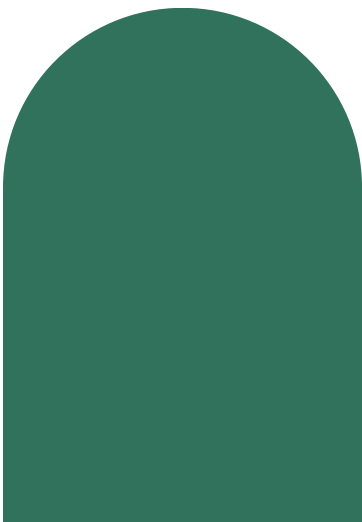




**SOMERSET ACADEMY**  
TEXAS

STUDENT & FAMILY

# CODE OF CONDUCT



On behalf of the Board of Directors, Administrators, Teachers and Staff – Welcome to Somerset Academy! We want this year to be a productive experience for each member of the Somerset Academy, Inc./Somerset Academies of Texas community. This requires us to work together towards a common goal of making our school the best place to learn and enhancing our students’ academic potential through being engaged partners in education. This Parent and Student Handbook (“Handbook”) is designed to help us accomplish this goal.

This Handbook is an overview of our school’s goals, services, and rules. It is an essential reference book describing what we expect of our students and parents, what they can expect of us, and how we will achieve our educational mission. We have attempted to make the language in this Handbook as straightforward as possible. Please note that the term “parent” is used to refer to the parent, legal guardian, or other adult who has agreed to assume school-related responsibility for a student. Additionally, you will notice throughout this Handbook symbols that indicate whether a policy applies only to students at certain grade levels. For example, “[E]” applies to grades K-5, “[M]” applies to grades 6-8, and “[H]” applies to grades 9-12. If there is no symbol next to a statement, the provision may apply to ALL STUDENTS.

The Handbook is divided into six sections. The first section includes general information regarding school policy and procedures. The second section provides important health and safety information. The third section provides information about academics and grading. The fourth section is the Student Code of Conduct, which is required by state law and intended to promote school safety and an atmosphere for learning. Both students and parents need to be familiar with the Student Code of Conduct. The Student Code of Conduct is posted on the school’s website. The fifth section is especially for parents, with information regarding parental rights. Finally, the sixth section contains important notices regarding student information, computer resources, and electronic communication devices. This Handbook is written to be consistent with Board Policy. While this Handbook is updated yearly, Board policy revisions and adoptions may occur throughout the year. Changes in policy that affect Handbook provisions will be made available to students and parents through newsletters, the school website, and other communications. Should there be a conflict between Board Policy and any provision of this Handbook, the provision that was most recently adopted by the Board of Directors will be followed.

Please review this entire Handbook and keep it for reference during this school year. Parents or students with questions regarding this Handbook should contact the Superintendent, the Deputy Superintendent, the Head of School or designee. Understanding the information in our Handbook will help us all to be better parents, students and staff of the Somerset Academies of Texas and lead to a successful year by working together. Every family will receive an “Acknowledgment and Approval of Student/Parent Handbook” – via the monthly newsletter OR via email. All students/parents must follow the Code of Conduct whether or not the acknowledgement is on file.

On behalf of the entire Somerset Academy, Inc./Somerset Academies of Texas staff and community, best wishes for a great school year!

Sincerely,

Dr. Bernardo E. Montero  
Interim Superintendent of Schools  
Somerset Academies of Texas

Cory Oliver, M.Ed.  
Deputy Superintendent  
Somerset Academies of Texas

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# SECTION 1 — GENERAL POLICIES AND PROCEDURES

## 1.1 Notice of Non-Discrimination

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

Any questions or concerns about the School’s compliance with these federal programs should be brought to the attention of the following persons designated to coordinate compliance with these requirements:

Title IX Coordinator, for concerns regarding discrimination on the basis of sex/gender:

Name: Cory Oliver / School Designee  
Position: Special Projects Coordinator  
Address: 4802 Vance Jackson San Antonio, TX 78230  
Phone: 210.541-0051  
Email: [cory.oliver@somersetacademytx.org](mailto:cory.oliver@somersetacademytx.org)

ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability:

Name: Julie DeClouette  
Position: Human Resources Manager  
Address: 4802 Vance Jackson San Antonio, TX 78230  
Phone: 210.541-0051  
Email: [jdeclouette@academicasw.org](mailto:jdeclouette@academicasw.org)

Age Discrimination Coordinator, for concerns regarding discrimination on the basis of age:

Name: Julie DeClouette  
Position: Human Resources Manager  
Address: 4802 Vance Jackson San Antonio, TX 78230  
Phone: 210.541-0051  
Email: [jdeclouette@academicasw.org](mailto:jdeclouette@academicasw.org)

All other concerns regarding discrimination: Name: Lisa Schutz

Name: Julie DeClouette  
Position: Human Resources Manager  
Address: 4802 Vance Jackson San Antonio, TX 78230  
Phone: 210.541-0051  
Email: [jdeclouette@academicasw.org](mailto:jdeclouette@academicasw.org)

## 1.2 Admissions and Enrollment Information

Admission and enrollment of students shall be open to persons who reside within the geographic boundaries stated in the School’s charter, and who are eligible for admission based on lawful criteria identified in the charter and in state law. The total number of students enrolled in the School shall not exceed the number of students approved in the charter or subsequent amendments. Total enrollment may further be limited by



Somerset Academy based on occupancy limitations, code compliance and staffing requirements as deemed necessary.

*In accordance with State law, Somerset Academy does not discriminate in its admissions policy on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic or athletic ability, or the district a student would otherwise attend.*

### **Exclusion from Admission**

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

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

The School requires applicants to submit a completed application form in order to be considered for admission. An admissions lottery will be conducted if the total number of applicants exceeds the number of open enrollment spots. Each applicant will be assigned a number, and all numbers will be placed in a container and randomly drawn one number at a time by the Head of School or designee. Each applicant whose number is drawn will be offered admission. Notification will be made by telephone, e-mail or U.S. Postal Service. Failure of an applicant to respond within 48 hours of the date of the telephone call or e-mail, or within three business days of a post- marked letter, will result in the forfeiture of his or her position in the application process. Parents notified by mail should call the admitting campus immediately upon receipt of the notice in order to preserve their child's position in the lottery.

Once all enrollment spots have been filled by the lottery, the remaining numbers will be drawn and the applicants assigned to these numbers will be placed on a waiting list in the order in which they were drawn. If a vacancy arises before the commencement of the school year, the individual on the waiting list with the lowest number assignment will be offered admission and then removed from the waiting list.

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

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

## **1.3 Attendance Policy**

Regular school attendance is essential for the student to make the most of his or her education and to benefit from teacher-supervised activities, to build each day's learning on that of the previous day, and to grow as an individual. Absences from class will affect a student's ability to succeed in class; therefore, students and parents should make every effort to avoid unnecessary absences. Additionally, state law mandates compulsory school attendance for children of a certain age, and another state law deals with attendance for course credit and a student's final grade. 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. Somerset Academy staff must investigate and report violations of the state compulsory attendance law. A

student absent from school without permission from any class, from required special programs, or from required tutorials will be considered “truant” and subject to disciplinary action.

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day. If a student 19 years of age or older has more than five unexcused absences in a semester, Somerset Academy 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, Somerset Academy shall issue a warning letter to the student after the third unexcused absence stating that the student’s enrollment may be revoked for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking enrollment, 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).*

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

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

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

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

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

If credit is lost because of excessive absences, the attendance committee will decide how the student may regain credit or earn a final grade. If the committee determines there are no extenuating circumstances and that credit or a final grade may not be earned, the student or parent may appeal the committee's decision to the Board of Directors by filing a written request with the Superintendent. The appeal notice must be postmarked to the following address within 30 days following the last day of instruction in the semester for which credit was denied:

Somerset Academies of Texas  
Notice of Appeal: Class Credit  
Attn: Superintendent  
4802 Vance Jackson  
San Antonio, Texas 78230

The appeal will then be placed on the agenda of the next regularly scheduled Board meeting. The Superintendent or designee shall inform the student or parent of the date, time, and place of the meeting.

### **Absence and Tardiness**

When a student must be absent from school, parents are asked to call the campus each day the student will be absent. Upon returning to school, the student must bring a note, signed by the parent, or a medical excuse signed and dated by a provider that describes the reason for the absence. If a note is not received within two school days of the absence, the absence may be recorded as unexcused.

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

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

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

- Religious holy days.
- Required court appearances.
- Activities related to obtaining United States citizenship.
- Service as an election clerk.
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student's arrival or return to campus.
- For students in the conservatorship (custody) of the state:
  - An activity required under a court-ordered service plan; or
  - Any other court-ordered activity, provided it is not practicable to schedule the student's participation in the activity outside of school hours.

A junior or senior student may also be absent for up to two days per school year for purposes of visiting a college or university, provided the student receives approval from the Head of School, follows the School's procedures to verify such a visit, and makes up any work.

Absences of up to two days in a school year will also be considered an exemption for a student serving as an early voting clerk, provided the student notifies his or her teachers and receives approval from the Head of School prior to the absence.

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

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

Unexcused Absences: Any absence not listed above will be considered an unexcused absence. Examples of unexcused absences include, but are not limited to:

- Car trouble;
- Failure to bring a written note within two school days following an absence; and
- Leaving school without the permission of the Head of School or designee or other administrator;
- Oversleeping;
- Personal business; and
- Vacations.

Tardiness: Students who are late to class are designated tardy and will be assigned disciplinary consequences if they are tardy, without an acceptable excuse, on four or more days within a period of 45 rolling school days. Egregious tardiness – e.g., arriving to school after attendance had been taken – will be classified as an absence for the purpose of compulsory attendance enforcement if unexcused.

Nearly all tardiness is avoidable and is excusable only in cases of illness or emergency. If a student arrives late to school, a parent must report to the School office to complete a tardy slip.

***Warning letters will be given for excessive tardies and absences.***

#### **Required Documentation of Absences**

When a student must be absent from school, parents are responsible for calling the School office each day to explain the reason for the student's absence. Upon returning to school, the student must bring a note to the School office, signed by the parent, which describes the reason for the absence. In order to excuse the absence, the note must:

- Be submitted to the School office within two school days of the student's return to school, and
- Describe an acceptable reason for the absence (see "Excused and Unexcused Absences" above).

A student may be excused for a temporary absence resulting from documented health-care appointments for the student or a child of the student if that student begins classes or returns to school on the same day of the appointment. A note from the health care professional must be provided to the School office upon the student's arrival to or return to school. Students whose absences are excused for these reasons may not be penalized for that absence and will be counted as if the student attended school for attendance purposes. The student will be allowed a reasonable amount of time to make up the missed schoolwork.

#### **Make-Up Work**

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

Teachers will provide students and parents with additional information regarding penalties for failure to complete make-up work within the time allotted, and the process for making up tests missed due to absence.

#### **Driver's License Attendance Verification**

The Texas Department of Public Safety ("DPS") is required to verify the attendance records of a student between the ages of 16 and 18 to obtain or renew a driver's license. In order for DPS to access this information or, in certain circumstances, for a school administrator to provide the student's attendance information to DPS. Written parental permission must be obtained. Students may obtain the required Verification of Enrollment ("VOE") form from the School office.

#### **1.4 Conferences with Teachers and Head of School or Designee**

Because the Head of School or designee and teachers serve students during the school day, they are often unable to accommodate unscheduled telephone calls or in-person conferences. When parents feel it necessary to contact the Head of School other a teacher, they are encouraged to leave their telephone numbers with the School office so that the Head of School or teacher may return the call later. Personal conferences are also welcome, and may be scheduled through the School office. Parents may also communicate with the Head of School or teachers via e-mail regarding school-related business.

#### **1.5 Daily Schedule**

The Main Campus Elementary school day runs from 7:30 AM to 3:00 PM.

Middle School and High School run from 8:00 AM to 3:20 PM and run on a ninety-minute block schedule in which students attend four classes daily. Each student has a total of eight classes. Students also meet daily with their advisory teacher for thirty minutes.

#### **1.6 Deliveries**

Packages such as flowers, balloons, etc., should not be delivered to the School for students. These items will not be delivered to the classroom.

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

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

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

##### **School Materials**

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

## **Non-School Materials**

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

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

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

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

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials over which the School 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 school premises unless the person or group obtains specific prior approval from the Superintendent or designee. To be considered, any non-school material must include the name of the sponsoring organization or individual. The requestor may appeal the Superintendent or designee's decision in accordance with Board policy.

## **1.9 Electronic Devices and Technology Resources**

### **Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones**

Electronic and telecommunication devices are a major source of distraction in the classroom. For this reason, students are not permitted to possess telecommunications devices, including but not limited to cell phones and pagers, during the instructional day, including during all testing, unless prior permission has been obtained from the Head of School or designee and the device is used for approved instructional purposes. A student must also have approval to possess other telecommunications devices such as netbooks, laptops, tablets, or other portable computers.

The use of mobile telephones or any device capable of capturing images is strictly prohibited in restroom areas or other sensitive areas while at school or at a school-related or school-sponsored event.

If a Somerset Academy employee observes a student using any electronic or telecommunication device (including a cell phone) during the school day or a school-related activity, the employee will collect the item and turn it in to the Head of School. If a student and parent have executed a waiver permitting the student to possess an electronic communication device at school, school officials may power on and search

the device if there is a reasonable cause to believe that the device has been used in the transmission or reception of communications prohibited by law, policy, or regulation.

A parent will be contacted to pick up the item and pay the applicable fine. A \$15 fee will be assessed before the parent is able to retrieve a telecommunication device. An additional \$15 fee will be assessed each subsequent time a telecommunication device is confiscated.

Any disciplinary action will be in accordance with the Student Code of Conduct.

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

### **Possession and Use of Other Personal Electronic Devices**

Except as described below, students are not permitted to possess or use personal electronic devices such as MP3 players, video or audio recorders, DVD players, cameras, games, e-readers, or other electronic devices at school, unless prior permission has been obtained. Without such permission, teachers will collect the items and turn them in to the Head of School. The Head of School or designee will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel.

Any disciplinary action will be in accordance with the Student Code of Conduct.

Somerset Academy is not responsible for any damaged, lost, or stolen electronic device.

### **Instructional Use of Personal Telecommunications and Other Electronic Devices**

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations may result in withdrawal of privileges and other disciplinary action.

Somerset Academy is not responsible for any damaged, lost, or stolen personal device.

### **Acceptable Use of Technology Resources**

School-owned technology resources for instructional purposes may be issued to individual students. Use of these technological resources, which include Somerset Academy's network systems and use of school equipment, is restricted to approved purposes only. Students and parents will be asked to sign an Acceptable Use Agreement Acknowledgment Form regarding use of these School resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

### **Unacceptable and Inappropriate Use of Technology Resources**

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according

to the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child the "[Before you Text](#)" Sexting and Bullying Prevention, Education, and Intervention Course, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

In addition, any student who engages in conduct that results in a breach of Somerset Academy's computer security will be disciplined in accordance with the Student Code of Conduct, and, in some cases, the consequence may rise to the level of expulsion.

## **1.10 Fees**

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

1. A fee for materials for a class project that the student will keep, if the fee does not exceed the cost of materials;
2. Membership dues in voluntary student clubs or organizations and admission fees to extracurricular activities;
3. A security deposit for the return of materials, supplies or equipment;
4. A fee for personal physical education and athletic equipment and apparel, although a student may provide the student's own equipment or apparel if it meets reasonable requirements and standards relating to health and safety;
5. A fee for voluntarily purchased items, such as student publications, class rings, pictures, yearbooks, graduation announcements, etc.;
6. A fee for voluntary student health and accident benefit plan;
7. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by the school;
8. A fee for items of personal apparel used in extracurricular activities that become the property of the student;
9. A parking fee
10. A fee for replacement of a student identification card;
11. If offered, a fee for a driver training course, not to exceed the actual cost per student in the program for the current school year;
12. A fee for an optional course offered for credit that requires the use of facilities not available on campus or the employment of an educator who is not part of the school's regular staff;
13. A fee for summer school courses that are offered tuition-free during the regular school year;
14. A reasonable fee, not to exceed \$50, for costs associated with an educational program offered outside of regular school hours through which a student who was absent from class receives instruction voluntarily for the purpose of making up the missed instruction and meeting the level of attendance required for class credit, so long as the fee would not create a financial hardship or discourage the student from attending the program;
15. A fee for lost, damaged, or overdue library book; or
16. A fee specifically permitted by any other statute.

Somerset Academy may grant a waiver for a fee or deposit if the student and/or parent(s) are unable to pay. A request for such a waiver must be submitted in writing to the Head of School or designee, and include evidence of inability to pay. Fee waiver forms may be requested from the administrative office.



Families are responsible for paying all fees associated with extracurricular programs, including clubs, parking, athletics, fine arts, University Interscholastic League (“UIL”) academics, prior to participation.

### **1.11 Leaving Campus During the School Day**

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

A student who will need to leave campus during the day must submit a note to the School office from his or her parent providing the following information:

1. Student’s name,
2. Reason for student’s need to leave campus,
3. Time student will need to be gone from campus,
4. Phone number where parent may be reached to confirm parent’s permission,
5. Parent’s name, and
6. Parent’s signature.

No student will be permitted to leave campus before the School office confirms the student’s need to leave campus with the student’s parent by phone.

Students who fail to check in or out before leaving and/or returning to campus will be considered truant from any instructional hours missed.

Students will not be allowed to leave in the custody of any person not named on the Student Registration Card. Photo identification is required to pick up a student.

### **Closed Campus**

Somerset Academy operates a closed campus. *This means that students are not allowed to leave campus for any reason during the school day*, without first obtaining permission from the school office.

### **1.12 Lost and Stolen Items**

All articles, including books, found on campus should be taken to the School office. All articles not claimed at the end of a school year will be disposed of through proper channels. The School is not responsible for lost or stolen items.

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

Homeless children and youth are ensured specific educational rights and protections under the McKinney-Vento Homeless Education Assistance Act of 2001. “Children and youth who are homeless,” as defined by this federal law, means and includes children who:

- Are abandoned in hospitals, or are awaiting foster care placement.
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations.
- Are living in emergency or transitional shelters.
- Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations.

- Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
- Have a primary nighttime residence that is a public or private place not designed as a regular sleeping accommodation for human beings.
- Lack a fixed, regular, and adequate nighttime residence.

Children who are homeless will be provided flexibility regarding certain policies and procedures, including proof of residency requirements; immunization requirements; educational program placement; award of credit; eligibility requirements for participating in extracurricular activities; continuing enrollment in the “school of origin” or enrollment in a new school in the attendance area where the student is currently residing; graduation requirements; and other related matters.

Questions concerning assistance offered to children and youth who are homeless can be obtained from <<Lisa Schutz, Superintendent, 3803 Lyster Road, San Antonio, TX 78235, 210.633.9006>>.

### **1.14 Meals**

Somerset Academy participates in the National School Lunch Program and offers nutritionally balanced breakfasts and lunches to students. Guidelines set by the Texas Department of Agriculture (“the TDA”) and United States Department of Agriculture (“USDA”) are followed to meet the nutritional needs of all students.

Free and reduced-price breakfasts and lunches are available based on financial need in accordance with federal and state law. Information about a student’s participation is confidential. See the Head of School or designee to receive additional information or to apply. Students must reapply for meal assistance each school year.

Special dietary needs or restrictions should be communicated to the Head of School or designee.

#### **Menus**

Menus may be obtained at the School office or School website.

#### **Payment for Meals**

Students are encouraged to purchase meals from the School in advance. Payments may be made to the student’s account weekly, monthly, or yearly. See the School office for acceptable methods for payment.

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

The TDA places strict limits on any food or drink provided or sold to students other than through the School’s Food and Nutrition Services. More detailed information may be obtained at the school office or online at [www.squaremeals.org](http://www.squaremeals.org). We encourage parents to help the School and their student adhere to the Nutrition Guidelines to promote a healthy diet.

***In addition, meals for students that are not your own child are not permitted. Such meals may create a health and safety issue for students on medication, special diets, and/or those who are allergic to certain types of foods. Bringing such a meal for a student who is not your child may also be against the wishes of that student’s parents.***

### **1.15 Messages for Students**

It is not possible to receive and deliver telephone messages and/or supplies to students without interrupting classes and interfering with the learning environment. In the case of an emergency, the School office should be contacted for assistance. (I.e. backpacks, athletic gear/supplies, food, homework, projects, etc.)

### **1.16 Parking Regulations [H]**

All student drivers must hold a valid driver's license and insurance. Being able to bring a vehicle on campus is a privilege. Somerset Academy is not responsible for damage to a vehicle that occurs while it is on campus. A student has full responsibility for the security of his or her vehicle and must make certain that it is locked and that the keys are not given to others. Permission is required for any student who finds it necessary to go to his or her vehicle during the school day.

Vehicles parked on campus 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 student shall be asked to unlock the vehicle and consent to a search of the vehicle. If the student refuses to permit the vehicle to be searched, the School may contact the student's parents and/or law enforcement officials. A student may be held responsible for prohibited items found in his or her vehicle parked on School property or at a School-related event.

#### **Operation of Motor Vehicles on Campus**

Students driving on School property must follow all posted speed limits and comply with traffic laws. Unsafe operation of a vehicle on campus (speeding, improper parking, etc.) may result in disciplinary action and/or removal of parking privileges.

#### **Parking Fee**

Students who drive to campus must park in designated student parking areas. Students may be required to purchase a parking sticker from the School office each year. If required, the failure to purchase a parking sticker will be considered a parking infraction and will result in appropriate disciplinary action.

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

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

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

### **1.18 Prayer and Meditation**

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

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

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

### **1.20 Respect for All**

The School has a diverse student population and strives to maintain an environment of respect and acceptance. Students must not engage in harassing behaviors toward students and school staff that are motivated by race, ethnicity, gender, sexual orientation, color, religion, national origin, disability or age.

Students are expected to treat other students and school staff with courtesy and respect, to avoid any behaviors known to be offensive, and to stop these behaviors when asked or told to stop.

### **1.21 School Calendar**

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

### **1.22 Skateboards**

Students are not permitted to use their skateboards, scooters, and/or roller blades on campus at any time. If a student is using any of the above instruments as a means of transportation to or from school, he or she must walk and carry the skateboard, scooter, and/or roller blades while on campus. Skateboards, scooters, or roller blades should be kept in a locker, or other designated place approved by a teacher or the Head of School or designee, until the end of the school day.

### **1.23 Student Information**

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

No later than 30 days after enrolling in the School, the parent and school district in which the student was previously enrolled shall furnish records that verify the identity of the student. These records may include the student’s birth certificate or a copy of the student’s school records from the most recently attended school.

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

### **Food Allergy Information**

The parent of each student enrolled 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").

### **Establishing Identification**

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

### **Undocumented Students**

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

### **Residency Verification**

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

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

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

## **1.24 Student Uniforms and Dress Code**

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

Parents must provide their student(s) with the required uniform, except in the case of educationally disadvantaged students as provided in the Texas Education Code. The School may provide a uniform for educationally disadvantaged students. A request for School assistance for purchasing uniforms must be made in writing to the Head of School or designee and include evidence of the inability to pay. Further details are available in the Head of School's office.

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

Students who do not follow the school's guidelines for personal attire and appearance may be subject to discipline under the Student Code of Conduct, and may be sent home from school.

Newly enrolled students may be provided with a grace period of up to two weeks to obtain appropriate Somerset Academy shirts. Students must comply with the School's remaining dress and grooming standards upon enrollment.

### **General Criteria**

A student's personal dress and grooming shall not:

1. Lead School staff to reasonably believe that such dress or grooming will disrupt, interfere with, disturb, or detract from school activities; or
2. Create health or other hazard to the student's safety or to the safety of others.

### **Specific Criteria**

Please consult your individual school's dress code as published at the beginning of the school year. If you have any questions, please contact the Superintendent or the Head of School.

For all students:

1. Appropriate undergarments must be worn at all times.
2. Students are to wear appropriate shoes at all times. All students are to wear non-skid, non-marking athletic or dress shoes (Sperry/loafer). House shoes, sandals, and shoes with wheels are not allowed. Matching laces must be worn and fastened tightly at all times. For girls, heels must not exceed three inches; stiletto heels are not acceptable. Students are required to wear athletic shoes for P.E. classes.
3. Hair must not be dyed with colors that are unnatural to the student. No extreme hairstyles (Mohawk/Faux- hawk/Spiked/Manbuns/Etc.) are allowed. Words, symbols, or designs shaved in hair (including facial hair and eyebrows) are not allowed.
4. Visible Tattoos are not allowed.
5. No headgear (hats, scarves, bandanas etc.) is allowed.
6. Tongue rings and visible body piercings, other than earrings, are not allowed. Dangling earrings are not allowed. Spacers in place of pierced earrings are not allowed. No gauges may be worn in pierced ears. "Grills" or temporary decorations on teeth are not allowed.

On School-sponsored "Jean Days," students are permitted to be out of uniform (including Senior dress) so long as the guidelines for general dress requirements are followed.

### **Unacceptable Attire**

The following attire is not appropriate for school:

- Jogger pants and leggings are not allowed.

- Any attire deemed inappropriate by the Head of School or designee is not allowed.

### **Important Note for Science Classes**

Many hairstyling products contain highly flammable chemicals, even when they are dry. It is advised that these should not be worn in Science classrooms, as there is a risk of ignition from open flames. Additionally, it is recommended that students purchase a plain apron for use in Science classes to protect their clothes from damage during lab work.

### **1.25 Telephone**

Students are requested not to ask for use of School telephones except in extreme emergencies. School staff will deliver messages in cases of emergency. Students may not make toll calls from office telephones.

### **1.26 Textbooks and Curriculum Materials**

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

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

A parent is entitled to request that Somerset Academy allow a student to take home any instructional materials used by the student. Somerset Academy will honor the request, subject to availability of the instructional materials. A student who takes home instructional materials must return the materials to school at the beginning of the next school day if requested to do so by the student's teacher. Somerset Academy must provide the instructional materials to the student in printed format if the student does not have reliable access to technology at the student's home. Somerset Academy also is not required to purchase printed copies of instructional materials that the school would otherwise not purchase; Somerset Academy may provide the student of relevant electronic instructional materials.

### **1.27 Transcripts / Academic Achievement Records**

Somerset Academy maintains an academic achievement record (transcript) for each student enrolled. Transcripts list complete personal student data, give complete scholastic grades, and report student activities, honors, and scores on standardized achievement tests.

Every student who graduates is entitled to two free transcripts. For each additional transcript, a charge of \$5 will be incurred. This fee must be paid at the time the request is made.

### **1.28 Transportation**

Students who participate in School-sponsored trips may be required to ride a School vehicle to and from the activity. The Head of School or designee may make an exception if the parent personally requests that

the student be permitted to ride to ride with the parent, or if the parent presents – prior to the day of the scheduled trip – a written request that the student be permitted to ride with an adult designated by the parent.

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

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

Only designated students are allowed to ride in the vehicle. Students may neither ride the vehicle to a different location nor have friends ride the vehicle to participate in after-school activities.

If a special needs student is receiving bus transportation as a result of an Individual Education Plan (“IEP”), the Admission Review and Dismissal (“ARD”) Committee will have the discretion in determining appropriate disciplinary consequences related to inappropriate behavior in a School vehicle.

## **1.29 Withdrawals**

### **Voluntary Withdrawal**

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

A student who is 18 years of age or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

Withdrawing students and parents are expected to:

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

### **Involuntary Withdrawal**

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

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

Additionally, the School may revoke the enrollment of a student 18 years of age or older who has more than five unexcused absences in one semester.



## SECTION 2 — HEALTH AND SAFETY INFORMATION

Student safety on campus and at School-related events is a high priority of Somerset Academy. While the School has implemented safety procedures, the cooperation of students is essential to ensure schoolsafety. Students should:

1. Avoid conduct that is likely to put the student or other students at risk;
2. Follow the behavioral standards in this Handbook, including the Student Code of Conduct, as well as any additional rules for behavior and safety set by the Head of School or designee, teachers, or school staff;
3. Remain alert to and promptly report to school staff safety hazards, such as intruders on campus and threats made by any person toward a student or school staff;
4. Know emergency evacuation routes and signals; and
5. Know emergency evacuation routes and signals; and
6. Immediately follow the instructions of school staff who are overseeing the welfare of students.

### 2.1 Administration of Medication

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

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

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

#### **Asthma and Anaphylaxis Medication**

Asthma and anaphylaxis are life threatening conditions, and students with those conditions may be allowed to possess and self-administer prescription medication for those conditions during the school day or at School-related events. Student possession and self-administration of asthma or anaphylaxis medication at

school require the student to demonstrate his or her ability to self-administer the medication for the physician or licensed health care provider and the Head of School or designee. Requirements also include written authorization from the student's parent and physician or other licensed health care provider on file in the School office indicating the student is capable of independently administering his or her own asthma or emergency anaphylaxis medication. With these safeguards in place the student may possess and self-administer his or her prescribed medication at his or her discretion during school hours or at School-related events.

Written authorizations to self-administer asthma or anaphylaxis medication should be updated annually unless otherwise indicated by the student's physician.

Medication in a student's possession must be in an original container with a prescription label. Please note that most pharmacies will place a label on the inhaler device upon request.

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

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

## **2.3 Asbestos Management Plan**

Somerset Academy has every facility inspected for asbestos before use by a licensed Asbestos Hazard Emergency Response Act ("AHERA") inspector. An Asbestos Management Plan is created for the School in accordance to federal regulations by AHERA. Parents may view the Asbestos Management Plan by contacting the School office.

## **2.4 Bacterial Meningitis**

State law requires Somerset Academy to provide the following information:

### **What is bacterial 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 common and most people recover fully. Parasitic and fungal meningitis are very rare. However, bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical and life support management.

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

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms. Children (over two years of age) and adults with meningitis commonly have a severe headache, high fever, and neck stiffness or joint pains. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. In both students 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 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 permanent severe health problems or disability.

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

Fortunately, none of the bacteria that causes meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. They are spread when people exchange saliva (such as by kissing, coughing, or sneezing). The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body's immune system and cause meningitis or another serious illness.

### **How can bacterial meningitis be prevented?**

Maintaining healthy habits, including getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, etc. Limit the number of persons they kiss.

There are vaccines available to offer protection from some of the bacteria that can cause bacterial meningitis. The vaccines are safe and effective (85-90 percent). They can cause mild side effects, such as a 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 students get more information?**

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

**Note:** The Texas Department of State Health Services requires at least one meningococcal vaccination on or after the student's 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education.

## **2.5 Child Abuse Reporting and Programs**

Somerset 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 abuse and other maltreatment of students, including knowledge of likely warning signs indication that a student may be a victim of abuse or maltreatment. Assistance, interventions, and counseling options are also available.

School administrators will 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 at school a student who is alleged to be a victim of abuse or neglect. 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 parents.

## **2.6 Communicable Diseases**

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

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

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

## **2.7 Cooperation with Law Enforcement Agencies**

### **Questioning of Students**

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the Head of School or designee will cooperate as outlined below:

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

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

### **Students Taken into Custody**

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

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

4. Pursuant to a properly issued directive to apprehend.
5. Pursuant to an order of the juvenile court.
6. Pursuant to the laws of arrest.
7. To comply with a properly issued directive to take a student into custody.

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

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

### **Staff Notification**

Somerset Academy 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 adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.
- All appropriate School personnel in regard to a student who is required to register as a sex offender.

## **2.8 Disruptions**

To protect student safety and sustain an educational program free from disruption, state law permits Somerset Academy to act against any person—student or nonstudent who:

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

## **2.9 Drug-Free School Notice**

Somerset Academy believes that student use of illicit drugs is both wrong and harmful. Consequently, the School prohibits the use, sale, possession, or distribution of illicit drugs by students on School premises or any School activity, regardless of its location. The School also prohibits the use, sale, possession, or distribution of look-alike substances and/or synthetic substances designed to imitate the look and/or effects

of illicit drugs. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

## **2.10 Dyslexia and Related Disorders**

From time to time, students may be tested and, where appropriate, treated for dyslexia and related disorders in accordance with programs, rules and standard approved by the state. Parents will be notified should Somerset Academy determine a need to identify or assess their student for dyslexia and related disorders.

## **2.11 Emergency Closings**

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

## **2.12 Emergency Medical Treatment**

If a student has a medical emergency at school or a School-related activity and the parent cannot be reached, School staff will seek emergency medical treatment unless the parent has previously provided a written statement denying this authorization. Parents are asked each year to complete an “Emergency Care” consent Form, which includes information about their student’s allergies to medications, etc. Parents should keep emergency contact information current (e.g., name of doctor, emergency phone numbers, allergies, etc.). Please contact the campus secretary or registrar to update any information.

## **2.13 Fire and Disaster Drills, Lockdown Drills**

Fire and emergency drills are conducted for two purposes:

1. To train students to leave the building orderly and quickly in case of an emergency alarm, and
2. To teach self-control in times of emergency.

When a safety alarm is sounded, all students should immediately walk out of the room and proceed to the designated exit. They should walk in an orderly manner, with no talking or pushing. When the students reach the safety zone designated by the teacher, they should face the building but remain in line.

Emergency drills will be conducted throughout the school year.

## **2.14 Freedom from Bullying and Cyberbullying**

Somerset Academy prohibits bullying as defined by this section, as well as retaliation against anyone involved in the complaint and/or grievance process. Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

- Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property;

- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; or
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or Somerset Academy; or
- 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 through the use of a cellular 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.

Somerset Academy's bullying policy applies to:

- Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- Bullying 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
- Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
  - Interferes with a student's educational opportunities; or
  - Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

### **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 Head of School or designee, a teacher, counselor, or other School employee. A report may be made orally or in writing. Any School employee who receives notice that a student has or may have experienced bullying shall immediately notify the Head of School or designee.

### **Investigation of Report**

The Head of School or designee shall determine whether the allegations in the report, if proven, would constitute prohibited harassment, and if so proceed under that policy instead. See Section 2.15 of this Handbook. The Head of School or designee 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.

The Head of School or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred. If the results of an investigation indicated 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.

A student who receives special education services will be disciplined for conduct meeting the definition of bullying or cyberbullying within applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). Somerset Academy may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

The Head of School or designee may make a report to local law enforcement authorities if, after an investigation is completed, the Head of School or designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment), Texas Penal Code.

### **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 who is dissatisfied with the outcome of the investigation may appeal through the School's student and parent complaint procedure as outlined in Section 5.5.

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

### **Statement of Nondiscrimination**

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

### **Discrimination**

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

### **Prohibited Harassment**

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

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

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

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

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



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

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

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

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

- A School employee causes the student to believe that the student must submit to the conduct in order to participate in a School program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
- The conduct is so severe, persistent, or pervasive that it:
  - Affects the student’s ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student’s educational opportunities; or
  - Creates an intimidating, threatening, hostile, or abusive educational environment.
  - Gender-based harassment includes harassment based on a student’s gender, expression by the student of stereotypical characteristics associated with the student’s gender, or the student’s failure to conform to stereotypical behavior related to gender.

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

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

### **Dating Violence**

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

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

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

### **Retaliation**

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

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

### **Reporting Procedures**

Any student who believes that he or she has experienced prohibited harassment or believes that another student has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, the Head of School or designee, or other School employee.

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 a Compliance Coordinator, may be directed to the Board of Directors. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

### **Investigation of Complaints**

After receiving a complaint of prohibited discrimination or harassment, the School may require the student to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the appropriate Compliance Coordinator or other authorized School official shall promptly authorize and undertake an investigation. Following completion of the investigation, the Compliance Coordinator or other authorized School official will prepare a written decision regarding the complaint, including a determination of whether prohibited discrimination or harassment occurred.

When appropriate, the School may take interim action to avoid additional opportunities for discrimination or harassment. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and any others with knowledge of the circumstances surrounding the allegations. If the results of the investigation establish that prohibited discrimination or harassment occurred, the School shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the discrimination or 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.

### **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.

## **Appeal**

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the School's student and parent complaint procedure as outlined in Section 5.5. 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.

## **2.16 Freedom from Hazing**

Somerset Academy prohibits hazing as defined by this Handbook. Hazing means any intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

- Is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
- Involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or
- Involves coercing the student to consume a drug or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.

Any student who believes that he or she has experienced any form of hazing or believes that another student has experienced hazing should immediately report the alleged acts to the Head of School or designee, a teacher, counselor, or other School employee. A report may be made orally or in writing. Any School employee who receives notice that a student has or may have experienced hazing shall immediately notify the Head of School or designee. Somerset Academy will investigate each report of potential hazing, and take appropriate remedial action as needed. Student violators are also subject to disciplinary consequences under the Student Code of Conduct.

## **2.17 Gang Activity**

Somerset Academy will not tolerate gang-related activity at school or at any School activity, whether on or off School property. This includes, but is not limited to, wearing articles of clothing generally associated with gang membership, hand signs used by gangs, graffiti, and any other behaviors considered by the administration to interfere with the educational program of the School.

## **2.18 Health Screenings**

Somerset Academy will conduct health screenings in accordance with state law and regulation.

### **Acanthosis Screening for Diabetes**

Students are required to undergo a risk assessment for Type 2 diabetes at the same time Somerset Academy screens students for hearing and vision issues, or for abnormal spinal curvatures.

*Exemption:* A student is exempt from screening if the screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or member. To qualify

for the exemption, the student's parent must submit to the Head of School or designee on or before the day of the screening procedure an affidavit stating the objections to screening.

### **Fitness Testing**

Annually, Somerset Academy will conduct a physical fitness assessment in grades 3–12 who are enrolled in a physical education course or a course for which physical education credit is awarded. The School is not required to assess a student for whom, as a result of disability or other condition identified by rule or law, the assessment exam is inappropriate.

*Excuses from Physical Education:* Any child who is to be excused, for reasons of health, from physical education or other normal school activities must bring a note from home to the School stating the reason why and the duration of the excuse.

### **Spinal Screening**

School-based spinal screening helps identify adolescents with abnormal spinal curvature and refer them for appropriate follow-up by their physician. Screening can detect scoliosis at an early stage, when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities. All students who meet the Texas Department of Health Services criteria will be screened for abnormal spinal curvature before the end of the school year.

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

### **Vision and Hearing Screenings**

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

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

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

## **2.19 Illness During the School Day**

A student who becomes ill during school hours is to report to the teacher, who will then send him or her to the School office or nurse. The student's parent will be contacted. No student is allowed to go home before a parent is notified. Students are not to call parents from pay phones or cell phones asking to go home; such calls are to be made from the school office by school staff.

Students should stay home from school due to illness if any of the following are present:

1. Fever of 100 degrees Fahrenheit or higher in the past 24 hours;
2. Vomiting and/or diarrhea in the past 24 hours;

3. Itchy, red eyes with discharge;
4. Unknown rash;
5. Ringworm (until treatment has been started);
6. Jaundice

To protect students at school, students assessed with any of the signs and symptoms listed above will be sent home.

### **Head Lice**

Head lice (which are not an illness or disease) are common among children, and may spread easily through contact during play or when students share items such as headphones, brushes, combs hats, or other items that come in contact with hair. If Somerset Academy observes that a student may have head lice, an appropriate administrator will contact the student's parent to determine whether the student needs to be sent home and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse. When an elementary student has head lice, Somerset Academy will also provide written notice to the student's parent and the parents of each child assigned to the same classroom as required by state law.

## **2.20 Immunizations**

The State of Texas requires that every child in the state be immunized against vaccine preventable diseases caused by infectious agents in accordance with an established immunization schedule. To determine the specific number of doses that are required for your student, please read the "2019-2020 Texas Minimum State Vaccine Requirements for Students." Specific immunization information is available on the TDSHS website at <https://www.dshs.texas.gov/immunize/school/>.

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

### **Provisional Enrollment**

A student may be provisionally admitted to or enrolled in Somerset Academy 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 continue to receive the necessary immunizations as rapidly as medically feasible, and complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible. The student and/or parent must also provide acceptable evidence of vaccination to Somerset Academy.

A nurse or school administrator shall review the immunization status of a provisionally enrolled students 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 Somerset Academy shall exclude him or her from school attendance until the required dose is administered.

*Homeless Students:* A student who is homeless, as defined by federal law, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. Somerset Academy shall promptly refer the student to appropriate public health programs to obtain the required vaccinations.

*Children in Foster Care:* A student who is a "child in foster care" as defined by 45 C.F.R. § 1355.20(a) shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. Somerset Academy shall promptly refer the student to an appropriate health provider to obtain the required vaccinations.

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

*Military Dependents:* A military dependent can be enrolled provisionally for no more than 30 days if the student transfers from one school to another and is awaiting the transfer of the immunization record. The collection and exchange of information pertaining to immunizations with respect to military dependents shall be subject to confidentiality provisions prescribed by federal law.

### **Exclusions from Immunization Requirements**

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

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

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

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

### **Immunization Records Reporting**

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

## **2.21 Injuries/Accident Insurance**

The School is not responsible for medical costs associated with a student's injury. However, at the beginning of each school year, the School **may** make available an optional, low-cost student accident insurance program to assist parents in meeting medical expenses. A parent who desires coverage for his or her student will be responsible to paying insurance premiums and submitting claims. Please check with the School office regarding availability.

## **2.22 Interrogations 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.

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

### **Desk and Locker Searches**

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

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

### **Random Drug Searches [M] [H]**

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

## **2.23 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 reenter a treated area inside a building or use an area on school grounds for at least 12 hours following application. Parents who wish to be notified prior to pesticide application may contact the Head of School.

## **2.24 Plan for Addressing Sexual Abuse, Sex Trafficking, and Other Maltreatment of Children**

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

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

### ***What is Sex Trafficking?***

Sex trafficking means enticing, luring, recruiting, harboring, transporting, enslaving, selling, or holding captive a child for sexual conduct specified in Texas Penal Code section 20A.01(a)(7). It involves giving or receiving monetary or nonmonetary remuneration, including the child’s sexual services, and a pervasive loss of freedom for the 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>.
- San Antonio Police Department Precinct 4: 210-335-4950.
- Call 911 for emergency situations.

The School has established a plan for addressing child sexual abuse, sex trafficking, and other maltreatment of children; the plan is addressed in this section of the Handbook.

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

*For Staff:* The School annually trains staff in all content areas addressed in the plan. Training is provided by campus staff, administrative staff, or outside agencies as determined by the campus administration. The training includes prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities.

*For Students:* School counseling staff will address issues to increase awareness regarding sexual abuse and other maltreatment of children and anti-victimization programs with age appropriate conversation and materials no less than once per school year. These discussions will occur in classroom group settings for students in grades Pre-K–8, and in health or PE classes for students in grades 9–12.

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



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

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

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

The Head of School 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, sex trafficking, or other maltreatment. The DFPS also provides early abuse intervention through counseling programs. The Bexar County location may be contacted at 210.208.6800. Services available in your county can be accessed at the following web address:

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

These websites are also helpful:

- Child Welfare Information Gateway Factsheet:  
<https://www.childwelfare.gov/pubPDFs/whatiscan.pdf>
- KidsHealth, For Parents, Child Abuse:  
<http://kidshealth.org/en/parents/child-abuse.html>
- Texas Association Against Sexual Assault, Resources:  
<http://taasa.org/resources/>
- Texas Education Agency – Prevention of Child Abuse Overview:  
[http://tea.texas.gov/Texas\\_Schools/Safe\\_and\\_Healthy\\_Schools/Child\\_Abuse\\_Prevention/Child\\_Abuse\\_Prevention\\_Overview/](http://tea.texas.gov/Texas_Schools/Safe_and_Healthy_Schools/Child_Abuse_Prevention/Child_Abuse_Prevention_Overview/)
- Sexual Abuse Prevention Programs:  
<https://www.childwelfare.gov/topics/preventing/programs/sexualabuse/>
- Promoting Healthy Families in Your Neighborhood:  
<https://www.childwelfare.gov/pubPDFs/packet.pdf>
- Signs of Child Abuse:  
<http://kidshealth.org/en/parents/child-abuse.html>
- TDFPS – Prevent Child Abuse (HelpandHope.org)  
<http://helpandhope.org>
- TDFPS – How to Report Child Abuse or Neglect  
[http://www.dfps.state.tx.us/Contact\\_us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_us/report_abuse.asp)
- Texas Attorney General – What Can We Do About Child Abuse? (Part 1)  
<https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-1>
- Texas Attorney General – What Can We Do About Child Abuse? (Part 2)  
<https://www.texasattorneygeneral.gov/cvs/what-we-can-do-about-child-abuse-2>
- Texas Attorney General – Human Trafficking  
<https://www.texasattorneygeneral.gov/initiatives/human-trafficking>
- Texas Association for the Protection of Children  
<http://www.texprotects.org/about/PCAT/>
- Texas Council on Family Violence – Abuse Prevention Links

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

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

- An older child behaving like a young child, for example, bedwetting or thumb-sucking.
- Becoming increasingly secretive about Internet or telephone use.
- Changes in school attendance, habits, friend groups, vocabulary, demeanor, and attitude.
- Depression or irritability.
- Developing fear of certain places or resisting being alone with an adult or young person for unknown reasons.
- Developing special relationships with older friends that may include unexplained money, gifts, or privileges.
- Engaging in adult-like sexual activities with toys, objects or other children.
- Intentionally harming him or herself, for example, drug/alcohol use, cutting, burring, running away, and sexual promiscuity.
- Isolation from family, friends, and community.
- Leaving clues that seem likely to provoke a discussion about sexual issues.
- Multiple phones or social media accounts, or lying about the existence of social media accounts.
- Nightmares, sleep problems, extreme fears without an obvious explanation.
- Play, writing, drawings, or dreams of sexual or frightening images.
- Provocative pictures posted online or stored on phones.
- Refillable gift cards.
- Refusal to talk about a secret he or she has with an adult or older child.
- Resistance to routine bathing, toileting, or removing clothes, even in appropriate situations.
- Sexually provocative clothing.
- Social interaction and schedule being strictly controlled by someone else.
- Sudden appearance of luxury items, e.g., manicures, designer clothes, purses.
- Sudden or unexplained personality changes; becoming withdrawn, angry, moody, clingy, “checking out” or showing significant changes in eating habits.
- Thinking of self or body as repulsive, dirty, or bad.
- Truancy (absence) from school.
- Using new or adult words for body parts.

Physical symptoms of possible sexual abuse, sex trafficking, or other maltreatment include:

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

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

signs first emerge at other times of stress, such as during a divorce, death of a family member or pet, problems at school or with friends, or other traumatic or anxiety-inducing events.

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

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

### ***Available Counseling Options***

A list of counseling providers can be found at:

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

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

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

- The employee(s), volunteer(s) or independent contractor(s) must be trained to legally restrain students (i.e., CPI, etc.) and they must have their updated training verification card on their person
- 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.
- Employee(s), volunteer(s) or independent contractor(s) must complete an incident report prior to exiting campus on the day of the incident.

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

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

## **2.26 School Facilities Use**

Students should not arrive at school prior to 7:00 am. However, for the benefit of students and parents, certain areas of the School will be accessible to students before and after school for specific purposes. These areas include the cafeteria and any other area designated by the Head of School or designee for students who arrive early or stay after school.

Students must leave campus immediately after school dismisses in the afternoon, unless they are involved in an activity under the supervision of a teacher or sponsor. If a student is involved in an after-school activity, he or she must remain in the area where their activity is scheduled to take place. The student may not go to another area of the school without permission by the teacher or sponsor overseeing the activity.

During the school day, students may not loiter or stand in the halls between classes. Students must have a pass to be outside the classroom during class time. Failure to obtain a pass will result in disciplinary action.

## **2.27 School Functions**

Teachers and administrators have full authority over student conduct during before or after-school activities on School premises and at School-sponsored events off school property, including but not limited to rehearsals, club meetings, athletic practices, and special study groups and tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the Student Code of Conduct. Students may also be subject to any rules of conduct established by the activity's sponsor.

Student identification cards may be required to attend some school functions.

## **2.28 School-Sponsored Trips**

Many school-sponsored trips are made each year for the various activities in which students participate. The following regulations govern trips sponsored by the School:

1. Students missing school when on a School-sponsored trip are not counted absent, but are required to make up the work missed. Arrangement should be made with each teacher for make-up work before the trip is made.
2. Students are responsible for observing all safety rules during the trip.
3. Students participating in the trip are under the supervision of a sponsor and are expected to follow the School's Student Code of Conduct and dress code.
4. Students may not miss any class more than 10 times within the school year, unless they are participating in competition beyond the district level.

## **2.29 Seizure Management Plan**

The parent of a student with a seizure disorder may seek care for the student's seizures while the student is at school or participating in a school activity by submitting to Somerset Academy a copy of a seizure management and treatment plan developed by the parent and the physician responsible for the student's seizure treatment. The plan must be submitted to and reviewed by Somerset Academy:

1. Before or at the beginning of the school year;
2. On enrollment of the student, if the student enrolls in Somerset Academy after the start of the school year; or
3. As soon as practicable following a diagnosis of a seizure disorder for the student.

A seizure management and treatment plan must:

1. Identify the health care services the student may receive at school or while participating in a school activity;
2. Evaluate the student's ability to manage and level of understanding of the student's seizures; and
3. Be signed by the student's parent and the physician for the student's seizure treatment.

## **2.30 Steroid Notice**

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

### **2.31 Surveillance Cameras/Video Recordings**

For safety purposes, including the maintenance of order and discipline, surveillance cameras may be used to monitor student behavior in classrooms, on School vehicles, and School common areas. Video recordings may be reviewed routinely to document student misconduct and used by School staff when investigating an incident. Tapes and other video recording will not be available for parent viewing pursuant to the Family Educational Rights and Privacy Act (FERPA).

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

All students are prohibited from possessing or using any type of tobacco product, electronic cigarette (e-cigarette), or any form of smokeless tobacco or electronic vapor product while in school buildings, vehicles, or on or near school property, or at school-related or school-sanctioned events off school property. Student violators are subject to possible prosecution, as allowed by law, as well as the disciplinary terms of the Student Code of Conduct.

### **2.33 Visitors**

Somerset Academy welcomes visitors for educational purposes. For the safety of those within the School and to avoid disruption of instructional time, all visitors – including parents – must first report to the main office, present a valid photo ID, sign-in, and obtain a visitor’s badge.

The Head of School or designee may take the following actions whenever there is a school visitor:

- Require the visitor to display his or her driver’s license or another form of identification issued by a governmental entity containing the person’s photograph.
- Establish an electronic database for the purpose of storing information concerning visitors. Information stored in the electronic database may be used only for the purpose of School security, and may not be sold or otherwise disseminated to a third party for any purpose.
- Verify whether the visitor is a sex offender registered with the computerized central database maintained by the Department of Public Safety or any other database accessible by the School.
- Require the visitor to comply with all campus requirements for visitors.

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

Visits to individual classrooms during instructional time are permitted only with approval of the Head of School or designee and teacher, and as long as the duration or frequency of the visits do not interfere with the delivery of instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

### **2.34 Weapons**

Somerset Academy prohibits the possession, exhibition, use or threat of use by a student of weapons of any kind, including but not limited to firearms, explosive weapons, knives, or materials that could be used as a weapon to inflict physical harm or damage to persons or property on School property or at any School-related function, whether on or off School property. A student is considered “in possession” if he or she has

contact with a weapon regardless of the amount of time it is in the student's possession. If a student becomes in possession of a weapon, he or she needs to immediately inform an adult on campus. Prohibited weapons include, **but are not limited to**:

1. Firearm: any device designed, made, or adapted to expel a projectile through a barrel by using that energy generated by an explosion or burning substance or any device readily convertible to that use;
2. Knife: blade or a hand instrument designed to cut or stab another by being thrown, a dagger, a bowie knife, a sword or a spear;
3. Club: an instrument that is specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument;
4. Explosive weapon;
5. Firearm silencer;
6. Knuckles (i.e. brass knuckles)
7. Chemical dispensing device (such as mace or pepper spray)
8. Zip gun
9. Any object used in a way that threatens to inflict bodily injury on another person;
10. Firearm ammunition;
11. Firearms of any kind, smoke or stink bombs, or any other pyrotechnic device;
12. Chains;
13. Razors (including box cutters);
14. Pellet gun;
15. BB gun;
16. Stun gun;
17. Air gun;
18. Toy that imitate weapons ("look alikes");
19. Weapon projectiles; and
20. Other weapons and prohibited weapons described in the Student Code of Conduct and/or Chapter 37 of the Texas Education Code.

Student violators are subject to discipline under the Student Code of Conduct.

## **SECTION 3 — ACADEMICS AND GRADING**

### **3.1 Academic Integrity**

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

### **3.2 Academic Programs and Curriculum**

The Head of School or designee will provide students and parents with information regarding academic programs to prepare students for higher education and career choices.

Somerset Academy offers instruction in the essential knowledge and skills of the appropriate grade levels in the following required curriculum:

1. A foundation curriculum that includes:

- a. English language arts and reading;
- b. Mathematics;
- c. Science;
- d. Social studies; and
2. An enrichment curriculum that includes:
  - a. Languages other than English, to the extent possible;
  - b. Health education;
  - c. Physical education;
  - d. Fine arts;
  - e. Career and technical education; and
  - f. Technology applications.

### **3.3 Career and Technical Education Program [H]**

Somerset Academy offers career and technical education (CTE) pathways in the following CTE clusters: STEM, Public Services, and the Business & Industry clusters. We offer the four Project Lead the Way Engineering pathways: Aerospace Engineering, Civil Engineering and Architecture, Computer Engineering, and Electrical Engineering. We also offer two Public Services pathways – one in Health Sciences cluster and the other in the PLTW Biomedical Sciences. Admission into CTE courses is based upon student interest, course offerings, and meeting appropriate prerequisite eligibility criteria. Please see the College and Career Readiness Counselor for more information.

It is the policy of Somerset Academy not to discriminate on the basis of race, color, national origin, sex, or handicap in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, as amended.

Somerset Academy will take steps to ensure that lack of English language skills will not preclude a student from participating in all educational and career and technology programs.

### **3.4 Class Rank/Top Ten Percent [H]**

Final class rankings will be determined at the end of the fourth nine weeks of the senior year.

For two years following his or her graduation, a student who graduates in the top ten percent and, in some cases, the top 25%, of his or her class may be eligible for automatic admission into four-year public universities and colleges in Texas if the student:

- Completes the distinguished level of achievement under the foundation graduation program (a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses); or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

Students and parents should contact the Director of College and Career Readiness for further information about automatic admissions, the application process, and deadlines.

Upon a student's registration for his or her first course that is required for high school graduation, Somerset Academy will provide written notice concerning automatic college admission, the curriculum requirements for financial aid, and the benefits of completing the requirements for automatic admission and financial aid. Parents and students will be asked to sign an acknowledgement that they received this information.

### **3.5 Classification of Students [H]**

Grade level and advisory classifications are made according to credits earned as follows. Students will not be allowed to enter their senior year if they cannot earn the necessary credits to graduate in May. Seniors must be enrolled in at least seven courses each semester during their senior year.

- Sophomore (10th grade) = 7 completed credits
- Junior (11th grade) = 14 completed credits
- Senior (12th grade) = 20 completed credits

### **3.6 College Days [H]**

High school students who meet the following criteria will be allowed to have two excused days of absence for a college visit during their junior year and two excused days of absence for a college visit during their senior year:

- The student must have passed the required parts of the STARR test for the previous year.
- The student must be on track to graduate on time.
- The student must be classified as a junior or senior based upon credits earned.
- The student must be passing all course work.
- The student must have no truancy or other attendance problems.

Students must submit a written request to the School office at least two days prior to the day requested. Approval will not be granted for a college visit on a day when major exams are scheduled, and no partial days will be approved.

The student will be required to make up any work missed, but will not be charged with an absence if official documentation of the visit is received by the School office within one week. Official documentation will be:

- A letter on the college official letterhead giving the students name, date, and reason for visit; and
- An official visitation form from the college dated with student name and signed by a college official.

If the college visit cannot be made on the date specified on the approved written request, a new request must be submitted to the School office.

### **3.7 Course Offerings**

Courses described in the course catalog may or may not be offered each year. Counselors and the registrar will have the current information as to what courses are offered.

### **3.8 Credit by Examination**

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

#### **If a Student Has Prior Instruction**



A student in grades 6–12 who has previously taken a course or subject—but did not receive credit for it—may, in circumstances determined by the Head of School or designee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for the course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a nonaccredited school. The opportunity to take an examination to earn credit for a course or to be awarded a final grade in a subject after the student has had prior instruction is sometimes referred to as “credit recovery.” To receive credit, a student must score at least 70% on the exam.

An attendance review committee may also offer a student with excessive absences an opportunity to receive credit or a final grade for a course by passing an exam.

### **If a Student Has Not Had Prior Instruction**

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction or to accelerate to the next grade level. The exams offered by the School are approved by the Board of Directors. The dates on which exams are scheduled will be published in an appropriate School publication and on the School’s website. The only exceptions to the published dates will be for any examinations administered by another entity besides Somerset Academy or if a request is made outside of these time frames by a student who is homeless or by a student involved in the foster care system. When another entity administers an examination, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by Somerset Academy, a student may attempt a specific examination only once.

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

Kindergarten Acceleration: Parents should contact the Head of School.

Students in Grades 1–5: A student in grades 1–5 will be eligible to accelerate to the next grade level if the student scores at least 80 on each examination in the subject areas of language arts, mathematics, science, and social studies, a School administrator recommends that the student be accelerated, and the student’s parent gives written approval of the grade advancement.

Students in Grades 6–12: A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 50 or higher on an examination administered through the College Level Examination Program, or a score of three or higher on an AP examination, as applicable. A student may take an exam to earn course credit no more than twice. If a student fails to achieve the designated score on the approved exam before the beginning of the school year in which the student would need to enroll in the course according to the School’s course sequence, the student must complete the course.

## **3.9 Distance Learning**

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

The Texas Virtual School Network (“TxVSN”) has been established as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation. If you have questions or wish to make a request that your child be enrolled in

a TxVSN course, please contact the Head of School or designee. Unless an exception is made by the Superintendent or designee, a student will not be allowed to enroll in a TxVSN course if the School offers the same or a similar course.

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

### **3.10 Dual Credit Opportunities [H]**

Only courses taken at Palo Alto College or the University of the Incarnate Word through Somerset Academy's Dual Credit program will receive high school course credit.

A dual credit course is a college course taken by a high school student for which the student earns both college and high school credit. Dual credit is also known as concurrent enrollment.

A student is eligible to enroll in dual credit courses in the 11th or 12th grade if the student:

- Demonstrates college readiness by achieving the minimum passing standards under the Texas Success Initiative as set forth in 19 Texas Administrative Code § 4.85, on relevant section(s) of an assessment instrument approved by the State Board of Education; or
- Demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth in 19 Texas Administrative Code § 19.54.

An 11th grade student is also eligible to enroll in dual credit courses in reading, writing, and/or mathematics if he or she satisfies standards set by the Texas Higher Education Coordinating Board. As these requirements may change from time to time, students and parents are encouraged to contact the Director of College and Career Readiness and/or Chief Academic Officer for current requirements.

Students in grades 11 and/or 12 are eligible to enroll in workforce education dual credit courses if the student demonstrates that he or she achieved the designated minimum standards set by the Texas Higher Education Coordinating Board. A student who is exempt from taking TAKS or STAAR end-of-course assessments may be otherwise evaluated to determine eligibility for enrolling in workforce education dual credit courses. A student may enroll only in the workforce education dual credit courses for which he or she has demonstrated eligibility.

Students may not enroll in more than two dual credit courses per semester. A student may be exempt from this requirement only through approval by the Director of College and Career Readiness and the Chief Academic Officer of the participating college if the student demonstrates outstanding academic performance and capability.

Courses may be taken on campus during the school day or at the college campus. In order to receive the high school credit portion of dual credit, as well as the additional 10 points, the course grade must be at least a "C".

Students and parents are responsible for any fees for dual credit courses.

Please keep in mind that not all colleges and universities accept credit earned in all dual credit or AP courses taken in high school for college credit. Students and parents should check with the prospective college or university to determine if a particular course will count toward the student's desired degree plan.

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

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

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

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

Student clubs and organizations are an integral part of the School's curricular program. Thus, the School recognizes only those clubs and organizations directly related to the body of courses offered by the School. A club or organization directly relates to the School's curriculum if:

1. The subject matter of the club or organization is actually taught, or will soon be taught, in a regularly offered course;
2. Participation in the club or organization is required for a particular course; or
3. Participation in the club or organization results in academic credit.

All students are encouraged to participate and take an active part in student clubs and organizations.

#### **Meetings**

Only School-recognized curricular student clubs and organizations are permitted to meet on School property during non-instructional time.

#### **Participation**

Only students enrolled full time at the School may participate in School-recognized clubs and organizations.

#### **Yearbook**

Only School-recognized clubs and organizations will be featured in the yearbook.

#### **Fundraising**

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

### **3.12 Grade Point Averages (GPA), Academic Improvement Plan, and Honor Roll**

**Grading System:** Somerset Academy follows Texas Education Agency guidelines for earning course credit or a grade for a course. At the high school level, credit is awarded each semester upon successful completion of the semester's work. First and second semester grades are independent of each other and both are recorded on the student transcript. Grades are reported as numeric grades, not letter grades, and no official use of a numeric letter equivalency scale is used. The minimum passing grade is a 70 in all courses as well as a 90% or higher attendance rate per course. Ten points are added for Advanced Placement (AP) and eight points for Pre-Advanced Placement (Pre-AP) when computing a student's grade point average of an 85 or higher in the AP or Pre-AP course. For Dual Credit courses taken at the University of the Incarnate Word or Palo Alto College that are accepted for credit on the Somerset Academy transcript, as well as receive a grade of a C or higher, ten points will be awarded.

A student's grade point average ("GPA") is made up of all high school level courses that are taken by the student regardless of the grade level when the course was taken.

A student's GPA is calculated by dividing the total amount of grade points earned by the total number of credit hours attempted.

The School calculates two types of grade point averages.

- The **simple or unweighted GPA** consists of the total amount of grade points earned divided by the total number of credit hours taken. This is the GPA that will be used by colleges and universities for admission purposes.
- The **weighted GPA** includes the extra grade points available for AP courses, Pre-AP courses, and Dual Credit courses. The weighted GPA is calculated in the same manner as the simple or unweighted GPA. The weighted GPA will be used for determining the valedictorian, salutatorian, and Top 10% of each graduating class.

Students are expected to maintain a minimum GPA of 2.0. An Academic Improvement Plan ("AIP") will be developed for students failing to meet this minimum requirement or failing to show progress toward academic improvement. If progress is not made under the AIP, the student will be placed on Academic Probation.

The Somerset Academy honor roll consists of two levels:

- **Head of School's Honor Roll:** This honor roll is available for all high school students who have earned grades of "A" or above in all classes.
- **Somerset Academy Honor Roll:** This honor roll is available for all high school students who have earned grades of "B" or above in all classes.

### **3.13 Graduation Requirements [H]**

#### **Requirements for a Diploma**

A student must meet the following requirements to receive a high school diploma from Somerset Academy:

- Complete the required number of credits established by the state and any additional credits required by Somerset Academy;
- Complete any locally required courses in addition to the courses mandated by the state;
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute

- assessments, unless specifically waived as permitted by state law; and
- Demonstrate proficiency, as determined by Somerset Academy, in the specific communication skills required by the State Board of Education(SBOE).

### **Testing Requirements for a Diploma**

Students are required, with limited exceptions, to perform satisfactorily on the following EOC assessments: English I, English II, Algebra I, Biology, and United States History. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment should a student choose this option. See the Director of College and Career Readiness for more information on the state testing requirements for graduation.

If a student fails to perform satisfactorily on an EOC assessment, Somerset Academy will provide remediation in the content area for which the performance standard was not met. This may require student participation before or after normal school hours, or at times of the year outside of normal school operations.

In limited circumstances, a student who fails to demonstrate proficiency on two or fewer of the required assessments may be eligible to graduate, if an individual graduation committee, formed in accordance with state law, unanimously determines that the student is eligible to graduate. Please see the Director of College and Career Readiness for more information on the makeup of an individual graduation committee and all other requirements for graduation.

### **Foundation Graduation Program**

Every student in a Texas public school who entered grade 9 in the 2014–2015 school year and thereafter will graduate under the foundation graduation program. Within the foundation graduation program are “endorsements,” which are paths of interest that include Science, Technology, Engineering, and Mathematics; Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies. Endorsements earned by a student will be noted on the student’s transcript and diploma. The foundation graduation program also involves the term “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits.

State law and rules prohibit a student from graduating solely under the foundation graduation program without an endorsement unless, after the student’s sophomore year, the student and the student’s parent are advised of the specific benefits of graduating with an endorsement and submit written permission to an appropriate school administrator for the student to graduate without an endorsement. A student who anticipates graduating under the foundation graduation program without an endorsement and who wishes to attend a four-year university or college after graduation must carefully consider whether this will satisfy the admission requirements of the student’s desired college or university.

Graduating under the foundation graduation program will also provide opportunities to earn “performance acknowledgements” that will be acknowledged on a student’s diploma and transcript. Performance acknowledgements are available for outstanding performance in bilingualism and biliteracy, in a dual credit course; on an AP or IB exam; on the PSAT, ACT-Plan, SAT, or ACT exam; or for earning a nationally or internationally recognized license or certificate. The criteria for earning these performance acknowledgements are prescribed by state rules, and the Head of School or designee can provide more information about these acknowledgments.

**Students with Disabilities:** Upon the recommendation of the ARDC, a student with a disability who receives special education services may be permitted to graduate under the provisions of his or her IEP and in accordance with state rules.

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

ARDC for students with disabilities who receive special education services will make instructional and assessment decisions for these students in accordance with state law and rules. To earn an endorsement under the foundation graduation program, a student must perform satisfactorily on the EOC assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily on no more than two EOC assessments but meets the other requirements for graduation under state law.

## **Standardized Testing**

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

#### Grades 3–8

In addition to routine tests and other measures of achievement, students in grades 3–8 will take the state assessments (the STAAR exam), in the following subjects:

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

Successful performance on the reading and math assessments in grades 5 and 8 is required by law, unless the student is enrolled in a reading or math course intended for students above the student's current grade level, in order for the student to be promoted to the next grade level. Exceptions may apply for students enrolled in a special education program if the ARDC concludes the student has made sufficient progress in the student's IEP.

STAAR Alternate 2 is available for eligible students receiving special education services and who meet certain state-established criteria, as determined by the student's ARDC.

STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

### End-of-Course Assessments for Students in Grades 9–12

STAAR or EOC assessments are administered for the following courses:

- Algebra I;
- English I and II;
- Biology; and
- United States History.

Satisfactory performance on the applicable assessments will be required for graduation, unless otherwise waived or substituted as allowed by state laws and rules.

There are three testing windows during the school year in which a student may take an EOC assessment, which will occur during the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have additional opportunities to retake the assessment.

STAAR Alternate 2 is available for eligible students receiving special education services and who meet certain state-established criteria, as determined by the student's ARDC. The student's ARDC will determine whether successful performance on the EOC assessments will be required for a student receiving special education services to graduate, in accordance with parameters set in state regulations.

#### Texas Success Initiative Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative ("TSI") assessment. The purpose of the TSI assessment is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. Achieving certain benchmark scores on this assessment for college readiness may also waive certain EOC assessment requirements, in limited circumstances.

#### SAT/ACT (Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test ("ACT") or the Scholastic Aptitude Test ("SAT") for admission. Students are encouraged to talk with the Director of College and Career Readiness early during their junior year to determine the appropriate examination to take; these examinations are usually taken at the end of the junior year. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT, and more information can be obtained on these assessments from the Director of College and Career Readiness.

Note that participation in these assessments may qualify a student to receive a performance acknowledgment on his or her transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

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

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

#### **Graduation Expenses**

Because students and parents will incur graduation expenses – such as the purchase of invitations, senior ring, cap and gown, senior pictures, etc. – both students and parents should monitor progress toward completion of all requirements for graduation.

#### **Graduation Participation**

Students who have met coursework requirements for graduation but have not yet demonstrated satisfactory performance on end-of-course assessments and have not been declared eligible to graduate by an individual graduation committee, if applicable, will be NOT be allowed to participate in graduation activities.

### **Honor Graduate Certificate**

Somerset Academy will issue an “Honor Graduate Certificate” to the highest-ranking graduate in a senior class. The recipient of this honor must:

1. Be enrolled in a minimum of three consecutive calendar semesters prior to graduation and meet state and School attendance requirements;
2. Graduate under either the Recommended or Distinguished Graduation Program; and
3. Be the highest-ranking graduate with the highest GPA of all students meeting these, but not less than a cumulative 3.7 Somerset Academy GPA. In determining grade point average, under no condition will the GPA be rounded up.

All calculations for this honor will be conducted at the end of the spring semester (before graduation) each school calendar year.

### **3.14 Homework Policy**

Each student is expected to read at home nightly as their homework. Students not finishing required assignments may be instructed to complete those assignments at home.

### **3.15 Night School [H]**

Only seniors are permitted to earn credit toward Somerset Academy graduation requirements through an accredited night school program. Credit will be granted for night school work only if the student receives prior approval from the Director of College and Career Readiness and the registrar. Night school attendance is approved only when a senior needs to make-up courses to graduate on schedule.

### **3.16 Physical Education**

#### **Requirements K-8 [E] [M]**

All students in grades K–5 will engage in at least 135 minutes of physical activity each week as part of the physical education curriculum. Students in grades 6-8 will engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters.

#### **Physical Education Exemption**

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

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

### **3.17 Pre-AP and AP Courses [H]**

All Somerset Academy courses are college-preparatory and are designed to challenge students. However, some courses are designated as honors level to meet the needs of those students demonstrating advanced ability. Pre-AP courses are structured to prepare students to excel in Advanced Placement (AP) courses.



AP courses provide students the knowledge and skills they need to successfully complete the College Board AP exams. Many colleges, but not all, award credit to students who receive high scores on the AP exams.

Policies applicable to pre-AP and AP courses are as follows:

1. **Eligibility:** Course descriptions provide the requirements for entry into Pre-AP and AP courses, and requirements to remain in the courses after the first semester. Incoming ninth grade students may be eligible for enrollment in pre-AP. Current Somerset Academy students establish eligibility for pre-AP or AP courses by earning an 85 or better in the previous regular course or an 80 or better in the previous pre-AP/AP course. Specific requirements for each course may be found in this catalog.
2. **Retention:** Students having difficulty in Pre-AP or AP courses are expected to seek assistance from the teacher. Should a student not meet the accepted course standard, within the first nine weeks of the course, or at the end of the first semester, he/she may be moved to the regular level of the course either upon teacher or parent recommendation.
3. **Grades:** Students completing a Pre-AP course with the grade of an 85 or higher will receive an 8-point increment to their GPA. Students completing an AP course with the grade of an 85 or higher will receive a 10-point increment to their GPA.
4. ***Expectations and Fees: All students enrolled in AP courses must take the national exam. There are fees for each national exam. Fee waivers may be available upon eligibility.***

### **3.18 Promotion and Retention**

A student may be promoted on the basis of academic achievement and/or demonstrated proficiency in the subject matter of the course or grade level. To earn credit in a course, a student must demonstrate mastery on grade level standards and meet School requirements for attendance. A student in grades 9–12 will be advanced a grade level based on the number of course credits earned. In addition, students at certain grade levels will be required to pass the state-mandated assessment test as a further requirement for promotion.

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

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

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

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

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

A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the Head of School or designee, the student's teacher, and the student's parent will determine the additional special instruction the student will receive.

Students will also have multiple opportunities to retake EOC assessments.

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

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

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

### **3.19 Report Cards and Grading Scales**

Somerset Academy issues report cards reflecting student grades and absences at least once every nine weeks. Parents of students struggling to maintain adequate academic progress are requested to schedule a conference with their student's teacher(s).

All classes follow a standard scale for assigning letter grades for grading periods. Students will receive a number grade corresponding to this scale.

### **3.20 Student Schedules [H]**

1. Pre-registration: Students will pre-register for the upcoming school year during the second semester of the current school year. Pre-registration forms must be signed by the student's parents by the pre-registration deadline to secure a place for the following year.
2. Course Selection: After pre-registration, each student receives a course selection sheet for the upcoming academic year. Students should confer with their current teachers and may schedule an individual conference with a counselor to discuss their course selections. Course selection forms must be signed by the student and parents.
3. Adding or Dropping Courses (course changes during the first two weeks of each semester): Students may initiate course changes by obtaining an add/drop form from the registrar and obtaining initials from each teacher concerned and signatures from the counselor and parent. Students must follow their old schedule until they receive a new schedule from their advisor. Changes will not be made to accommodate the student's preference of teacher, classmates, period, or other unessential reasons.
4. Adding or Dropping Courses (course changes after the first two weeks of each semester): Normally, students cannot request course changes after the first two weeks of the semester; however, if a teacher or parent recommends a course change, and it is determined to be in the best interest of the

student and the School, the student may be allowed to change a course. Withdrawals before the end of the first nine weeks of a course will not be reflected on the transcripts. Withdrawals made at the end of the first nine weeks of the course or later will be recorded on the transcript as WP (withdrawn passing) or WF (withdrawn failing). Usually, withdrawals are not allowed after the first nine weeks of a course.

**Note:** Somerset Academy reserves the right to schedule any student into any class to fulfill the minimum course load.

**Note:** During the first two weeks of class, as students change schedules, there will be a requirement to distribute class loads, which will require some students to be moved from one section to another section of a course.

### **3.21 Special Programs**

#### **Students who Speak a Primary Language Other than English**

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing regular class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (“LPAC”) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

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

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

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

#### ***Special Education Referrals***

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

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

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

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

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

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

#### Contact Person for Special Education Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is: Andrea Sabatino or Christine Guido at (210) 541-0051.

#### Section 504 Referrals

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

#### Contact Person for Section 504 Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is: Andrea Sabatino or Christine Guido at (210) 541-0051.

#### Additional Information

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

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

#### Notification to Parent of Intervention Strategies for Learning Difficulties Provided to General Education Students

Somerset Academy will annually notify parents that it provides assistance to students, other than those already enrolled in a special education program, who need assistance for learning difficulties, including intervention strategies.

### **Services for Title I Participants**

Information regarding the School's Title I program may be obtained from the Director of Federal Programs.

### **3.22 Student Success Team**

The Student Success Team is a campus-level committee comprised of key personnel on each campus. Recommendations for student assistance are based on student achievement data and teacher checklist. Committee members evaluate student progress and make recommendations for individual accommodations.

Each student's progress is monitored and adjustments are made as necessary. All requests for special screening/testing begin with this committee.

### **3.23 Tutorials**

Students are encouraged and may be required to see teachers for tutoring schedules. Any contact with teachers concerning the tutoring or student progress must be made by the parent.

Private tutoring is the responsibility of the parent. Teachers are not permitted to privately tutor their students for pay.

### **3.24 Valedictorian/Salutatorian [H]**

The following is the selection method to determine the valedictorian and salutatorian for the School:

The student who is selected as the highest-ranking graduate eligible to receive the Honor Graduate Certificate will serve as valedictorian, with the second highest-ranking graduate serving as salutatorian.

1. In the event no student meets the criteria to receive the Honor Graduate Certificate, the valedictorian and salutatorian will be selected according to the following criteria:
  - a. Both the valedictorian and salutatorian must have been enrolled in the School for no less than three calendar semesters or all semesters the School has been open if less than three calendar semesters; and
  - b. By the date of graduation both the valedictorian and salutatorian must have met all Texas State Graduation Requirements applicable to him or her, including meeting all state assessment requirements; and
  - c. The student with the highest cumulative grade point average graduating under the Recommended or Distinguished Program will be selected as valedictorian, with the second ranking student serving as salutatorian. Under no circumstance will a student with a higher GPA who is grading under the Minimum Graduation Program rank higher than a student graduating under the Recommended or Distinguished Program; or
  - d. In the case where no students are graduating under either the Recommended or Distinguished Program, the student with the highest cumulative grade point average out of all graduating senior will be selected valedictorian and the student with the next highest GPA will serve as salutatorian.

All calculations for this honor will be conducted at the end of the spring semester (before graduation) each school year. An eligible student must have attended at least one of the calendar semesters during the school year that the honor is granted. Grade Point Average will be calculated in accordance with the existing policy adopted by the Board of Directors.

## SECTION 4 — STUDENT CODE OF CONDUCT

### 4.1 Purpose of the Student Code of Conduct

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

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

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

### 4.2 Authority and Jurisdiction

Somerset 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 or off School transportation;
3. For any expulsion offense committed away from Somerset 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 School property or while attending a school-sponsored or school-related activity of another district in Texas;
5. For any School-related misconduct, regardless of time or location;
6. When a student commits a felony, including those provided by Texas Education Code §§ 37.006 or 37.0081, regardless of time or location;
7. When criminal mischief is committed on School property or at a School-related event;
8. When retaliation against a School employee or volunteer occurs or is threatened, regardless of time or location;
9. While a student is in attendance at any School-related activity, regardless of time or location; and
10. While a student is in transit to or from school or to or from school-related activities or events.

#### **Reporting Crimes**

In addition to disciplinary consequences under the Code of Conduct, 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.

### **4.3 Discipline Management Techniques**

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

The following discipline management techniques may be used – alone or in combination – for misbehavior violating the Code of Conduct or campus and/or classroom rules.

- Assign After School Care charges as listed by the school (charges have been approved by the board)
- Assignment of school service or community service duties such as scrubbing desks or picking up litter.
- Behavioral contracts.
- Cooling-off time of “time out.”
- Counseling by teachers, counselors, or administrative personnel.
- Expulsion, as specified in the Code of Conduct.
- Grade reductions as permitted by policy.
- In-school suspension or detention, as specified in the Code of Conduct.
- Out-of-school suspension, as specified in the Code of Conduct.
- Parent-teacher conferences.
- Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the school.
- Rewards or demerits.
- School-assessed and school-administered probation.
- Seating changes within the classroom.
- Sending the student to the office or other assigned area.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction.
- 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.
- Withdrawal or restriction of school transportation privileges.
- Other strategies and consequences as specified by the Code of Conduct.

#### **Corporal Punishment**

**Somerset Academy will NOT utilize corporal punishment as a disciplinary management technique.**

### **4.4 Student Code of Conduct Offenses and Consequences**

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

## Level I 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. Engaging in threatening behavior toward another student or school employee on or off school property.
12. Failure to complete assigned homework.
13. Failure to comply with directives of school staff (insubordination).
14. Failure to comply with school dress code policies and grooming standards.
15. Failure to leave campus within 30 minutes of school dismissal (unless involved in an activity under supervision).
16. Failure to report known hazing, harassment, or bullying of students.
17. Improperly discharging a fire extinguisher.
18. Inappropriate behavior (not abusive, threatening, violent).
19. Inappropriate or indecent exposure of a student's private body parts.
20. 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.).
21. Insensitivity to others.
22. Making false accusations or hoaxes regarding school safety.
23. Persistent tardiness (tardy, without excuse, on four or more days within a period of 45 rolling school days).
24. Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
25. Possessing any electronic devices without permission.
26. Possessing matches, lighters, etc.
27. Possessing aerosol canisters or any other object used to set off fire alarms.
28. 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.
29. Refusing to accept discipline management techniques assigned by a teacher or the Head of School or designee.
30. Repeatedly violating campus or classroom standards of behavior.
31. Skipping class, detention, or mandatory tutorial sessions.
32. Throwing objects that can cause bodily injury or property damage.
33. Using a skateboard, scooter, and/or roller blades while on campus.
34. Using any telecommunications or other electronic devices, without permission, during school hours.



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

1. After school detention.
2. Application of one or more Discipline Management Techniques listed on page 51.
3. Confiscation of cell phones or other electronic devices; a fee of \$15.00 may be charged for the return of certain devices.
4. Grade reductions for cheating/academic dishonesty.
5. In-school suspension.
6. Out-of-school suspension for up to three days.
7. Removal from the classroom and/or placement in another classroom.
8. Restitution/restoration, if applicable.
9. Sanctions for single or repeated non-compliance with Dress Code, beginning on page 19.
10. School-assessed and school-administered probation.
11. Temporary confiscation of items that disrupt the educational process.
12. Verbal correction.
13. Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.

Disciplinary actions may be used individually or in combination for any offense.

**Level II Offenses**

1. Abusing over-the-counter drugs.
2. Academic dishonesty (cheating or copying the work of another).
3. 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.
4. Bypassing of Internet blocks on school computers or networks to enter unapproved sites.
5. Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person).
6. Damaging or vandalizing property owned by others, including but not limited to Somerset Academy property or facilities, property belong to Somerset Academy employees or other students.
7. Defacing or damaging Somerset Academy property, including textbooks, lockers, furniture, and other equipment, or property of any other person with graffiti or by any other means.
8. Engaging in offensive conduct of a sexual nature (verbal or physical).
9. Failure to comply with conditions of in-school suspension placement.
10. Failure to comply with Somerset Academy medication policies.
11. False accusation of conduct that would constitute a misdemeanor or felony.
12. Falsifying records, passes, or other school-related documents.
13. Fighting/mutual combat.
14. Gambling.
15. 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).
16. Inappropriate behavior (e.g., violent; threat of being violent; racially, ethnically, or culturally motivated actions).
17. Interference with school activities or discipline.
18. Involvement in a felony offense not listed in Title 5, Texas Penal Code, and Somerset Academy is notified by the police.
19. Leaving classroom, school property, or school-sponsored events without permission.

20. Making an obscene gesture.
21. Persistent Level I offenses (two or more Level One offenses within a semester).
22. Possessing drug paraphernalia.
23. Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
24. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
25. Possessing prescription drugs, giving a prescription drug to another student.
26. Possessing, viewing, or distributing pictures, text messages, emails, or other material of a sexual nature in any media format.
27. Refusing to allow lawful student search.
28. Sexual harassment/sexual abuse not defined as a Level III offense.
29. Theft.
30. Threats (nonviolent/verbal or written).
31. Throwing objects not considered an illegal weapon that can cause bodily injury or property damage.
32. Unruly, disruptive, or abusive behavior that interferes with the teacher's ability to communicate effectively with the students in the class.
33. Use of profanity or vulgar/offensive language (orally or in writing).
34. Using the Internet or other electronic communications to threaten students or employees, or cause disruption to the school program.
35. Verbal or written abuse (e.g., name calling, racial or ethnic slurs, or derogatory statements that may disrupt the school environment, etc.).
36. Willful destruction of school or personal property and/or vandalism.

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

1. Any applicable Level I Disciplinary Consequence.
2. Out-of-school suspension for up to five days.

Disciplinary actions may be used individually or in combination for any offense.

### **Level III Offenses**

1. Abusing a student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug while on Somerset 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 Somerset 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 Somerset Academy 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 listed under Title 5 of the Texas penal Code when the conduct occurs off Somerset Academy 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 Head of School or designee has reasonable belief that the student engaged in the conduct.
  23. Engaging in conduct punishable as a felony.
  24. Engaging in conduct punishable as a Level III expulsion offense when the conduct occurs off Somerset Academy 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 harassment of a Somerset 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.
  27. 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.
  28. 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 Somerset Academy employee.

29. Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a Somerset Academy student, employee, or volunteer.
30. Engaging in conduct that contains the elements of retaliation against any Somerset Academy employee or volunteer, whether on or off of school property.
31. 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.
32. Engaging in inappropriate or indecent exposure of private body parts.
33. Engaging in online impersonation.
34. Failing to complete three or more in-school suspension assignments without a valid excuse.
35. Felony criminal mischief against school property, another student, or school staff.
36. Gang activity.
37. Hazing.
38. Inappropriate sexual conduct.
39. Inciting violence against a student through group bullying.
40. Indecency with a child.
41. Indecent exposure of body parts.
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 Head of School or designee determines that a danger exists.
49. Possessing, selling, distributing, or being under the influence of inhalants.
50. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
51. 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.
52. 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 Somerset Academy).

53. Possessing, using, giving, or selling paraphernalia related to any prohibited substance (illegal, prescription, and over-the-counter drug).
54. Public lewdness.
55. 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.
56. Required registration as a sex offender.
57. 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.
58. Setting or attempting to set fire on school property.
59. Sexual abuse of a young child or children.
60. Sexual assault.
61. Stealing from students, staff, or Somerset Academy.
62. Targeting another individual for bodily harm.
63. 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.
64. 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.
65. Vandalism or conduct constituting criminal mischief with respect to school facilities or property.
66. Violating the terms and conditions of a student behavior contract.
67. Violating Somerset 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 Somerset 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 Somerset Academy computer equipment, Somerset Academy data, the data of others, or other networks connected to the Somerset 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 Somerset 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.
68. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.

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

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

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

### **After-School Detention**

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

During detention:

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

### **Suspension**

The School utilizes two kinds of suspension: in school suspension and out of school suspension.

*In School Suspension*: The following rules and regulations apply to all students assigned to in school suspension:

- Students must report to the detention room at start of their grade level school day. In school suspension will be run from start of student grade level school day until dismissal time.
- Students will bring materials to work on. Students are responsible for obtaining assignments from each teacher.
- Students will not be permitted to go their lockers. All materials must be brought to the room when reporting.
- Students may not bring food or drink into the detention room.
- No disruptive behavior will be allowed.
- Unexcused absences from suspension will be referred to the Head of School or designee.
- Sleeping is prohibited.
- Students must abide by the provisions of this Handbook and the Student Code of Conduct during their suspension period.
- A student who misses a scheduled in-school suspension without a confirmed excuse will be assigned one day out of school suspension. The missed in-school suspension period will be rescheduled. If a student misses more than three scheduled in-school suspension assignments without a confirmed excuse, he or she may be subject to expulsion.

Failure to follow these guidelines will be reported to the Head of School 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 Head of School or designee 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 Head of School or designee.

In addition to the Code of Conduct violations listed above that may result in suspension, the Head of School 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:* Somerset 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 Head of School 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 Somerset Academy or a school-sponsored activity, the Head of School or designee may order immediate removal of the student. The Head of School 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.

### **Removal from School Transportation**

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

## **4.6 Conference, Hearings and Appeals**

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

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

Prior to suspending a student, the Head of School or designee must attempt to hold an informal conference with the student to give notice of the suspension recommendation. Additionally, prior to suspending a student for up to five days, the Head of School or designee must attempt to hold an informal conference with the student to:

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

If the Head of School or designee determines the student's conduct warrants suspension during the school day, the Head of School or designee will make reasonable effort to notify the student's parent(s) that the student has been suspended before the student is sent home. The Head of School 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 Head of School 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 Out-of-School Suspensions Over Five Days and Expulsion**

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

- The reasons for the proposed disciplinary action; and
- The date and location for a hearing before the Head of School, within five school days from the date of the disciplinary action.

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

- May be present;
- Shall have an opportunity to present evidence;
- Shall be apprised and informed of the school's evidence;
- May be accompanied by his or her parent(s); and
- May be represented by an attorney.

Hearing Before Head of School or Designee: Somerset 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. Somerset Academy shall hold the hearing regardless of whether the student, the student's parent(s) or another adult representing the student attends, so long as notice of the hearing has timely been provided. The Head of School or designee may audio record the hearing.

Within 48 hours or two school days, whichever is later, following the hearing, the Head of School 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 suspension and/or expulsion and, if so, the decision shall specify:

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

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

Appeal to the Board of Directors: The student or his or her parent(s) may appeal the extended suspension or expulsion decision to the Board of Directors by notifying the Head of School in writing within seven calendar days of the date of receipt of the Head of School 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 Head of School



or designee at a regular or specially called meeting in closed session as permitted by the Texas Open Meetings Act. 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 next regularly scheduled Board of Directors meeting. If no decision is made by the end of the next regularly scheduled Board of Directors meeting, the Head of School's or designee's decision with respect to the disciplinary action appeal shall be upheld. 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.

#### **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.

#### **4.7 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 Head of School or designee 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 law, "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.

## 4.8 **Glossary**

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

**Abuse** is improper or excessive use.

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

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

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

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

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

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

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

Arson also occurs when a person:

- Recklessly starts a fire or causes an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or

- Intentionally starts a fire or causes an explosion and in so doing recklessly damages or destroys a building belonging to another, or recklessly causes another person to suffer bodily injury or death.

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

**Bullying** is defined 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 Somerset 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 Somerset 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, Somerset 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, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the 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.

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

**Hazing** is an intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, that is directed against a student 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; a firearm silencer; knuckles; armor-piercing ammunition; a chemical dispensing device; a zip gun; an improvised device; a tire deflation device; or a firearm silencer.

**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.

**Pubic 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 Somerset 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 Somerset 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 Somerset 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 5 — ESPECIALLY FOR PARENTS**

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

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

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

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

### **5.2 Change of Address or Telephone Number**

Parents are responsible for notifying the School when a student's address or telephone number changes. Proof of residency at the new address may also be required.

### **5.3 Check Acceptance Policy**

All personal checks written to the School must include the current address and phone number of the account holder. The account holder's name should also be legible and printed on the check.

The School may collect any applicable services fees in the event that a check written to the School is returned unpaid by the bank.

### **5.4 Notification of Teacher Qualification**

Somerset Academy will provide parents with the qualifications of each teacher employed by the School. Parents may also request, and Somerset Academy will provide in a timely manner, information regarding the professional qualifications of their student's classroom teachers. Information provided in response to a parent request will include, at a minimum:

1. Whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher has an emergency permit or other provisional status for which state requirements has been waived;
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.



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

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

The Board of Directors encourages parents and the public to discuss their complaints and grievances through informal meetings with the Head of School or designee. Complaints and grievances should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Neither the Board of Directors nor any Somerset Academy employee shall unlawfully retaliate against a parent or student for voicing a complaint and/or grievance.

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.

### **Informal Conferences**

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

### **Formal Complaint Process**

The formal complaint process provides all persons with an opportunity to be heard up to the Board of Directors if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, a parent and/or student can bring complaints and/or grievances to the Board of Directors, as outlined below.

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

### **Level One Complaint**

If the complaint cannot be resolved informally, the student or parent shall request a conference in writing with the Head of School or designee within seven days from the time the event(s) causing the complaint were or should have been known. Following a conference, the Head of School or designee shall have seven days to issue their decision. A parent or student shall submit a written Level One Complaint Form to the Head of School or designee within the later of (1) seven days from the time the event(s) causing the complaint were or should have been known, or (2) within seven days following an informal conference with the Head of School or designee. Somerset Academy reserves the right to require the complaining parent or student to begin the complaint process at Level Two.

The Head of School or designee will meet with the complaining parent or student within seven days of receiving the written complaint, and issue a written Level One decision within seven school days of the meeting.

*Note:* A complaint against the Superintendent shall begin at Level Three.

#### Level Two Appeal

If the student or parent is not satisfied with the Level One decision, or if no decision is provided within the time allowed for a response, the student or parent may appeal the Level One decision to the Superintendent or designee. The appeal must include a signed statement of the complaint, any evidence supporting the complaint, and a copy of the written Level One Complaint Form and the Level One Decision, if issued. The appeal shall not include any new issues or complaints unrelated to the original complaint. The appeal must be filed within seven days of the Level One decision or the response deadline if no decision is made.

The Superintendent or designee will hold a conference within seven days of receiving the appeal, and issue a written Level Two decision within seven days of the appeal conference.

#### Level Three

If the student or parent is not satisfied with the Level Two decision, or if no timely decision is provided, the student or parent may submit to the Superintendent or designee a written appeal to 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 Board of Director's meeting at which the complaint will be placed on the agenda for consideration by the Board of Directors.

The Board of Directors will consider the appeal, and may allow a presentation by the parent or student and the School's administration. The appeal will be limited to the issues and documents considered at Level One and Two, except that if the administration intends to rely on evidence not included in the complaint and/or grievance record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the Board of Director's meeting.

Somerset Academy will determine whether the appeal will be presented in open or closed session in accordance with the Texas Open Meetings Act and other applicable law.

The presiding officer may set reasonable time limits and guidelines for any presentation of evidence, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board of Directors. The Board of Directors shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

The Board of Directors shall communicate its decision, if any, orally or in writing before or during the next regularly scheduled Board of Director's meeting. If no decision is made by the end of the next regularly scheduled Board of Director's meeting, the decision being appealed shall be upheld. 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.

#### **Additional Complaint Procedures**

This Parent and Student Complaints and Concerns process does not apply to all complaints and/or grievances:

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, religion, or any other characteristic protected by law shall be submitted as described in “Freedom from Discrimination, Harassment, and Retaliation,” Section 2.15 of this Handbook.
2. Complaints concerning retaliation related to discrimination and harassment shall be submitted as described in “Reporting Procedures,” Section 2.15 of this Handbook.
3. Complaints concerning bullying or retaliation related to bullying shall be submitted as described in “Freedom from Bullying and Cyberbullying,” Section 2.14 of this Handbook.
4. For complaints and grievances concerning loss of credit on the basis of attendance.
5. For complaints and grievances concerning disciplinary long-term suspensions and/or expulsions.
6. Complaints concerning the identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted as described in “Student or Parent Complaints and Concerns” above, except that the deadline for filing an initial Level One complaint and/or grievance shall be 30 calendar days and the procedural safeguards handbook.
7. Complaints concerning the identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with applicable Board of Director’s policy and the procedural safeguards provided to parents of all students referred to special education.
8. Complaints regarding the Free and Reduced Price Meal Program. In accordance with federal law and U.S. Department of Agriculture policy, the school is prohibited from discriminating on the basis of race, color, religious creed, sex, political beliefs, age, disability, national origin, or limited English proficiency. (Not all bases apply to all programs.) Reprisal is prohibited based on prior civil rights activity. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which is available online at the following website: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usada.gov](mailto:program.intake@usada.gov). Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339, or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

## **5.6 Surveys and Activities**

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

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

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

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

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

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

## **SECTION 6 — IMPORTANT NOTICES**

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

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

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

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

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

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

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

Parents or eligible students may ask the School to amend a record that they believe is inaccurate, misleading, or in violation of the student’s privacy rights. Parents or eligible students should submit to the Head of School or designee a written request that clearly identifies the part of the record they want changed, and specifies why it is inaccurate, misleading, or in violation of the student’s privacy rights. The School will decide whether to amend the record as requested within a reasonable time after the School receives the request. If the School decides not to amend the record as requested by the parent of eligible student, the School will notify the parent of eligible student of the decision and advise them to their right to a hearing to challenge the content of the student’s education records on the grounds that the information contained in the educational records is inaccurate, misleading, or in violation of the student’s privacy rights.

If, as a result of the hearing, the School decides that the information in the educational record is not inaccurate, misleading, or in violation of the student’s privacy rights, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School, or both. If the School places an amended statement in the student’s educational records, the School is obligated to maintain the amended statement

with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

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

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

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

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

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

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

Parents and/or eligible students have the right to file a complaint with the Family Policy Compliance Office of the

U.S. Department of Education ("Office") concerning alleged failures by the school to comply with the requirements of FERPA. These complaints should be addressed as follow:

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

### **Access to Medical Records**

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

### **Notice for Directory Information**

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

#### *Disclosure of Directory Information for School-Related Purposes*

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

- Student name.

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

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

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

*Disclosure of Directory Information for Certain Recruiters (High School Students Only)*

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

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

*Disclosure of Directory Information in Response to Request by Law Enforcement Officials*

The School has designated the following categories of information as directory information for purposes of responding to requests for general student information made by law enforcement officials and authorities:

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

Somerset Academy shall not release directory information except for the purposes indicated above, namely, disclosure relating to school-sponsored/school-affiliated purposes; for the purpose of disclosure to military recruiters and institutions of higher education for secondary students; and for the purpose of disclosure upon request by law enforcement officials and authorities.

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



ALL forms after this page must be printed, signed and returned to school as one packet.

Students must return forms to Homeroom for Elementary and their Advisory teacher for middle and high school.

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**  
**Directory Information Opt-Out Form**

“Directory Information” means information contained in an educational record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The law permits the School to designate certain personal information as “directory information,” which may be released to anyone who follows the procedures for requesting it as proscribed in School policy.

To prohibit the School from releasing your student’s directory information, you must circle NO adjacent to the appropriate statement(s) below, sign the form, and return it to your student’s school. **Completion of this form is optional. However, if you do not circle NO or return this form, directory information about your student may be released in accordance with School policy.**

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

**PLEASE CIRCLE YES OR NO**

For all students:

YES	NO	I give permission for my student’s name and photograph to be included in the School’s yearbook.
YES	NO	I give permission for my student to be videoed, photographed, or interviewed at school by local media or School personnel for use in educational purposes.
YES	NO	I give permission for my student’s artwork, projects, photographs, etc. to be used or displayed in any School communication devices. Examples include media coverage, printed materials, marketing, and websites.
YES	NO	I give permission for my student’s name, address, and telephone number to be provided upon request by law enforcement officials and authorities.

For secondary students only:

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

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

Student’s Date of Birth \_\_\_\_\_

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

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



Date \_\_\_\_\_



## **Use of Student Work in School Publications**

Occasionally, Somerset Academy wishes to display or publish student artwork, photos taken by the student, or other original work on the School's website, a website affiliated or sponsored by the School (such as a classroom website), and in School publications. Somerset Academy agrees to use these student projects in this manner.

Parents: Please circle one of the choices below:

I, parent of \_\_\_\_\_ (student's name), (do give) (do not give) Somerset Academy permission to use my child's artwork, photos, or other original work in the manner described above.

Parent Signature: \_\_\_\_\_



Date: \_\_\_\_\_

## **Student Acceptable Use Policy**

This Student Acceptable Use Policy (“Policy”) sets forth the guidelines governing the use of all Somerset Academy technology resources by students while on or near school property, in school vehicles and at school-sponsored activities on- or off-campus, as well as the use of all Somerset Academy technology resources via off-campus remote access.

Somerset Academy reserves the right to modify the terms and conditions of this Policy at any time.

### ***Introduction***

Somerset Academy is pleased to offer students access to school computers, communications systems,<sup>1</sup> the Internet and a wide array of other technology resources to promote educational excellence and enhance the classroom experience. Technology can expand a student’s access to educational materials, prepare students by providing workforce skills and college readiness, and lead to personal growth. Somerset Academy recognizes, however, that access to technology must be given with clear guidelines, expectations, and supervision to protect students. This Policy is designed to make parents, teachers and administrators partners to teach students how to be responsible users of technology.

Somerset Academy will educate all students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

Somerset Academy will hold ALL students responsible for their use of technology, whether Somerset Academy -provided or personal, and they are expected to act in an appropriate manner in accordance with campus procedures, Somerset Academy policy and procedures, and legal requirements. This applies to the use of all Somerset Academy technology resources by students while on or near school property, in school vehicles and at school-sponsored activities on-or off-campus, as well as the use of all Somerset Academy technology resources via off-campus remote access.

This Policy shall be used in conjunction with the Student Code of Conduct.

### ***Using the Internet and Communications Systems***

Somerset Academy provides technology resources to students for the express purposes of conducting research, completing assignments, and communicating to the faculty, staff, and others to complement their educational experience. Just as students must demonstrate proper behavior in a classroom or school hallway, they must also behave appropriately when using any Somerset Academy computer networks, personal electronic devices, personal device data plans, software or websites sanctioned or used by Somerset Academy, and any personal technology used in an educational setting. Access to Somerset Academy’s technology is a privilege, not a right. Students must comply with all Somerset Academy standards set forth in this Policy at all times in order to maintain the privilege of using its technology resources.

Students and their parents are advised that any information stored on and/or sent through Somerset Academy’s technology resources is the property of Somerset Academy. Accordingly, in connection with ensuring student safety, Somerset Academy network administrators and/or other appropriate personnel will engage in periodic reviews and searches of stored files and communications stored on Somerset Academy technology resources to maintain system integrity and ensure that students are complying with this Policy and using technology in a responsible and appropriate manner. Such reviews will include students’ use of Somerset Academy-

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<sup>1</sup> “Communication Systems” include educational-related communications between and among Somerset Academy and students by email, web sites, cell phones, pagers, text messaging, instant messaging, blogging, podcasting, listservs, and/or other emerging technologies.

approved educational websites or software to ensure that they are using it in an appropriate manner consistent with Somerset Academy's expectations for such use. Students do not have a reasonable expectation of privacy over any information stored on Somerset Academy technology.

Somerset Academy may allow students to bring personal technology devices (i.e., tablets, e-readers, smartphones) for use during the school day for authorized curricular purposes. Students that use personal technology devices will be required to comply with all aspects of the Policy and/or Student Code of Conduct in the use of such devices at school. A student's personal technology device may be subject to search by campus administrators in connection with determining if a student has committed a violation of this Policy and/or the Student Code of Conduct.

Somerset Academy remains committed to integrating technology to enhance its curriculum for students, which it believes increases students' educational experience for them and allows for better preparation for job skills and college success. Access to the Internet enables students to use extensive online libraries, databases and websites selected by Somerset Academy for use in instruction.

Although Somerset Academy strives to ensure that any Internet access avoids any inappropriate material, students and their families should be aware that some material accessible on the Internet may contain information that is inaccurate, profane, sexually oriented, defamatory and potentially offensive to some. Somerset Academy does not condone any student accessing, or attempting to access, such material, and it remains deeply committed to safe Internet use. Somerset Academy takes steps to minimize students' opportunities to do so, including the implementation of extensive content-filtering software. This software is not fail-safe, however, and while at school Somerset Academy strives to ensure that students' Internet use is supervised, it is possible that the software may miss some content, or students may find a way around the software to access inappropriate material. For this reason, this Policy is strictly enforced, and students who misuse any Somerset Academy technology outside its intended purpose, including the use of Somerset Academy -recommended websites for purposes outside the educational intent, will be in violation of this Policy, which may lead to disciplinary consequences for the student.

With this in mind, Somerset Academy still believes that the benefits of allowing student access to the Internet to enhance the educational experience outweighs any potential harm to students.

#### ***Proper and Acceptable Use of All Technology Resources***

Somerset Academy requires students to use all technology resources, including any websites or software used in the classroom, in a manner consistent with the following rules. Somerset Academy will hold students responsible for any intentional misuse of its technology resources, or any other failure to comply with the rules in this Policy. When using Somerset Academy technology systems outside the school, parents should strive to ensure that students do so in compliance with the rules set forth in this Policy, as Somerset Academy is unable to supervise students' technology use at home. Somerset Academy's content-filtering software will not work in a student's home, so parents are encouraged to place content-filtering software on their home computers or take any other steps necessary to monitor students' Internet usage at home.

Students, who unintentionally access inappropriate material in connection with their use of any Somerset Academy technology, including websites and software used in the classroom, shall immediately stop accessing the material and report it to a supervising adult. Somerset Academy shall take immediate steps to ensure such material is blocked from further view at school by its content-filtering software.

All Somerset Academy technology resources, including but not limited to Somerset Academy computers, communications systems and the Internet, including any websites or software used in the classroom, must be used in support of education and academic research and in accordance with the rules set forth in this Policy.

Activities that are permitted and encouraged include the following:

- School work and assignments;
- Original creation and presentation of academic work;
- Research on topics being discussed in classes at school;
- Research for opportunities outside of school related to community service, employment or further education;
- Reporting inappropriate content or harassing conduct to an adult.

Activities that are barred and subject to potential disciplinary action and loss of privileges, whether on an Somerset Academy -provided or personal electronic device, include the following:

- Attempting unauthorized access, or “hacking,” of Somerset Academy computers or networks, or any attempts to bypass Internet content-filtering software used by Somerset Academy.
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the student is not an intended recipient or logging into a server or account that the student is not expressly authorized to access. For purposes of the section, “disruption” includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, forged routing information for malicious purpose, and any other form of network monitoring designed to intercept data not intended for the student’s host.
- Engaging in abusive, harassing, insulting, ostracizing, intimidating, or any other online conduct which could be considered bullying and/or damaging to another’s reputation while using any Somerset Academy technology resource, to include the use of any website or software used by Somerset Academy.
- Engaging in any conduct that damages or modifies, or is intended to damage or modify, any Somerset Academy equipment, network, stored computer file, or software, to include any conduct that results in a person’s time to take any corrective action.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control logs.
- Intentional or neglectful transmission or direct placement of computer viruses or other unauthorized programs onto Somerset Academy equipment, networks, stored computer files, or software.
- Interfering with or denying service to any other use or than the student’s host (for example, denial of service attack).
- Participating in online chat rooms or using instant and/or text messaging without prior approval by a classroom teacher, coach or administrator.
- Port scanning or security scanning.
- Presenting any copyrighted, registered, or trademarked work as that of the student.
- Refusing to submit to a search of a personal electronic device in accordance with the Student Acceptable Use Policy and Student Code of Conduct.
- Searching, viewing, communicating, publishing, downloading, storing, or retrieving any inappropriate or offensive material, including but not limited to obscene, profane, vulgar, or pornographic materials, or any material that is not related to the permitted activities set forth above.
- Sharing online any personal information of another student or staff member, including name, home address, or phone number.
- Taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as “sexting.”
- Tampering with, removing components from, or otherwise deliberately interfering with the operation of Somerset Academy computers, networks, printers, user files, or other associate peripherals.

- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Somerset Academy or the end user does not have an active license.
- Using a website or software program implemented by Somerset Academy in a manner outside the scope of the use specified by the classroom teacher, coach or administrator.
- Using any programs/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet.
- Using any Somerset Academy technology for games, role-playing multi-user environments, gambling, junk mail, chain mail, jokes or fundraising activities without prior approval by a classroom teacher or administrator.
- Using any Somerset Academy technology resource to engage in any activity that violates any Somerset Academy Board of Director's policy, the Student Code of Conduct, campus rule, local, state, and/or federal law.
- Using any Somerset Academy technology resource to take, disseminate, transfer, or share obscene, sexually oriented, lewd, or otherwise illegal images or other content.
- Using any Somerset Academy technology resources for any commercial and/or for-profit purpose, to include personal financial gain or fraud.
- Using obscene or profane language on any Somerset Academy technology resource, to include posting such language on any website or software used by Somerset Academy.
- Using Somerset Academy or personal technology during the administration of state standardized testing, End of Course, and or final examinations unless expressly allowed to do so by a teacher.
- Using technology for plagiarism or otherwise representing the work of others as the student's own.
- Using USB, bootable CD's, or other devices to alter the function of any Somerset Academy technology equipment, network or software.
- Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property or similar laws or regulations, including, but not limited to, any downloading, installation, or distribution of "pirated" or other software products.

Students shall immediately report any violations of this Policy to a classroom teacher or administrator. If any student or parent has any question about whether any activity may be a violation of this Policy, they should ask a classroom teacher or the Head of School or designee.

### ***Personal Electronic Devices***

Personal wireless and mobile devices may be provided filtered access to the Internet as well as access to any web-based student applications (e.g., Discovery Education Streaming, Moodle) that would normally be accessible to students from home. Somerset Academy is not responsible for the loss or theft of any personal electronic devices, or for damage, or unauthorized access to the device nor the data that resides therein. Students and parents assume any and all risks associated with bringing a personal electronic device to a campus or school-related event. In addition:

- All students with personal electronic devices being used for instructional or other school business must use Somerset Academy's wireless network, which is filtered according to federal guidelines for Internet access in public schools.
- If a student uses a personal electronic device in an inappropriate manner, he or she will lose their privilege of bringing a personal device to school. Additional consequences may be imposed based on the Policy and the Student Code of Conduct, as well as any campus-based consequences for violating the usage rules for personal electronic devices.

- Personal electronic communications such as e-mail, instant messaging, chat, blogs, etc., are prohibited at school unless the teacher and/or administrator has approved the use of an application for educational purposes.
- Personal electronic devices are never to be plugged into the wired network (i.e., computers, wall jacks, other school equipment, etc.).
- School officials may power on and search a student device if there is a reasonable cause to believe that the device has been used in the transmission or reception of communications prohibited by law, policy, or regulation and if a student and parent have signed a form authorizing the student to possess the device at school.
- Sound on personal wireless and mobile devices must be turned off when it is being used as part of a class.
- Student selection of appropriate, tasteful screensavers and wallpaper is expected.
- Teachers will establish standards for personal electronic devices used in their respective classrooms; however, it is Somerset Academy policy that students are not allowed to access the Internet unless supervised by a teacher or staff member.
- The student must take full responsibility for configuring and maintaining their personal electronic devices. Somerset Academy will not provide technical support for these devices.
- When personal electronic devices are not in the student's possession, the student must secure them. Somerset Academy will not store, nor will it accept responsibility for storing, any student's personal electronic device on school grounds. Personal electronic devices must go home with students daily.

### ***Privacy and Security***

Students are expected to use Somerset Academy technology resources responsibly and in a safe and secure manner, regardless of whether such technology is accessed using an Somerset Academy -issued or personal electronic device. Students shall not share their individual logins, passwords, or access to Somerset Academy technology with others without the prior approval of a classroom teacher or administrator. Students shall sign off or log off all Somerset Academy equipment, software, or Internet sites once they are done with their session in order to protect the integrity of their logins, passwords, or access.

### ***Consequences***

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

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

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

### ***Limitations of Liability***

Somerset Academy makes no warranties of any kind, whether express or implied, for the technology resources it provides to students through Somerset Academy provided and/or a student's personal electronic device.

Somerset Academy is not responsible for any damages that a student may sustain, including those arising from non-delivery of information, erroneous delivery of information, service interruptions, unauthorized use by a student, loss of data, and any potential exposure to inappropriate material from the Internet. Use of any information obtained through the Internet is at the student's own risk, as Somerset Academy makes no representations, and denies responsibility for, the accuracy or quality of the information. In exchange for being allowed to use Somerset Academy technology resources, students and their parents hereby release Somerset Academy, its directors, employees, and representatives from any and all claims for damages that arise from the intentional or neglectful misuse of Somerset Academy's technology resources by the student.

**Somerset Academy**  
**Acceptable Use Agreement Acknowledgement Form**

I have read and agree to abide by the School's Student Acceptable Use Policy. I further understand that any violation of this policy may constitute a criminal offense. Should I commit any violation, my Internet and computer access privileges may be revoked, and disciplinary action and/or appropriate legal action may be taken.

 **SIGN  
HERE**

Student Name \_\_\_\_\_

Student Signature \_\_\_\_\_

Date \_\_\_\_\_

(If you are under the age of 18 a parent or guardian must also read and sign this agreement.)

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

 **SIGN  
HERE**

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

Date \_\_\_\_\_



**Somerset Academy**  
**Electronic Communication Device Commitment Form**

Electronic communications at school and at school-related functions are subject to regulation by the School.



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

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

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

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

SIGNATURE LINES AND DATES

Signature of student	Date	
Printed name of student		
Signature of parent/guardian	Date	

**Somerset Academy**  
**Food Allergy Notification Form**

Dear Parents,

The School is required by law to request, at the time of enrollment, that the parent or guardian of each student attending a School campus discloses the student's food allergies. This form will satisfy this requirement.

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

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

Please list any foods to which your child is allergic or severely allergic, as well as the nature of your child's allergic reaction to the food. The School will contact you for a note from your physician if your child has food allergies. **Your child must have an EpiPen prescribed to help in the event of an emergency.**

Food:	Nature of allergic reaction to the food:

The School will maintain the confidentiality of this form and the information provided above, and may disclose the information to teachers, school counselors, school nurses, and other appropriate school personnel only within the limitations of the Family Educational Rights and Privacy Act ("FERPA") and Board policy. **The School will maintain this form as part of your child's student record.**

Student Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

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

Home Phone: \_\_\_\_\_

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

Date: \_\_\_\_\_

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

Date form received by the school: \_\_\_\_\_

**Somerset Academy**  
**Photo/Videotape Release Form**

Throughout the school year, there may be times when Somerset Academy staff, the media, or other organizations (with the approval of the Head of School), may take photographs of students, audiotape and/or videotape students, or interview students for School-related stories in a way that would individually identify a specific student. Those photographs, audio recordings, and/or videotaped images or interviews may appear in School publications; in School video productions; on the School website; in School advertisements, fundraising, and/or recruitment materials; in the news media; or in other nonprofit, education- related organizations' publications.

In order to release student photos, video footage, comments and/or post on the School website, we need written permission. To give your consent, please complete the form below.

\_\_\_\_\_ I hereby give permission for Somerset Academy to use my child's voice and/or likeness in its publications for the purposes mentioned above. I authorize the use and reproduction by the School of any and all photographs and/or audio or video recordings taken of my child, without compensation to my child or to me. All photographs and recordings shall be the sole property of the School. I waive any right to inspect or approve the finished photographs, audio or video recordings, and/or reproduced materials that may be used in conjunction with them. I understand and agree that the School may use my child's voice and/or likeness in subsequent school years unless I revoke this authorization by notifying the Head of School in writing. I further grant unto the School permission to permit my child to be photographed, audio/videotaped, or interviewed by the news media or other approved organizations for School-related stories or articles. I release the School and those acting pursuant to its authority from liability for any violation of any personal or proprietary right I may have in connection with the purposes mentioned above.

\_\_\_\_\_ Somerset Academy may not use my child's voice and/or likeness in its publications for the purposes mentioned above. I further decline permission for the School to permit my child to be photographed, audio/videotaped, or interviewed by the news media or other approved organizations for school-related stories or articles.

Student's Name: \_\_\_\_\_

Parent's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



\* Students 18 years of age or older may sign this release form for themselves \*

**Somerset Academy**  
**Student/Parent Handbook Acknowledgment and**  
**Approval of Student/Parent Handbook and Student Code of Conduct**

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

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

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



Date: \_\_\_\_\_

Printed Name of Parent/Guardian: \_\_\_\_\_

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



Date: \_\_\_\_\_