Module 400: Students

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

Module 100: Financial Operations

Module 200: Charter School Governance & Organization Module 300: General School Operations

Module 500: Open Government Module 600: Human Resources

Legal Abbreviations Used In the TCSA Model Board Policy Series

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<th>Abbreviation</th>
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<tr>
<td>C.F.R</td>
<td>Code of Federal Regulations</td>
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<td>Tex. Admin. Code</td>
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<td>Tex. Gov’t Code</td>
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400.020. ADMISSIONS & ENROLLMENT

SECTION 1. Admissions

Section 1.1. Non-Discrimination Policy. SFA CHARTER SCHOOL’s admissions and enrollment shall be free from discrimination based on sex, national origin, ethnicity, religion, disability, academic, artistic, athletic ability, or the district the child would otherwise attend under state law.

Section 1.2. Admission Application Deadline. SFA CHARTER SCHOOL’s admission application period extends from the second Tuesday in January through the fourth Friday in January in the same year.

Section 1.3. Exclusion from Admission. SFA CHARTER SCHOOL reserves the right to exclude from admission a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under the Education Code, Chapter 37, Subchapter A.

SECTION 2. Enrollment

Section 2.1. Eligibility. The CEO/Principal, or CEO/PRINCIPAL’s designee, shall establish procedures that ensure that appropriate measures are taken to verify, on enrollment, that a student is entitled to enroll in SFA CHARTER SCHOOL. Areas to be verified include, but are not limited to, a student’s residency and grade level.

Section 2.2. Enrollment Documentation. Upon a student’s enrollment, the CEO/PRINCIPAL, or CEO/PRINCIPAL’s designee, shall ensure that a bona fide effort is made to secure all records and required documentation pertaining to the student.

Section 2.3. Establishing Identification. Any of the following documents are acceptable for proof of identification and age: birth certificate; passport, record, OR military ID; hospital birth record; adoption records; church baptismal record; or any other legal document that establishes identity.

SECTION 3. State Conservatorship Liaison

Academic Coordinator is appointed the liaison with the Department of Family and Protective Services to facilitate the enrollment in the school, or the transfer to another public school, of a child who is in the conservatorship of the state. The Academic Coordinator shall cause his or her name and contact information to be submitted to the Texas Education Agency in the time and manner and time required by agency rules.

Section 3.1. Continued Enrollment of Student in Conservatorship of State. A student who is placed in the conservatorship of the Department of Family and Protective Services and at a residence outside the geographic boundary served by SFA CHARTER SCHOOL shall be entitled to continue to attend SFA CHARTER SCHOOL.
400.040. ATTENDANCE

Section 1. Compliance
The CEO/Principal, or designee shall ensure SFA CHARTER SCHOOL's student attendance accounting system is in compliance with all laws, regulations, and Texas Education Agency rules governing attendance. The CEO/Principal, or designee, shall ensure that attendance policies are distributed to staff, students, and parents/guardians.

Section 2. Documented Absences

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

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

Section 3. Warning Notice
The CEO/Principal, or designee, shall ensure that at the beginning of each school year the parents of students of SFA CHARTER SCHOOL receive notice that they and the student is subject to prosecution for violation of attendance laws.

Section 4. School Attendance Officer
SFA CHARTER SCHOOL shall have a school attendance officer (SAO). The CEO/Principal, or designee, shall determine the duties and responsibilities of the SAO, all of which should be in line with the maintenance of student attendance.

400.060. FERPA
The governing body (“Board”) of SFA CHARTER SCHOOL adopts the following policy which shall be effective on the
Section 1. Compliance
In regards to student records, SFA CHARTER SCHOOL shall comply with the Family Educational Rights and Privacy Act ("FERPA") and university policy.

Section 2. Custodian of Records
The CEO/Principal is designated the custodian of all student records. University General Counsel is designated as the agent for the purposes of the receipt of requests concerning the disclosure of student records.

Section 3. Annual Notice
The CEO/Principal shall ensure that all parents of students currently in attendance and current students who have reached 18 years of age annually receive a notice of their rights under FERPA.

Section 4. Directory Information

Section 4.1. Definition. Directory information is as defined in university policy.

Section 4.2. Disclosure. Directory information will be released to the public at the discretion of SFA CHARTER SCHOOL, in compliance with FERPA, unless a parent objects to part or all of its release in writing within 12 school days after receiving the annual notice described in Section 3 of this policy. Written objections shall be collected and maintained by the CEO/PRINCIPAL.
Section 1. Compliance
The CEO/Principal shall ensure that SFA CHARTER SCHOOL maintains compliance with all state laws and regulations governing curriculum and requirements.

Section 1.1. Pledge of Allegiance.
The principal, or designee, of each campus of SFA CHARTER SCHOOL shall ensure that SFA CHARTER SCHOOL maintains compliance with all state laws and regulations governing recitation of the Pledge of Allegiance to the United States and Texas flags and the regulations governing proper flag display in each classroom in which the pledges of allegiance are recited.

Section 1.2. Observance of Moment of Silence.
The principal, or designee, of each campus of SFA CHARTER SCHOOL shall ensure that SFA CHARTER SCHOOL maintains compliance with state law governing the observance of one minute of silence following the recitation of the pledges of allegiance to the United States and Texas flags.

Section 1.3. Commemoration of the Events of September 11, 2001.
The principal, or designee, of each campus of SFA CHARTER SCHOOL shall ensure that SFA CHARTER SCHOOL maintains compliance with state law governing the commemoration of the events of September 11, 2001.
Section 1. Program Principles

SECTION 1.1. Board Commitment. The Board of SFA CHARTER SCHOOL is committed to meeting the needs of non-English speaking students who are English Language Learners (ELL) or students of limited English proficiency (LEP) and to providing every ELL student with a full opportunity to participate in an English as a Second Language (ESL) program. Throughout this Policy ELL students and LEP students shall have the same meaning.

SECTION 1.2. Compliance with State and Federal Requirements. The CEO/Principal, or designee, shall ensure that the ESL programs of SFA CHARTER SCHOOL operate in compliance with federal and state law.

Section 2. Program Responsibilities

The CEO/Principal will ensure that SFA CHARTER SCHOOL shall:

1. Identify ELL students based on criteria established by the state;

2. Provide ESL programs as integral parts of the SFA CHARTER SCHOOL regular program;

3. Assess achievement for essential knowledge and skills in accordance with Education Code Chapter 39 to ensure accountability for ELL students.

Section 3. Establishment of Language Proficiency Assessment Committee (LPAC)

SFA CHARTER SCHOOL shall establish and operate Language Proficiency Assessment Committee(s) in accordance with this policy and the LPAC procedures established by the CEO/PRINCIPAL. It is the policy of SFA CHARTER SCHOOL to follow the LPAC Legal Framework developed by the Region 20 Education Service Center for the SFA CHARTER SCHOOL LPAC procedures.

The CEO/PRINCIPAL or designee shall ensure that an LPAC is established at SFA CHARTER SCHOOL to discharge LPAC duties within 20 school days of enrollment of an ELL student. The CEO/PRINCIPAL shall ensure that this policy and all LPAC procedures are on file in the records of SFA CHARTER SCHOOL.

Section 3.1 Selection of LPAC Members. The CEO/PRINCIPAL shall establish procedures for the selection, appointment and training of members of the LPAC for the special language program(s) operated by SFA CHARTER SCHOOL. Selection of parent members of LPAC(s) shall be made after soliciting volunteers and upon the recommendation of professionals involved in the ESL program. No parent serving on the LPAC shall be an employee of SFA CHARTER SCHOOL. Professional staff members of the LPAC(s) shall be assigned those duties by the CEO/PRINCIPAL or designee in accordance with the LPAC procedures.

Section 3.2. General Responsibilities of LPAC. The CEO/PRINCIPAL shall establish procedures governing the SFA CHARTER SCHOOL LPAC for fulfilling LPAC responsibilities and duties. The SFA CHARTER SCHOOL LPAC shall accomplish the following general responsibilities:

1. Review of all pertinent information on ELL students upon initial enrollment and at the end of the school year;
2. Make recommendations concerning the most appropriate placement for the advancement of an ELL student;

3. Review each ELL student’s progress at the end of the school year in order to determine future appropriate placement;

4. Monitor the progress of former ELL students who have transferred out of the special language program and designate the most appropriate placement for such student;

Section 3. Training
The SFA CHARTER SCHOOL shall provide orientation and training for all members of the LPAC, which shall include a discussion of the committee’s duties and a thorough explanation and review of all laws and rules governing the confidentiality of information regarding individual students. In performing their duties, committee members shall be acting for SFA CHARTER SCHOOL and shall observe requirements regarding confidentiality of student records. The CEO/PRINCIPAL or designee shall ensure that each LPAC member receives a Certificate of Training and that such certificates are retained on file by SFA CHARTER SCHOOL.

Section 4. Home Language Survey

SECTION 4.1 Administration of Survey. SFA CHARTER SCHOOL shall include a Home Language Survey as part of the student enrollment documentation to determine the language normally used in the home and the language normally used by the student. The home language survey shall be conducted in English and in the home language, and signed by the student’s parents if the student is in kindergarten through grade 5. The CEO/PRINCIPAL or designee shall ensure that an original copy of the survey is retained in the student’s permanent record.

SECTION 4.2 Language Classification. The SFA CHARTER SCHOOL LPAC shall use the home language survey to establish the student’s language classification for determining whether the school is required to provide an ESL program. If a student is identified through the home language survey as normally speaking a language other than English, the LPAC will ensure that the student is tested in accordance with 19 Administrative Code §89.1225 and additionally for students with disabilities, 19 Administrative Code §89.1230, within 20 school days of the student’s enrollment in SFA CHARTER SCHOOL.

Section 5. ELL Classification and Instructional Placement

SECTION 5.1 ELL Classification. The SFA CHARTER SCHOOL LPAC may classify a student as an ELL student if:

1. The student’s ability in English is so limited or the student’s disabilities are so severe that assessment procedures cannot be administered;

2. The student’s score or relative degree of achievement on the Texas Education Agency (TEA)-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;

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3. The student’s primary language proficiency score as measured by a TEA-approved test is greater than the student’s proficiency in English; or

4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student’s primary language proficiency is greater than the student’s proficiency in English or that the student is not reasonably proficient in English.

SECTION 5.2. Instructional Placement. Students shall be identified as ELL students and enrolled in the required ESL program of SFA CHARTER SCHOOL within 20 days of their initial enrollment. Students enrolled in ESL programs shall be placed in classes with other students of approximately the same age and level of education. The LPAC is responsible for ensuring that instruction given to each student is appropriate to the student’s level of educational attainment.

Section 5.3 Program Evaluation. The SFA CHARTER SCHOOL LPAC shall conduct periodic assessments of the special language programs of SFA CHARTER SCHOOL to determine program impact and student outcomes in all subject areas. The LPAC shall make annual reports of the educational performance of ELL students that shall be retained in the records of SFA CHARTER SCHOOL addressing:

1. the academic progress in either language of the ELL students and the extent to which they are becoming English proficient;

2. the number of students who have been exited from the ESL program.

Section 6. PARENTAL NOTICE AND CONSENT

SECTION 6.1. Parental Notice. Within ten days of the LPAC’s classification of a student as ELL, the LPAC shall provide written notice to the student’s parent or legal guardian. The notice must be in English and in the parent’s primary language. The notice shall inform the parents/legal guardian of the benefits of the program for which the student is recommended and that it is an integral part of the school program.

SECTION 6.2. Parental Consent Of Entry Or Placement. A student shall not be placed in the ESL program of SFA CHARTER SCHOOL without approval in writing by the student’s parent or legal guardian. If the parent or guardian denies permission to enroll the student in the ESL program, the LPAC will ensure that a conference is held with an administrator, the parent or guardian, and another member of the LPAC. The conference will address, and strive to ensure that parents/guardians understand the purpose and content of the ESL program. If the parents/guardians continue to deny enrollment in the program, the CEO/PRINCIPAL shall notify parents of a student’s reclassification as a limited English proficient learner, which will not receive ESL services.

SECTION 6.3. Parental Request for Exit. The LPAC shall facilitate the exit of the student from an ESL program if the student’s parent or guardian makes such request in writing.

SECTION 6.4. Parental Notice of Exit. The SFA CHARTER SCHOOL LPAC is responsible for informing parents in writing when their student meets the exit criteria and exits from an ESL program. The notice shall be made in English and the home language of the student.

Section 6.5 Annual Progress Report. The SFA CHARTER SCHOOL LPAC is responsible for providing parents with an annual report on the progress of their ELL child in the ESL program. The report shall be made in English and

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the home language of the student.

Section 7. Documentation
The LPAC shall be responsible for ensuring that the ESL student’s permanent record contains documentation of all actions impacting the ESL student, including adequate records of the educational level and progress of each ESL student enrolled in SFA CHARTER SCHOOL.

Section 8. ESL Program
SFA CHARTER SCHOOL CEO/PRINCIPAL shall ensure that the ESL program offered by SFA CHARTER SCHOOL complies with applicable regulations.
400.100. IDEA POLICIES & PROCEDURES

Section 1. Legal Framework
It is the policy of SFA CHARTER SCHOOL to follow the Legal Framework for the child Centered Process developed through the Region 18 Education Service Center. Additional policies may be adopted by the governing board to evidence SFA CHARTER SCHOOL's commitment to the framework and uploaded to Region 18's Legal Framework website.

Section 2. Regular Education Teacher IEP Review Request
The CEO/Principal, or the CEO/PRINCIPAL’s designee, shall develop a process to be used by a teacher who instructs a student with a disability in a regular classroom setting: (1) to request a review of the student’s individualized education program; (2) that provides for a timely response from SFA CHARTER SCHOOL to the teacher’s request; and (3) that provides for notification to the student’s parent or legal guardian of that response.
400.110 SECTION 504

Section 1. Policy of Nondiscrimination
It is a policy of SFA CHARTER SCHOOL not to discriminate based on disability in its educational programs as required by Section 504 of the Rehabilitation Act of 1973 (Section 504).

Section 2. Section 504 Coordinator
For students, the following position is designated as Section 504 compliance coordinator:

Lysa Hagan
CEO/PRINCIPAL of SFA CHARTER SCHOOL
2428 RAGUET STREET, NACOGDOCHES, TX
TELEPHONE NUMBER:
936-468-5899

Section 3. Section 504 Committee
The Section 504 committee shall be composed of at least two persons, including persons knowledgeable about the student, the meaning of the evaluation data, the placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

Section 4. Training
The Section 504 coordinator and members of the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services to those students who have disabilities but who are not in need of special education in accordance with IDEA.

Section 5. Notice of Nondiscrimination Policy
SECTION 5.1. Notification of Nondiscrimination. The SFA CHARTER SCHOOL shall take appropriate steps to notify the parents or guardian of students and students seeking enrollment, and employees of SFA CHARTER SCHOOL, including those with impaired vision or hearing, that it does not discriminate on the basis of disability.

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

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

1. Posting of notices;
2. Publication in newspapers and magazines;
3. Placing notices in school publications; and
4. Distributing memoranda or other written communications.

If the school publishes or uses recruitment materials containing general information that it makes available to applicants or employees, it shall include in those materials a statement of its nondiscrimination policy.
Section 6. Identification of Students with Disabilities under Section 504 (Child Find)

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

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

Section 7. Free and Appropriate Public Education

SECTION 7.1. School Responsibility. The SFA CHARTER SCHOOL shall provide a free appropriate public education to each student with a disability who enrolls in the school or program regardless of the nature or severity of the student’s disability.

SECTION 7.2. Appropriate Education.

1. For the purpose of compliance with this policy, the provision of an appropriate education is the provision of regular or special education and related aids and services that are:

   a. Designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met; and

   b. Based upon adherence to procedures that satisfy the requirements of Section 9.

2. The SFA CHARTER SCHOOL may implement an Individualized Education Program or Individualized Section 504 Plan developed in accordance with Section 504 as a means of meeting the standard established in SECTION 7.2(a).

3. The SFA CHARTER SCHOOL may place a student with a disability or refer such a student for aid, benefits, or services other than those that it operates or provides as its means of carrying out the requirements of Section 504.

4. The CEO/PRINCIPAL or designee shall facilitate accommodations for a Section 504 student taking the state-mandated assessments when the accommodations have been determined not to destroy the validity of the test, are necessary for the student to take the test, are consistent with modifications provided the student in the classroom, and are approved by TEA.

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

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Section 8. Education Setting

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

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

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

Section 9. Evaluation and Placement

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

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

SECTION 9.3. Evaluation Procedures. The CEO/PRINCIPAL or designee shall establish standards and procedures for the evaluation and placement of students who, because of disability need or are believed to need special education or related services that ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;

2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and

3. Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student’s aptitude or achievement level or whatever
other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

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

1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;

2. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;

3. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

4. Ensure that the placement decision is made in conformity with specifications for educational settings in Section 8.

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

Section 10. Procedural Safeguards

SECTION 10.1. Notification Requirements.

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

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

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

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

5. Right to Impartial Hearing. The Section 504 Committee chairperson shall notify in writing parents of all students with disabilities of their right to an impartial hearing under SECTION 10.3.
SECTION 10.2. Parental Review of Records. The Section 504 Coordinator or designee shall ensure that a parent or guardian is able to examine relevant records relating to decisions regarding your child’s identification, evaluation, educational program, and placement upon request.

SECTION 10.3. Impartial Hearing.

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

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

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

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

SECTION 10.4. Complaint to Office of Civil Rights. Nothing in this policy shall be construed to deny the right of a parent or guardian to file a formal complaint with the Office of Civil Rights at the U.S. Department of Education.
**400.120. HEALTH**

**Section 1. Immunizations & Reportable Diseases**
The CEO/Principal of the SFA CHARTER SCHOOL shall ensure compliance with immunization laws and regulations and that SFA CHARTER SCHOOL complies with laws and regulations regarding reportable diseases.

Section 1.1. HIV/AIDS STATUS.

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

b. **Confidentiality.** Disclosure of a student’s HIV status is a violation of federal and state law. Knowledge of the HIV status of a child shall be kept confidential by school personnel and shall not be released without the consent of the parent or legal guardian of the child except where release is required or authorized by law. A school teacher does not have a right to know the HIV/AIDS status of a student and may not ask the HIV/AIDS status of a student. Administrators and nurses should help teachers to understand the district’s policy regarding students with HIV/AIDS.

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

**Section 2. Care for Students At-Risk for Anaphylaxis**

Section 2.1. Food Allergy Management in the School Setting.

a. **Food Allergy Management Team.** The CEO/Principal shall create a food allergy management team to implement, coordinate, and monitor food allergy management at the SFA CHARTER SCHOOL. Members of the team may include: a school nurse, the principal, food service staff, classroom teacher, and campus coordinator. The food allergy management team will work with parents in supporting students with food allergies on the campus as well as assist campus staff in implementing procedures and student specific strategies.

b. **Point of Contact.** The CEO/PRINCIPAL shall designate an employee, which is knowledgeable about food allergies, to serve as the point of contact for parents, healthcare providers, and the campus food allergy management team. The designee shall receive ongoing training in the management of food allergies in the school setting, including the provision of administration of epinephrine. The school nurse shall ensure that moderate to severe allergic reactions known to SFA CHARTER SCHOOL shall be documented and submitted in an annual report to the CEO/PRINCIPAL.

c. **Storage of Medications.** The school nurse shall develop procedures, in accordance with applicable laws, for the storage of medications that are relevant to food allergies and

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anaphylaxis.

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

a. Food Allergy Information Upon Enrollment & After Diagnosis. The CEO/PRINCIPAL, and the school nurse, shall develop, implement, and monitor standardized procedures that will be utilized in obtaining information from a parent/legal guardian, as well as the child’s healthcare provider, upon registration and as soon as possible after a child is diagnosed with a food allergy that places them at risk for anaphylaxis. Enrollment procedures shall include a request that a parent, or legal guardian, disclose whether their child has a food allergy or a severe food allergy that, in the judgment of the parent, or legal guardian, should be disclosed to SFA CHARTER SCHOOL to enable the SFA CHARTER SCHOOL to take any necessary precautions regarding the child’s safety. Such information shall be kept confidential according to law and maintained in accordance with law.

b. Parent Consent. The school nurse shall ensure SFA CHARTER SCHOOL documents and keep current parent consent for medication administration (e.g. epinephrine).

c. Students Whose Disabilities Restrict Their Diets. The school nurse and the campus coordinator, shall develop procedures to ensure that a student receives substitutions or modifications in school meals whenever SFA CHARTER SCHOOL receives a licensed physician’s assessment indicating that food substitutions or modifications must be made for a student because of food allergies that may result in severe, life-threatening (anaphylaxis) reactions. SFA CHARTER SCHOOL must receive a signed statement by a license physician that identifies: (1) the child’s disability; (2) An explanation of why the disability restricts the child’s diet; (3) the major life activity affected by the disability; and (3) the food or foods to be omitted from the child’s diet and the food or choice of foods that must be substituted.

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

a. Food Allergy Action Plan (FAAP)/Emergency Action Plan (EAP): The FAAP/EAP, developed by the healthcare provider in collaboration with the parents or legal guardians, provides information about the child’s food allergy, outlines the care that the child will need in managing the food allergy, and outlines actions to be taken in case of an allergic reaction. The CEO/PRINCIPAL, school nurse or campus coordinator shall ensure that the parents and the student (when age appropriate) meet with the campus food allergy management team to review the FAAP/EAP. This meeting should occur prior to the child attending school, after returning to school after an absence related to the diagnosis, and anytime there are changes to the student’s FAAP/EAP.

b. Individualized Healthcare Plan (“IHP”) & 504 Plans. The school nurse will utilize the FAAP/EAP to develop and monitor an IHP which outlines day to day care for managing the student’s food allergy. The school nurse may facilitate the process of implementing the FAAP/EAP in coordination with the campus food allergy management team and the parents. Where legally required, the school will also develop a 504 Plan to address the health and learning needs of the student. The CEO/PRINCIPAL shall ensure compliance with relevant

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

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

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

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

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

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

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

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

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

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

viii. Posting of visual reminders promoting food allergy awareness.

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

x. Assure all staff are trained in the administration of epinephrine to monitor in the food

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

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

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

a. **Training Schedule.** The CEO/PRINCIPAL, shall establish a training schedule that ensures that, at a minimum annually, all school staff is trained to recognize and manage a life threatening anaphylactic reaction. The training schedule may implement a tiered approach including an “awareness training” for all staff and a more “comprehensive training” for school staff members that will be responsible for the care of individual students.

b. **Awareness training.** Awareness training is intended to give an overview of food allergies and anaphylaxis including the signs and symptoms of an allergic reaction, as well as treatment of anaphylaxis. At a minimum the training must include information about the most common food allergens, the hazards related to the use of food for instructional purposes, and the importance of environmental controls in protecting the health of students at risk for food allergy related to anaphylaxis. Additionally, the training must provide information about how to respond when a child exhibits the signs and symptoms of an allergic reaction to food, provide information on implementing the FAAP/EAP, including the skills needed in administration of epinephrine, and notifying the local EMS utilizing the school’s emergency response policy and procedures.

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

Section 2.6. Post-Anaphylaxis Reaction Review

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

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

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

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

d. Meet with school staff to review the implementation of procedures.

e. If the allergic reaction is thought to be from food provided by the school food service, work with the school food service department to ascertain what potential food item was served/consumed, how to reduce risk in the cafeteria by reviewing food labels, minimizing cross-contamination and other strategies.

f. Review of the FAAP/EAP, IHP, and/or 504 Plan and amend to address any changes that were made by the student’s healthcare provider.

g. If an epinephrine auto-injector was utilized during the reaction, ensure that the parent/guardian replaces it with a new one.

Section 2.7. Review of Policies & Procedures

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

Section 3. Administration of Prescription Medication

Section 3.1. Written Request Required.

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

Section 3.2. Authorized Employees. Employees authorized by SFA CHARTER SCHOOL to administer prescription medication include:

a. A registered nurse;
b. And trained employees

Section 3.3. Prescription Medication Dispenser. Employees authorized to administer prescription medication to a student shall ensure that the medication is administered from either:

a. A container that appears to be in the original container and properly labeled; or

b. From a properly labeled unit dosage container filled by an authorized employee from a container described by Section 2.3(a).
Section 4. Psychotropic Medication

Section 4.1. Employee Prohibition: An employee may not:

a. Recommend that a student use a psychotropic drug;

b. Suggest any particular diagnosis; or

c. Preclude a student from attending class or participating in a school-related activity if the parent refuses to consent to the administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of the student.

Section 4.2. Exceptions to Prohibition: Section 3.1 does not prevent an employee from:

a. Making an appropriate referral under the Individuals with Disabilities in Education Act;

b. Recommending that a child be evaluated by an appropriate medical practitioner if the employee is a registered nurse, advance nurse practitioner, physician, or certified/credentialed mental health professional

c. Discussing any aspect of a student’s behavior or academic progress with the student’s parent/guardian or another charter school employee.

Section 5. Prohibition of Tobacco and Alcohol
Smoking, vaping, using tobacco products, and the use of alcoholic beverages at school-related or school-sanctioned activities, on or off school property, is strictly prohibited.
400.140. STUDENT SAFETY

Section 1. Discipline

Section 1.1. Student Code of Conduct. The Board shall adopt a student code of conduct in accordance with law. Annually, the Board shall review the student code of conduct and make changes as necessary.

Section 1.2. Distribution of Code of Conduct. The CEO/PRINCIPAL of the SFA CHARTER SCHOOL campus shall ensure that the student code of conduct is distributed to each student at the beginning of the school year. Transfer students shall receive a student code of conduct upon enrollment.

Section 1.3. Students with Disabilities. The change in placement and/or any disciplinary action regarding a student with a disability, who needs or is believed to need special education and related services under the Individuals with Disabilities and Education Act, shall be in compliance with applicable federal and state laws and regulations.

Section 2. Transfer Option for Victims of Violent Acts
The CEO/Principal, or designee, shall develop local procedures allowing for the transfer of a student to attend a safe school if the student becomes a victim of a violent criminal offense while on a school campus or on any school property, or while attending a school-sponsored or school-related activity.

Section 3. Child Abuse, Maltreatment and Neglect

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

a. The CEO/PRINCIPAL, OR DESIGNEE shall develop and implement procedures detailing methods to increase staff, student, and parent awareness of the sexual abuse, neglect and other maltreatment of children, including prevention techniques and knowledge of likely warning signs.

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

Section 3.2. Required Training.

a. As part of new employee orientation, new open-enrollment charter school employees and those existing charter school employees who have not yet received such training, shall receive training concerning prevention techniques for, and recognition of, sexual abuse, neglect and all other maltreatment of children. At the discretion of the CEO/PRINCIPAL, OR DESIGNEE, any charter school staff member may annually receive training in these areas.

b. The CEO/PRINCIPAL, OR DESIGNEE, shall ensure that training under this section shall comport with legally mandated criteria.

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

The CEO/PRINCIPAL, OR DESIGNEE, shall ensure notice of this requirement is disseminated to all employees, volunteers, and agents.

The CEO/Principal, OR designee, shall ensure that SFA CHARTER SCHOOL posts a sign in English and in Spanish that contains the toll-free number operated by the Department of Family and Protective Services to receive reports of child abuse or neglect in a clearly visible location in a public area of the school that is readily accessible to students.

Section 4. School Visitors

Section 4.1. Visitors. The CEO/Principal, or designee, shall ensure conspicuous signs are posted at each campus entrance requiring all visitors to sign-in at the school campus administrative office. All visitors must present a form of identification. SFA CHARTER SCHOOL personnel shall process each visitor through the Texas Department of Public Safety’s Sex Offender Registry Search or other database system which checks for sex offender status. All visitors will be issued a badge that is to be worn at all times while visiting the school campus. Upon their departure they must sign-out at the school office and return the visitor’s badge.

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

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

a. Exception.
   A parent/guardian registered sex offender may enter school grounds for the following limited purposes:
   i. To attend a conference at the school with school personnel to discuss the academic and/or social progress of the parent/guardian’s child;

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

   iii. To pick up their child from school.

b. Requirements for the Exception to Apply:

   i. The parent/guardian must notify the principal of the purpose of the visit and when the visit will occur, including date and time, before the parent/guardian enters the school grounds.
ii. The principal shall notify school offices of the parent/guardian’s intent to visit.

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

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

Section 4.3. **Protective Orders.** SFA CHARTER SCHOOL personnel shall comply with all legal restraining and protective orders pertaining to students enrolled in SFA CHARTER SCHOOL.

**SECTION 5. Weapon and Concealed Handgun Prohibition**

Section 5.1. **Weapons Prohibited.** SFA CHARTER SCHOOL prohibits the use or possession of any firearm, illegal knife, club, or other weapon while on the premises of the school or any school grounds or building in which a school activity is being conducted.

Section 5.2. **Concealed Handgun Prohibition.** SFA CHARTER SCHOOL prohibits the use or possession of a concealed handgun on the SFA CHARTER SCHOOL campus and property, even if the handgun is carried by a licensed handgun holder. The CEO/Principal shall ensure signs containing legal notice are conspicuously placed on school campuses and property.

**SECTION 6. Protective Eye Devices**

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

a. the use of hazardous chemicals;

b. the use of hot liquids or solids;

c. the use of molten materials;

d. heat treatment, tempering, or kiln firing of any metal or other materials.

**SECTION 8. Internet Use**

SECTION 8.1. **Computer System Access**

Access to all of SFA CHARTER SCHOOL’s computers, computer networks, electronic mail, and the Internet is for educational and administrative purposes. The CEO/Principal, or designee, shall require all users and parents to agree in writing to comply with SFA CHARTER SCHOOL’s, as well as University, policies and procedures in regards to such access. Failure to comply may result in disciplinary action.

SECTION 8.2. **Protection Measure**

The CEO/PRINCIPAL, or designee, shall ensure that SFA CHARTER SCHOOL and the University utilizes a filtering device or software that prevents any SFA CHARTER SCHOOL computer, and prevents SFA CHARTER SCHOOL’s Internet service, from accessing material that is obscene, child pornography, or harmful to minors.
SECTION 8.3. **Internet Safety**
The CEO/PRINCIPAL, or designee, shall implement a safety plan that ensures:

a. Online activities of minors are monitored at the discretion of the CEO/PRINCIPAL, or designee;

b. Students’ Internet access to inappropriate material is controlled;

c. Students’ safety is ensured when using electronic communication, including, but not limited to electronic mail, social networking sites, and chat rooms;

d. The prevention of unauthorized access, including hacking, and other unlawful activities;

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

SECTION 8.4. **Monitored Computer Use**
The use of SFA CHARTER SCHOOL’s computers and/or Internet system is not confidential and may be monitored by designated SFA CHARTER SCHOOL and University personnel to ensure appropriate use.

**Section 9. Prohibition Against Harassment, Intimidation, or Bullying**
SFA CHARTER SCHOOL strives to provide students and staff with a school environment free from harassment, intimidation and bullying.

Section 9.1. **Prohibition.** SFA CHARTER SCHOOL explicitly prohibits harassment, intimidation, and/or bullying on the basis of race, color, national origin, sex, disability, age, sexual orientation, gender identity, gender expression, and/or religion. SFA CHARTER SCHOOL prohibits harassment, intimidation, or bullying in any form at school, school-related events, including off-campus events, school-sponsored activities, school buses or any event related to school business.

Section 9.2. **Definition.** Harassment, intimidation, or bullying means engaging in written or verbal expression, expression through electronic means, through the use of cell phones, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the school and that:

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

b. is sufficiently severe, pervasive, or persistent enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Section 9.3. **Reporting.** SFA CHARTER SCHOOL encourages students who believe they are being subjected to harassment, intimidation, or bullying and students who have first-hand knowledge of such harassment, to report the matter promptly to any SFA CHARTER SCHOOL employee, adult volunteer, contractor, or agent who is not involved in the alleged harassment, intimidation or bullying. Any SFA CHARTER SCHOOL employee,
adult volunteer, contractor or agent who witnesses, overhears or receives a report, formal or informal, written or oral, of harassment, intimidation, or bullying shall report it in accordance with procedures developed under this policy.

Section 9.4. **CEO/PRINCIPAL Responsibilities.** The CEO/PRINCIPAL shall take appropriate actions to ensure SFA CHARTER SCHOOL’s Harassment, Intimidation and Bullying policy and procedures are enforced.

The CEO/PRINCIPAL, or CEO/PRINCIPAL’s DESIGNEE, shall develop procedures to implement this policy that include:

a. An absolute prohibition against harassment, intimidation, or bullying;

b. A method to ensure initial and annual dissemination of this policy and associated procedures to all students, parents, teachers, administrators and all other SFA CHARTER SCHOOL employees, volunteers, contractors, and agents;

c. Annually disseminating age-appropriate information to students on the recognition and prevention of harassment, intimidation, or bullying;

d. Staff development training in harassment, intimidation, and bullying prevention, awareness, and reporting.

e. Identification of school officials responsible for investigating reports and making decisions based on the outcome of the investigation;

f. Procedures for reporting incidents and the immediate, appropriate, and impartial investigation of incidents which includes:

   i. conducting interviews of students involved;

   ii. conducting interviews of witnesses; and

   iii. Investigating the circumstances of the incident, including events or incidents that preceded the incident;

g. Prompt notification of the parents of all students involved;

h. Procedures for resolving complaints that include proper application of consequences consistent with SFA CHARTER SCHOOL Code of Conduct and with consideration for University, state and federal IDEA requirements;

   i. Sets out available counseling options for a student who is a victim of harassment, intimidation, and/or bullying; and

   j. Sets out available counseling options for a student who engaged in conduct that was harassing, intimidating, and/or bullying.

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

Section 9.5. **Consequences.** Any person found to have engaged in harassment, intimidation, and/or bullying in violation of this policy may be subject to disciplinary action up to and including removal to the home campus. Any staff member who permits harassment, intimidation, or bullying of a student may be subject to disciplinary action up to and including termination of employment. Any staff member who receives complaints of harassment, intimidation, and bullying and does not act promptly or does not forward the complaint to the CEO/PRINCIPAL shall be subject to disciplinary action up to and including termination of employment.

Section 9.6. **Retaliation Prohibited.** SFA CHARTER SCHOOL prohibits retaliation against any person who in good faith reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with SFA CHARTER SCHOOL policies and procedures. Individuals who intentionally fabricate allegations of harassment, intimidation or bullying may be subject to disciplinary action in accordance with SFA CHARTER SCHOOL Code of Conduct and University policy.
400.160. MISCELLANEOUS PROVISIONS RELATING TO STUDENTS

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

Section 2. Homeless Children

Section 2.1. Homeless Liaison. Academic Coordinator is appointed the homeless liaison of SFA CHARTER SCHOOL.

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

Section 3. Parental Involvement

SFA CHARTER SCHOOL agrees to implement the following requirements:

SFA CHARTER SCHOOL will put into operation programs, activities and procedures for the involvement of all parents in the school, building on the belief that parents play an integral role in assisting their child’s learning; are encouraged to be actively involved in their child’s education; and are full partners in their child’s education.

1. SFA CHARTER SCHOOL will build the school’s and parent’s capacity for strong parental involvement

2. maximize parental involvement and participation in their children’s education

3. adopt and implement model approaches to improving parental involvement;

Section 4. The Texas Virtual School Network (VSN).

The SFA CHARTER SCHOOL does not offer courses through the Texas Virtual School Network (VSN).