

**RE: Amendments to 2015–2016 Student/Parent Handbooks****DATE: September 19, 2015**

The following amendment to the Student/Parent Handbook (“Handbook”) and Student Code of Conduct (“Code of Conduct”) is effective immediately.

***The following section will replace “Attendance” section on page 12 of the Handbook, up to the “Attendance for Credit” subheading:***

**Attendance**

Regular school attendance is essential for a student to make the most of his or her education. Absences from class may result in serious disruption of a student’s mastery of the instructional materials; therefore, students and parents should make every effort to avoid unnecessary absences. Two state laws—one dealing with compulsory attendance, the other with attendance for course credit—are of special interest to students and parents. These laws are discussed below.

**Compulsory Attendance**

The state compulsory attendance law requires that a student between the ages of six and 19 must attend school and school- required tutorial sessions unless the student is otherwise legally exempted or excused. School employees must investigate and report violations of the state compulsory attendance law. A student absent from school without permission—including absence from any class, required special programs, such as SAT/ PSAT classes, or required tutorials—will be considered truant and subject to disciplinary action.

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day. If a student 19 years of age or older has more than five unexcused absences in a semester, the school may revoke the student’s enrollment, except that the school may not revoke the enrollment on a day on which the student is physically present at school. The student’s presence on school property thereafter would be unauthorized and may be considered trespassing.

Prior to revoking the student’s enrollment, the school shall issue a warning letter to the student, after the third unexcused absence, stating that the student’s enrollment may be revoked for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking enrollment, the school may impose a behavior improvement plan.

**Notice to Parents**

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

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

**Non-discrimination Statement as Part of the School's Admission Policy**

It is the policy of Harmony Public Schools (School) to comply with all state and federal regulations regarding admission and not to discriminate during the admission and the lottery process on the basis of gender, national origin, ethnicity, religion, disability, academic, artistic, athletic ability, or the district the child would otherwise attend.

**Application Requirement**

The School requires applicants to submit a complete application form in order to be considered for admission. For the first year of operation of a campus, the application period begins on January 10th (beginning date) and ends on June 25th (closing date). For each subsequent year of operation, the beginning and closing dates of the application period shall be January 10th and March 15th of each year, respectively.

In order to be eligible for admission, the applicant or qualifying occupant specified by Education Code 25.001(b) must generally reside in the geographic boundaries of the School and satisfy any other admissions criteria specified in this policy. See **Verification of Residency** below.

**Lottery Provisions**

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

**Development of Waiting List**

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

**Admission Process of Returning Students**

Returning students (students who currently attend the School and intend to return the next school year) are exempted from the lottery if they notify the School of their intent to return for the next school year by February 1<sup>st</sup> of the current school year.

**Siblings Policy and Children of the School's Founders and Employees**

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

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

**Applications Submitted Outside the Designated Application Period**

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

**Students with documented histories of a criminal offense and/or misconduct**

As authorized by Education Code § 12.111(a)(6)(A), the School shall exclude from enrollment those students who have a documented history of a criminal offense, a juvenile court adjudication, or other discipline problems under Subchapter A, Chapter 37 of the Education Code.

**Documents and Information Applicants are Required to Provide**

Applicants must submit a completed application form to be considered for admission. The application form must be signed and dated by the parent(s). The application form must include the following items:

- Applicant's name (first, last, and middle names)
- Applicant's birth date
- Applicant's current grade level and grade applied for
- Applicant's residential address
- Phone numbers
- Applicant's current school and district names
- Applicant's parents' name and signature
- Whether the applicant has a sibling already admitted to or attending the School
- Whether the applicant has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the Education Code.

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

**Reporting Transfer Students Pursuant to Civil Action 5281**

Civil Action 5281 requires that the Texas Education Agency not approve student transfers where the effect of such transfers changes the majority or minority percentage of the school population by more than one percent in either the sending or receiving district.

The School complies with the requirements for reporting transfer students pursuant to Civil Action 5281 by using the student transfer system provided on the Texas Education Agency's website under PEIMS section.

**Verification of Residency And Immunization Records for Enrollment**

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

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

- Current property tax bill with parent/guardian's name and property address;
- Current rental or lease agreement with parent/guardian's name, student name, and address, as well as manager or owner's name and telephone number;
- Documents related to the purchase of the residence with the parent/guardian's name and property address;
- Mail dated within 60 days before the application date from the following sources:
  - Social Security Administration;
  - A Texas State government agency;

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- Utility companies;
- Credit card bill;
- Financial institutions; including checking or savings;
- Insurance companies;
- State and Federal Revenue documents;
- Paycheck information.
- Other sources or documents demonstrating residency

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

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

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

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

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

**Adult Student Attendance Requirement For Continued Admission**

A person who voluntarily attends school after his or her 19<sup>th</sup> birthday shall attend school each school day for the entire period the program of instruction is offered. The School may revoke, for the remainder of the school year, the enrollment of a person who has more than five (5) absences in a semester that are not excused under Education Code § 25.087, except that the School may not revoke the enrollment on a day on which the person is physically present at school. A person whose enrollment is revoked under this subsection may be considered an unauthorized person on School grounds and a criminal trespass warning may be issued. Prior to revoking the person's enrollment, the School shall issue a warning letter to the person, after the third unexcused absence, stating that the person's enrollment may be revoked for the remainder of the school year if the person has more than five unexcused absences in a semester. As an alternative to revoking enrollment, the School may impose a behavior improvement plan.

**Student Residency Separate From Parent/Guardian**

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

**McKinney-Vento Policy Statement**

"Homelessness" means lacking a fixed, regular, and adequate nighttime residence. The Superintendent or designee shall appoint a Liaison for Homeless Children and Youths to serve as the primary contact between homeless families and school staff, shelter workers, and other service providers. The liaison will also assist in obtaining necessary immunizations, if needed. If a dispute arises over the enrollment of a homeless child, he shall be immediately admitted to the School until resolution of the dispute.

**McKinney-Vento Compliance**

The School shall strive to enroll and have attend, homeless children who are not currently attending school and shall adopt policies and practices to ensure that students, including homeless children are not stigmatized or segregated on the basis of their homeless status. The School shall review and revise policies which act as barriers to the enrollment of homeless children. In determining homelessness, the School shall

give consideration to factors such as transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

As a condition of receiving funds under the McKinney-Vento Homeless Education Assistance Improvements Act, the School shall serve homeless children according to their best interests. In determining the best interest of a child, the School shall:

1. To the extent feasible, keep a homeless child in the school of origin—the school that the child attended when permanently housed or the school in which the child was last enrolled—except when doing so is contrary to the wishes of the child’s parent or guardian;
2. Provide a written explanation to the homeless child’s parent or guardian, including a statement of appeal rights, if the School sends the child to a school other than the school of origin or a school requested by the parent or guardian; and
3. In the case of an unaccompanied youth, consider the views of the child and provide the notice required in the event of an enrollment dispute.

The School selected for attendance in accordance with the McKinney-Vento Homeless Education Assistance Improvements Act shall immediately enroll a homeless child even if the child is unable to produce records normally required for enrollment. The School shall immediately contact the last School the child attended in an attempt to obtain relevant academic and other records. If the child needs immunizations, or immunization or medical records, the School shall immediately refer the child’s parent or legal guardian to the School’s homeless liaison for assistance.

Should a dispute arise over school identification and/or enrollment thought to be homeless, the child shall be immediately admitted to the School pending resolution of the dispute. The School shall provide the child’s parent or guardian with a written explanation of the decision regarding school selection or enrollment, including the right to appeal the School’s enrollment decision. The School shall also refer the child, parent, or guardian to the homeless liaison, who shall conduct a dispute resolution process as expeditiously as possible.

### **Discrepancies in Student Name**

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

### **Food Allergy Information**

The parent of each student enrolled at the School must complete a form provided by the School that discloses (1) whether the child has a food allergy or a severe food allergy

that should be disclosed to the School to enable the School to take any necessary precautions regarding the child's safety and (2) specifies the food(s) to which the child is allergic and the nature of the allergic reaction.

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

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

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

# **CHARTER SCHOOL BOARD POLICY MANUAL**

## **POLICY GROUP 3 – STUDENTS**

### **STUDENT RIGHTS AND RESPONSIBILITIES: PARENT AND STUDENT COMPLAINTS AND GRIEVANCES**

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#### **Guiding Principles**

##### **Informal Process**

The Board encourages students and parents to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other campus administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

##### **Formal Process**

If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

##### **Freedom from Retaliation**

Neither the Board nor any Harmony Public Schools (School) employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

##### **Notice to Parents and Students**

The School shall inform students and parents of this policy.

#### **Complaints**

In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all student and parent complaints, except as provided below.

##### **Exceptions**

This policy shall not apply to:

1. Complaints concerning discrimination or harassment based on race, color, gender, national origin, disability, or religion. See PG-3.41 (procedures for reporting prohibited conduct).

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2. Complaints concerning retaliation related to discrimination and harassment. See PG-3.41 (procedures for reporting prohibited conduct).
3. Complaints concerning bullying or retaliation related to bullying. See “Freedom from Bullying and Cyber-Bullying,” Student Handbook.
4. Matters addressed in court through attendance enforcement. See PG-3.5 (Attendance Enforcement)
5. Complaints concerning loss of credit on the basis of attendance. See PG-3.6 (Attendance for Credit).
6. Complaints concerning expulsion. See PG-3.25 (Student Discipline: Expulsion).
7. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504. See PG-3.11 (Equal Educational Opportunity) and the procedural safeguards handbook.
8. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act. See PG-3.26 (Student Discipline: Students with Disabilities) and the procedural safeguards handbook.
9. Complaints regarding the Free and Reduced Price Meal Program. See this Policy, Pages 3 and 4.

### **General Provisions**

#### **Filing**

Student and/or parental complaints shall be submitted in writing on a form provided by the School. Copies of documents that support the complaint shall be attached to the complaint form or presented at the Level One conference. After the Level One conference, no new documents may be submitted unless their existence was unknown to the complainant before the Level One conference. A complaint that is incomplete may be dismissed.

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

#### **Level One**

The student or parent shall request in writing a conference with the appropriate Assistant Principal within three days from the time the event(s) causing the complaint were or should have been known. Following a conference, the appropriate Assistant Principal shall have seven days to issue a grievance decision and to provide written notice of that decision to the student or parent complaining.

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**Note:** In accordance with PG-3.11 (Equal Educational Opportunity), Level One complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be filed within fifteen (15) school days.

#### **Level Two**

If the student or parents is not satisfied with the Level One decision, or if no decision is provided, the student or parent may request in writing a conference with the Campus Administrator or designee. The request must be filed within seven days of the Level One decision or the response deadline if no decision is made. The Campus Administrator or designee shall hold the conference within seven days of the request.

The student or parent shall submit a signed statement of the complaint, any evidence supporting the complaint, and the date and results of the conference with the Campus Administrator. The Campus Administrator or designee shall have seven days following the conference to issue a grievance decision and to provide written notice of that decision to the student or parent complaining.

#### **Level Three**

If the student or parent is not satisfied with the Level Two decision, or if no decision is provided, the student or parent may request in writing a conference with the Cluster Superintendent or designee. The request must be filed within seven days of the Level Two decision or the response deadline if no decision is made. The Cluster Superintendent or designee shall hold the conference within seven days of the request.

The student or parent shall submit the documentation submitted to Campus Administrator, and the date and results of the conference with the Campus Administrator. The Cluster Superintendent or designee shall have seven days following the conference to issue a grievance decision and to provide written notice of that decision to the student or parent complaining.

#### **Level Four**

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

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

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

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

#### **Complaints Regarding the Free and Reduced Price Meal Program**

The following procedures apply to all complaints made by parents regarding the School's administration of the Free and Reduced Price Meal Program:

1. Parents with concerns or complaints will be directed to the Child Nutrition Director for the appropriate campus.
2. The parent will complete a Complaint Form that is available in the front office.
3. Completed forms must be returned to the campus Child Nutrition Director.
4. The campus Child Nutrition Director will provide completed forms to a Hearing Officer who is designated by the Campus Principal.
5. The campus Hearing Officer will forward the completed form to the Texas Department of Agriculture.

# HPS CHARTER SCHOOL BOARD POLICY MANUAL

WELLNESS AND HEALTH SERVICES: MENTAL HEALTH INTERVENTION AND SUICIDE PREVENTION PG-3.46

## POLICY

### Mental Health Intervention And Suicide Crisis Intervention Program

The School will provide student mental health intervention and a suicide crisis intervention program, which shall include training for appropriate Harmony staff on early warning signs of suicide, and signs of when intervention is needed.

### System Wide Coordinator

The Superintendent or designee shall appoint at least one employee to serve as a System Wide Coordinator for the purpose of coordinating the suicide prevention program, coordinating training, and maintaining data.

### Staff Training

The System Wide Coordinator shall designate and coordinate suicide prevention training to be provided:

- a. To existing educators, within one year of the adoption of this policy, and thereafter on a schedule adopted by the Texas Education Agency; and
- b. To all new educators, on an annual basis, as part of the new employee orientation.

The suicide prevention training provided by the System Wide Coordinator shall use a best practice-based program recommended by the Department of State Health Services in coordination with the Texas Education Agency under Health and Safety Code 161.325.

The suicide prevention training may also be satisfied through independent review of suicide prevention training material that is offered online and complies with the guidelines developed by the Texas Education Agency.

### Early Warning Report

HPS staff shall report to the appropriate campus liaison a student who displays early warning signs indicating a possible need for early mental health intervention, or who may be at risk of committing suicide. The report should reflect the reporter's belief that a child exhibits early warning signs that the child may need a early mental health intervention, or has exhibited warning signs of being at risk of committing suicide The person making the report shall identify, if known:

1. The name and address of the child;
2. The name and address of the person responsible for the care, custody, or welfare of the child; and

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3. Any other pertinent information concerning the alleged or suspected abuse or neglect.

#### **Suicide Threat Report**

HPS staff shall report a suicide threat to the appropriate campus liaison, and the principal. No suicide threat shall be ignored. A suicide threat is defined as any spoken, written, or behavioral indication of self-destructive tendencies with the intent of taking one's own life.

School personnel shall not be expected to accept responsibility for making a decision regarding the sincerity of the student's intent or likelihood that the threat will be carried out. The campus liaison, in consultation with the parents, shall proceed with providing the student with immediate counseling to determine if additional interventions are required. Specific procedures regarding suicide threats shall be a part of the crisis plan for each campus.

#### **Suicide Attempt Response**

Any attempted suicide shall be treated initially as a medical emergency. A suicide attempt is defined as any life-threatening behavior or gesture on the part of a student with the intent of taking his or her life. It is not left to the discretion of school personnel to determine the seriousness of the attempt or threat. Specific procedures for management of cases involving attempted suicide shall be a part of the crisis plan.

HPS staff shall also report a suicide attempt to the appropriate campus liaison, and the principal.

#### **Notice To Parent**

When a campus liaison receives information regarding a student who is possibly in need of mental health intervention or at risk of committing suicide, or who has threatened suicide, the campus liaison shall notify the student's parent and provide information about appropriate counseling options. EXCEPTION: If the campus liaison has reason to believe that the child's mental state relates to parental abuse or neglect, the notice shall be given to the Texas Department of Family and Protective Services.

#### **Procedure For Notice To Parent**

When contacting a parent/guardian, the campus liaison should:

1. Provide his/her name and position in the school;

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2. Tell the parent/guardian that he or she has reason to believe that the student is possibly in need of mental health intervention, or at risk of committing suicide, or has threatened to commit suicide;
3. Assure the parent/guardian that the student is currently safe;
4. Ask the parent/guardian whether he or she is aware of the student's mental state;
5. Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
6. Provide names of community counseling resources if appropriate, and offer to facilitate the referral; and
7. Determine the parent's intent to seek appropriate services for the student.

In the event of a threat to commit suicide, a suicide attempt, or if the liaison officer otherwise has reason to believe that the student is at imminent risk of suicide, the liaison officer will insure that the parent or guardian is aware that they must personally pick up the student from the school.

#### **Inability To Reach Parent**

If the campus liaison is unable to make contact with the parent/guardian by the end of the school day, then he or she shall follow the school's crisis management plan.

#### **Discovery Of Potential Abuse Or Neglect**

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the campus liaison shall report the abuse or neglect to the Texas Department of Family and Protective Services by contacting one of the following:

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

#### **Medical Screenings**

Only a student's parent may consent to a medical screening. Unless a student's parent has provided prior consent, no medical screening shall be used as part of the process of

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identifying whether a student is possibly in need of intervention or at risk of committing suicide. Sec. 161.325(e) Texas Health & Safety Code.

#### **Student Safety**

If there has been a suicide threat, a suicide attempt, or the liaison officer otherwise has reason to believe that the student is at imminent risk of suicide, the student shall remain under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

#### **Notice To Student**

The campus liaison may also provide the student information about appropriate counseling options, and facilitate the student's access to those options.

#### **Consent To Counseling**

Section 32.004(a) Texas Family Code, allows a child to consent to counseling for suicide prevention.

Section 32.004(b) Texas Family Code, allows a licensed or certified physician, psychologist, counselor, or social worker having reasonable grounds to believe that a child is contemplating suicide, to:

1. Counsel the child without the consent of the child's parents or, if applicable, managing conservator or guardian;
2. With or without the consent of the child who is a client, advise the child's parents or, if applicable, managing conservator or guardian of the treatment given to or needed by the child; and
3. Rely on the written statement of the child containing the grounds on which the child has capacity to consent to the child's own treatment under this section.

Section 32.004(c) Texas Family Code, provides that unless consent is obtained as otherwise allowed by law, a physician, psychologist, counselor, or social worker may not counsel a child if consent is prohibited by a court order.

#### **Required Documentation**

The campus liaison shall document the phone call to the parent/guardian by recording: (a) the time and date of the call; (b) the individual contacted; (c) the parent/guardian's response; and (d) anticipated follow-up.

**Attendance Clerks**

The Superintendent has designated School secretaries to serve as the Attendance Clerks of Harmony Public Schools (School).

**Powers and Duties**

The Attendance Clerks have the following powers and duties with respect to enforcement of compulsory school attendance requirements:

1. To investigate each case of a violation of the compulsory school attendance requirements referred to an Attendance Clerk;
2. To enforce compulsory school attendance requirements by:
  - a. Applying truancy prevention measures adopted under Education Code 25.0915 to a student; and
  - b. If the truancy prevention measures fail to meaningfully address the student's conduct:
    - i. Referring a student to a truancy court if the student has unexcused absences for the amount of time specified under Family Code 65.003(a); and
    - ii. Filing a complaint in a county, justice, or municipal court against a parent who violates Education Code 25.093;
3. To monitor school attendance compliance by each student investigated by the Attendance Clerk;
4. To maintain an investigative record on each compulsory school attendance requirement violation and related court action and, at the request of a court, the Board, or the Commissioner, to provide a record to the individual or entity requesting the record;
5. To make a home visit or otherwise contact the parent of a student who is in violation of compulsory school attendance requirements, except that an Attendance Clerk may not enter a residence without permission of the parent or of the owner or tenant of the residence; and
6. At the request of a parent, to escort a student from any location to a school campus to ensure the student's compliance with compulsory school attendance requirements.

### **Attendance for Credit**

Except as provided below and in accordance with the Harmony Public Schools (School) Charter, a student shall not be given credit for a class unless the student is in attendance 90 percent of the days the class is offered. This restriction does not affect a student's right to excused absences to observe religious holy days.

### **Extenuating Circumstances**

#### **Attendance Review Committee**

The Board shall appoint one or more attendance review committees to hear petitions for class credit by students who have not met the 90 percent rule to determine whether there are extenuating circumstances for the absences and how the student can regain credit, if appropriate.

In determining whether there were extenuating circumstances for the absences, the attendance review committee will use the following guidelines:

1. All absences will be considered in determining whether a student has attended the required percentage of days.
2. If makeup work is completed, absences for the reasons listed at Board Policy PG-3.7 (Compulsory Attendance) will be considered days of attendance for this purpose.
3. A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the School.
4. For a student transferring into the School after school begins, only those absences after enrollment will be considered.
5. In reaching a decision about the student's absences, the committee will attempt to ensure that it is in the best interest of the student.
6. The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
7. The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
8. The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
9. The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit.

#### **Appeal**

The student or parent may appeal the committee's decision to the Board of Directors by filing a written request with the Superintendent in accordance with Board Policy PG-3.30 (Student/Parent Grievances).

**Withdrawal for Nonattendance**

The School may initiate withdrawal of a student under the age of 19 for nonattendance under the following conditions:

1. The student has been absent on ten or more consecutive school days; and
2. Repeated efforts by the attendance clerk and/or Principal to locate the student have been unsuccessful.

**Compulsory Attendance**

A student between the ages of six and 19 shall attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

**Student's 19 and Older**

A student who voluntarily enrolls in school or voluntarily attends school after the student's 19th birthday shall attend school each school day for the entire period the program of instruction is offered. If a student 19 or older has more than five unexcused absences in a semester, Harmony Public Schools (School) may revoke the student's enrollment, except that the School may not revoke the enrollment on a day on which the student is physically present at school. The student's presence on school property thereafter is unauthorized and may be considered trespassing.

Prior to revoking the student's enrollment, the School shall issue a warning letter to the student, after the student's third unexcused absence, stating that the student's enrollment may be revoked for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking enrollment, the School may impose a behavior improvement plan described by Education Code 29.0915.

**Accelerated Instruction**

A student in grades 3–8 will be required to attend an assigned accelerated instruction program, before or after school or during the summer, if the student does not meet the passing standards on the state assessment for his or her grade level and applicable subject area.

**Excused Absences for Compulsory Attendance Determinations**

For purposes of compulsory attendance, a student shall be excused from attending school for the following purposes:

1. **Observing religious holy days.** A student who is observing holy days is allowed up to one day of excused travel for travelling to the site where the student will observe the holy days and up to one day of excused travel for traveling from that site.
2. **Attending a required court appearance.** A student who is attending a required court appearance is allowed up to one day of excused travel for traveling to the site where the student will attend the required court appearance and up to one day of excused travel for traveling from that site.

3. **Citizenship paperwork.** Appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship. A student who is appearing at a governmental office to complete such paperwork is allowed up to one day of excused travel for travelling to the site where the student will complete the paperwork and up to one day of excused travel for traveling from that site.
4. **Citizenship proceedings.** Taking part in a United States naturalization oath ceremony. A student who is taking part in such a ceremony is allowed up to one day of excused travel for traveling to the site where the student will take part in the ceremony and up to one day of excused travel for traveling from that site.
5. **Service as an election clerk.** A student who is serving as an election clerk is allowed up to one day of excused travel for traveling to the site where the student will serve as an election clerk and up to one day of excused travel for traveling from that site.
6. **Children in conservatorship of DFPS.** A student who is in the conservatorship of the Department of Family and Protective Services and misses school:
  - a. To participate in an activity ordered by a court under Family Code Chapter 262 or 263, provided that it is not practicable to schedule the participation outside of school hours; or
  - b. To attend a mental health or therapy appointment or family visitation as ordered by a court under Family Code Chapter 262 or 263.
7. **Health care appointments.** Temporary absence resulting from an appointment with a health-care professional if the student commences classes or returns to school on the same day of the appointment. The appointment should be supported by a document such as a note from the health-care professional. "Temporary absence" includes the temporary absence of a student diagnosed with autism spectrum disorder on the day of the student's appointment with a health-care practitioner to receive a generally recognized service for persons with autism spectrum disorder, including applied behavior analysis, speech therapy, and occupational therapy.

8. **Taps at military funeral.** The School may excuse a student in grades 6–12 for the purpose of sounding “Taps” at a military honors funeral held in Texas for a deceased veteran.
9. **College visits.** The School may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student’s junior and senior year for the purposes of determining the student’s interest in attending the institution of higher learning. The School may not excuse for this purpose more than two days during the student’s junior year and two days during the student’s senior year. The student must obtain approval from the Principal to visit an institution of higher education, follow campus procedures to verify such a visit, and make up any work missed.
10. **Military dependents.** The School shall excuse a student whose parent, stepparent, or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from continuous deployment of at least four months outside the locality where the parent, stepparent, or guardian regularly resides, to visit with the student’s parent, stepparent, or guardian. The School may not excuse a student under this provision more than five days in a school year. An excused absence for this reason must be taken not earlier than the 60th day before the date of deployment or not later than the 30th day after the date of return from deployment.
11. **Other excused absences.** A person required to attend school may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or Superintendent.

**Parental Consent for Absence**

A student absent from school for any portion of a school day shall provide a note to the campus office upon return, signed by the parent or medical provider (see below) that describes the reason for the absence. A note signed by the student, even with the parent’s permission, will not be accepted unless the student is 18 or older.

**Failure to Provide Note**

Upon return to school, a student who has been absent and who fails within three days of the student’s absence to bring a statement from a parent or medical provider verifying the illness or condition that caused the student’s absence, the absence will be unexcused.

**Make-Up Work**

The student shall be allowed a reasonable time to make up schoolwork missed on the days described above. If the student satisfactorily completes the work, the days of absence shall be counted as days of compulsory attendance. The student shall not be penalized for the absence. The Superintendent or designee shall prepare procedures for acceptance of make-up work.

**Notices to Parents**

The School shall notify a student's parents in writing at the beginning of the school year that, if a student is absent from school on ten or more days or parts of days within a six-month period in the same school year, the student's parent is subject to prosecution under Education Code 25.093; and the student is subject to referral to a truancy court for truant conduct under Family Code 65.003(a).

**Notice of Absences**

The School shall notify a student's parent if the student has been absent from school, without excuse under Education Code 25.087, on three days or parts of days within a four-week period. The notice must:

- Inform the parent that:
  - It is the parent's duty to monitor the student's school attendance and require the student to attend school,
  - The student is subject to truancy prevention measures under Education Code 25.0915; and
- Request a conference between school officials and the parent to discuss the absences.

**Failure to Comply with Compulsory Attendance**

School employees must investigate and report violations of the state compulsory attendance law. A student absent without permission from school; from any class; from required special programs, such as additional special instruction, termed "accelerated instruction" by the state; or from required tutorials will be considered in violation of the compulsory attendance law and subject to disciplinary action.

If a student fails to attend school without excuse on ten or more days or parts of days within a six-month period in the same school year, the School shall, within ten school days of the student's tenth absence, refer the student to a truancy court for truant conduct under Family Code 65.003(a). The School may also file a complaint against the student's parent in a county, justice, or municipal court for an offense under Education Code 25.093 if the School provides evidence of the parent's criminal negligence.

The School may delay a referral of a student for truant conduct, or may choose to not refer a student for truant conduct, if the School is applying truancy prevention measures to the student under Education Code 25.0915 and determines that the truancy prevention measures are succeeding and it is in the best interest of the student that a referral be delayed or not be made.

The School shall initiate truancy prevention measures under Education Code 25.0915 on a student, if the student fails to attend school without excuse on three or more days or parts of days within a four-week period, but does not fail to attend school for the time specified above.

### **Truancy Prevention Measures**

In an effort to prevent truancy and to reduce the need for referrals to truancy court, the School will take one or more of the following truancy prevention measures applicable to students identified as potential truants, designed to address student conduct related to truancy in the School setting before the student engages in truancy:

- a. Impose a behavior improvement plan on the student signed by an employee of the School, that the School has made a good faith effort to have signed by the student and the student's parent or guardian, and that includes:
  - i. specific description of the behavior that is required or prohibited for the student;
  - ii. the period for which the plan will be effective, not to exceed 45 school days after the date the contract; or
  - iii. the penalties for additional absences, including additional disciplinary action or the referral of the student to a truancy court; or
- b. Impose school-based community service; or
- c. Refer the student to counseling, mediation, mentoring, a teen court program, community-based services, or other in-school or out-of-school services aimed at addressing the student's truancy.

The School shall offer additional counseling to a student and may not refer the student to truancy court if the School determines that the student's truancy is the result of:

- a. Pregnancy;
- b. Being in the state foster program;
- c. Homelessness; or
- d. Being the principal income earner for the student's family.

**Filing Requirements**

Each referral to a truancy court must include a statement from the School certifying that the School applied truancy prevention measures to the student and that the truancy prevention measures failed to meaningfully address the student's school attendance. The referral must also specify whether the student is eligible for or receives special education services.

**Parental Consent for a Student to Leave Campus**

The School operates a closed campus. Students are not allowed to leave for any reason during the school day without properly checking out in accordance with campus rules and procedures.