or other security-related information of Promesa Academy or its students or employees, and uploading or creating computer viruses, including such conduct off school property if the conduct causes a substantial disruption to the educational environment.
 - b. Attempting to alter, destroy, or disable Promesa Academy computer equipment, Promesa Academy data, the data of others, or other networks connected to the Promesa Academy system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment.
 - c. Using the Internet or other electronic communications to threaten Promesa Academy students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
 - d. Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
 - e. Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.
74. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.
75. Repeated Level 2 incidents

Response/Discretionary Follow Up to Level 3 Incidents:

- Out-of-school suspension for five-ten days.
- Expulsion.

5.6 Freedom from Bullying and Cyberbullying

Promesa is committed to creating a nurturing school culture that promotes positive interpersonal and intergroup relations and respect for diversity among students and between students and staff. The ability of students to learn and meet high academic standards and the school community's ability to educate its students are compromised when students engage in discrimination or harassment, bullying, or intimidating behavior toward other students. The School prohibits bullying as defined by this policy, as well as retaliation against anyone involved in the complaint process. Bullying occurs when a student or group of students engages in written, or verbal expression, expression through electronic means, or physical conduct that occurs on school property at a school-sponsored or school-related activity, or in a vehicle operated by the school that:

- Has the effect or will have the effect of physically or emotionally 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 the 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 the school.

The school also prohibits cyber-bullying, which is defined as the use of any electronic communication device to engage in bullying or intimidation in or out of school.

Reporting Procedures — Any student who believes that he or she has experienced any form of bullying or believes that another student has experienced bullying should immediately report the alleged acts to the Campus Leadership Team, or a teacher, counselor, or other school employee. Any school employee or parent who receives notice that a student has or may have experienced bullying shall also immediately notify the Dean of Culture. A report may be made orally or in writing, or through the safety concerns report tool accessible via the Promesa website. This reporting tool can be accessed 24 hours a day, and can be completed anonymously. It is helpful to report incidents as soon as possible, at least 48 hours after the incident.

Investigation of Report — The Dean of Culture shall determine whether the allegations in the report, if proven, would constitute prohibited harassment, and if so proceed under that policy instead. The Dean of Culture shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate. If the results of an investigation indicate that bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. The school may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

Communication with Families — In making decisions as to whether an incident is considered bullying, and therefore requires a Level 3 or 4 consequence, an administrator will conduct a thorough investigation [using this flowchart](#). The Principal will communicate with the families of both the victim and the perpetrator throughout with the results of the investigation with an in-person meeting and any appropriate follow-up documentation.

Support for Students and Families — In all reports of bullying, counseling services will be offered to both the victim and the perpetrator. If the incident is determined to be bullying, the counselor or administrator will follow up with the students and families involved a week and a month after the incident, and will coordinate with families to ensure students are getting the support they need. Promesa believes that our students can learn from difficult situations and from their mistakes, and we aim to always have open communication with families to ensure

all of our students feel safe at school.

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

Appeal — A student or parent/guardian who is dissatisfied with the outcome of the investigation may appeal through the school’s grievance procedure.

Bullying Information for Families

- [Texas Bullying Laws](#)
- [Is it rude, is it mean, or is it bullying?](#)

5.7 Suspensions or Expulsions

Suspension

Promesa Academy utilizes two kinds of suspension: in school suspension and out of school suspension.

In School Suspension

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

1. Students must report to the detention room by 7:45 a.m. ISS will be run from 7:45a.m. until dismissal time.
2. Students will bring materials to work on, including an ISS assignment with their teachers’ names, subjects, and assignments.
3. Students will not be permitted to go to their classrooms. All materials must be brought to the room when reporting.
5. No disruptive behavior will be allowed.
6. Unexcused absences from suspension will be referred to the Principal or designee.
8. Students must abide by Promesa Academy’s policies and behavioral standards during their suspension period.
9. A student who misses a scheduled ISS session without a confirmed excuse will be assigned ISS when returning to school. 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 or designee 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

In deciding whether to order out-of-school suspension, the administrator may take into consideration factors including self-defense, prior discipline history, the student's status as a student in foster care or who is homeless, intent or lack of intent and other appropriate or mitigating factors determined by the administrator.

In addition to the Code of Conduct violations listed above that may result in suspension, the Principal or designee 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.

Special Rules for Suspensions Involving Homeless Students

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

1. Unlawful possession of a firearm or other weapon;
2. Assault, sexual assault, aggravated assault, or aggravated sexual assault; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana or a controlled substance, a dangerous drug, or an alcoholic beverage.

Emergency Placement

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 Promesa Academy or a school-sponsored activity, the Principal or designee may order immediate removal of the student. The Principal or designee may impose immediate suspension if he or she reasonably believes such action is necessary to protect persons or property from imminent harm. At the time of such an emergency removal, the student will be given verbal notice of the reason for the action and appropriate hearings will be scheduled within a reasonable time after the emergency removal.

5.7 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 Promesa Academy policy.

Process for Suspensions

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

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 efforts to notify the student's parent(s) that the student has been suspended before the student is sent home. The Principal or designee will notify a suspended student's parent(s) of the period of suspension, the grounds for the suspension, and the time and place for an opportunity to confer with the Principal or designee.

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 Expulsions

Notice

When the Principal or designee determine that a student's conduct warrants an 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 or designee, 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 Promesa Academy's evidence;
4. May be accompanied by his or her parent(s); and
5. May be represented by an attorney.
6. May bring their witnesses

Hearing Before the Principal

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

Within 48 hours or two school days, whichever is later, following the hearing, the Principal or designee will notify the student and the student's parent(s) in writing of his or her decision as to whether the student's conduct warrants an expulsion and, if so, the decision shall specify:

- a. When or if the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period if at all; and
- b. The right to appeal the Principal or designee's decision to the CEO/Superintendent.

The notice shall also state that failure to timely request such an appeal constitutes a waiver of further rights in the matter, and that disciplinary consequences will not be deferred pending the outcome of an appeal.

Appeal to the CEO/Superintendent

The student or his or her parent(s) may appeal the expulsion decision to the CEO/Superintendent by notifying the Principal in writing within five calendar days of the date of receipt of the Principal or designee's decision. The student and/or his or her parent(s) will be informed of the date, time, and location of the meeting in which the disciplinary consequence will be reviewed. The CEO/Superintendent will review the disciplinary administrative record and any audio recording or transcription/minutes of any hearings or conferences before the Principal or designee at a meeting. The appeal shall be limited to the issues and documents considered during the disciplinary consequence, except that if the administration intends to rely on evidence not included in the expulsion record, the administration shall provide the student or parent(s) notice of the nature of the evidence at least three days before the CEO/Superintendent meeting.

The CEO/Superintendent may, but is not required to, allow an opportunity for the student or parent(s) and the administration to each make a presentation and provide rebuttal and an opportunity for questioning by the CEO/Superintendent. The CEO/Superintendent will consider the appeal and may request that the administration provide an explanation for the disciplinary decision.

The CEO/Superintendent will communicate its decision, if any, orally or in writing before or during the meeting with CEO Superintendent.

Within 48 hours or two school days, whichever is later, following the hearing, the Principal or designee will notify the student and the student's parent(s) in writing of his or her decision as to whether the student's conduct warrants an expulsion and, if so, the decision shall specify:

- a. When or if the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period if at all; and

- b. The right to appeal the Principal or designee's decision to the CEO/Superintendent.

The notice shall also state that failure to timely request such an appeal constitutes a waiver of further rights in the matter, and that disciplinary consequences will not be deferred pending the outcome of an appeal.

Appeal to the Board of Directors

The student or his or her parent(s) may appeal the expulsion decision to the Board of Directors by notifying the CEO/Superintendent in writing within five calendar days of the date of receipt of the Superintendent's or designee's decision. The student and/or his or her parent(s) will be informed of the date, time, and location of the meeting in which the disciplinary consequence will be reviewed. The Board of Directors will review the disciplinary administrative record and any audio recording or transcription/minutes of any hearings or conferences before the Principal and CEO/Superintendent or designee at a meeting. The appeal shall be limited to the issues and documents considered during the disciplinary consequence, except that if the administration intends to rely on evidence not included in the expulsion record, the administration shall provide the student or parent(s) notice of the nature of the evidence at least three days before the Board of Directors meeting.

The Board of Directors may, but is not required to, allow an opportunity for the student or parent(s) and the administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board of Directors. The Board of Directors will consider the appeal and may request that the administration provide an explanation for the disciplinary decision.

The Board of Directors will communicate its decision, if any, orally or in writing before or during the meeting. The Board of Directors may not delegate its authority to issue a decision, and any decision by the Board of Directors is final and may not be appealed.

As stated above, disciplinary consequences will not be deferred pending the outcome of an appeal of an extended suspension or expulsion to the Board of Directors.

No Credit Earned

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

5.8 Placement of Students with Disabilities

All disciplinary actions regarding students with disabilities shall be conducted in accordance with the most current federal and state laws. A student with a disability shall not be excluded from his or her current placement pending appeal to the Board of Directors for more than ten days without

ARD Committee action to determine appropriate services in the interim. Pending appeal to a special education hearing officer, a student with a disability shall remain in the present education setting, unless the school and parents agree otherwise.

If a student's IEP includes a behavior improvement plan or behavioral intervention plan, the student's ARD committee shall review the plan at least annually and more frequently if appropriate to address:

1. Changes in a student's circumstances that may impact the student's behavior, such as:
 - a. Placement of the student in a different educational setting;
 - b. An increase or persistence in disciplinary actions taken regarding the student for similar types of behavioral incidents;
 - c. A pattern of unexcused absences; or
 - d. An unauthorized unsupervised departure from an educational setting; or
2. The safety of the student or others.

5.9 Gun-Free Schools Act

In accordance with the Gun-Free Schools Act, the school shall expel, from the student's regular program for a period of one year, any student who is determined to have brought a firearm, as defined by federal law, to school. The Chief Executive Officer or 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.

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.

5.10 Glossary

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

Abuse is improper or excessive use.

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

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

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

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

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

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

- Any vegetation, fence, or structure on open-space land; or
- Any building, habitation, or vehicle:
 - o Knowing that it is within the limits of an incorporated city or town,
 - o Knowing that it is insured against damage or destruction,
 - o Knowing that it is subject to a mortgage or other security interest,
 - o Knowing that it is located on property belonging to another,
 - o Knowing that it is located within property belonging to another, or
 - o 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 as 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 (1) 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; (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or the school; or (4) infringes on the rights of the victim at school. Bullying also includes "cyberbullying," which means bullying that is done through the use of any electronic communication device including a cellular telephone or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool. Bullying conduct includes conduct (1) that occurs on or is delivered to Promesa Academy property or to the site of a school-sponsored or school-related activity on or off school property; (2) that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and (3) cyberbullying that occurs off Promesa Academy property or outside of a school-sponsored or school-related activity if the cyberbullying (i) interferes with a student's educational opportunities or (ii) substantially disrupts the orderly operation of a classroom, Promesa Academy, or a school-sponsored or school-related activity.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Texas Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a public school; and the student knowingly alters, damages, or deletes school property or information; or commits a breach of any other computer, computer network, or computer system.

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 or electronic cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, electronic circuit to deliver nicotine or other substances to the individual inhaling from the device, or a consumable liquid solution or other

material aerosolized or vaporized during the use of an electronic cigarette or other similar device. The term also includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe; a dab pen; a vapor product; or any other similar device under another product name or description. Also included is any component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately 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.

False alarm to induce emergency response occurs when a person makes a report of a criminal offense or an emergency or causes a report of a criminal offense or an emergency to be made to a peace officer, law enforcement agency, 9-1-1 service, official or volunteer agency organized to deal with emergencies, or any other governmental employee or contractor who is authorized to receive reports of a criminal offense or emergency when (1) the person knows the report is false and (2) the report causes an emergency response from a law enforcement agency or other emergency responder.

Firearm is defined by federal law (18 U.S.C. § 921(a)) as:

- Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm weapon; or
- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Firearm silencer or suppressor 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.

Handgun is defined by Texas Penal Code § 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment is:

- Conduct that meets the definition of harassment set in Board policy and/or the Handbook;
- 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; or
- Conduct including the elements of (1) initiating a communication and in the course of the communication making a comment, request, suggest, or proposal that is obscene; (2) threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property; (3) conveying a false report that another person has suffered death or serious bodily injury; (4) causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm abuse, torment, embarrass, or offend another; (5) making a telephone call and intentionally failing to hang up or disengage the connection; (6) knowingly permitting a telephone under the person's control to be used by another to engage in harassment; or (7) publishing on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern.

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 for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization, if the act involves situations outlined in Texas Education Code § 37.151.

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.

Improvised explosive device is defined by Texas Penal Code § 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

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.

Intimate Visual Material means visual material that depicts a person (a) with the person's intimate parts exposed; or (b) engaged in sexual conduct.

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.

Location-Restricted Knife means a knife with a blade over five and one-half inches.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

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; armor-piercing ammunition; a chemical dispensing device; a zip gun; a tire deflation device; or an improvised explosive 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.

Public lewdness occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

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 Promesa Academy).

Tire deflation device means a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

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.

Trespassing means entering or remaining on the property of another (including Promesa Academy) without effective consent of the owner, and the person (1) had notice that the entry was forbidden; or (2) received notice to depart but failed to do so. Trespassing may also include presence on Promesa Academy campus if expelled or suspended.

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.

Vapor product means electronic cigarettes (e-cigarettes) or any other device that uses a mechanical heating element, battery, or electronic circuit to deliver vapor that may include nicotine to the individual inhaling from the device, or any substance used to fill or refill the device.

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 6. Student Use of Technology

Promesa Academy is committed to utilizing the maximum potential of technology to enhance student learning and increase teacher effectiveness by providing students with technology-related experiences. Recognizing the ever-changing influences of technology on all aspects of our lives, the school is dedicated to providing an integrated technological curriculum for all students. We carefully evaluate the effectiveness of resources to ensure we are following current research for the use of technology. We follow these principles:

- **Guiding Principle #1:** Technology—when used appropriately—can be a tool for learning.
- **Guiding Principle #2:** Technology should be used to increase access to learning opportunities for all children.
- **Guiding Principle #3:** Technology may be used to strengthen relationships among parents, families, early educators, and young children.
- **Guiding Principle #4:** Technology is more effective for learning when adults and peers interact or co-view with young children.

We believe that the thoughtful use of technology by families and early educators can engage children in key skills such as play, self-expression, and computational thinking which will support later success across all academic disciplines and help maintain young children's natural curiosity

With this in mind, we aim to ensure that the use of technology in the classroom connects to the curriculum. Although there may be strong resources to support learning targets throughout the school year, we will limit the use of technology for entertainment purposes (movies, games). There may be certain instances where a teacher would like to use a movie or game for instructional purposes or where a class may be rewarded with a movie or game day. In these cases, teachers will notify families through Remind at least two days in advance and families may choose to opt out of this for their children. There will be no more than one instance of using technology for entertainment purposes (i.e. for movies/games) per quarter.

Section 6.1 Student Safety and Acceptable Use

The school is aware that resources that 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 an Internet filtering system. However, users must recognize that it is impossible for the school to restrict access to all controversial material and individuals must be responsible for their own actions in navigating the network.

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

Section 6.2 Monitored Use

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

Section 6.3 Vandalism

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

Section 6.4 Technology Damage Agreement

Our school recognizes that with the implementation of blended learning in the curriculum, there is a need to protect the investment of the school and the interest of the students and parents/guardians. This damage fee policy pertains to all devices purchased by Promesa Academy; all student damages are treated on a case by case basis. Internal repairs are performed, but if severe enough, we work with our warranty vendor and invoice the listed parent/guardian for repayment.

Pricing below is for the repair cost and what the parent/guardian responsibility will be for each event. If a family cannot afford the repairs, we will work with that family to ensure that this does not place unnecessary financial stress on the family.

1st Breakage - Accidental or Intentional	\$75
2nd Breakage - Accidental or Intentional	\$145
3rd Breakage - Accidental or Intentional	\$294 (The full cost for a replacement)

Section 6.5 Student Accounts

Student accounts are active as long as the student is active in Promesa Academy. Access is lost after a withdrawal has been processed.

Family and Student Handbook Acknowledgement Form

The Family/Student Handbook, as found on Promesa Academy's website (www.promesaacademy.org), outlines the mission of the school, information related to student learning, expectations for student behavior, school policies and procedures, and other information related to student and parent/family rights. If you would like a printed version, please notify the front office at your child's campus and a copy will be sent home.

Please review the Student and Family Handbook carefully and return this form to your child's advisory teacher or the front office within 15 business days of receipt. A form should be filled out for each child that is enrolled at Promesa Academy and will be kept as part of his/her permanent school records.

By signing below, I acknowledge that I have received and reviewed the 2023-24 Family and Student Handbook. I agree to abide by the policies and procedures contained therein. I understand that the policies contained in the handbook may be added to, deleted, or changed at any time. All updates and/or revisions to this handbook will be sent home with your children.

Student Name & Grade

Date

Parent/Guardian Signature

Date