



# **Charter High School**

## **STUDENT HANDBOOK 2022-2023**

School Mascot: JAGUAR  
School Colors: MAROON and BLACK

**Approved: August 2022**

**POR VIDA ACADEMY CHARTER HIGH SCHOOL**

# **TABLE OF CONTENTS**

<b>4</b>	<b>Faculty and Staff</b>
<b>5</b>	<b>PVA Equal Opportunity</b>
<b>5</b>	<b>Mission Statement</b>
<b>I.) 6 - 9</b>	<b>General Information</b>
	<b>Admission</b>
	<b>For Your Information</b>
	<b>Withdrawals</b>
	<b>Attendance</b>
	<b>Early Leave/Early Dismissal</b>
	<b>Transportation</b>
	<b>Food Service</b>
	<b>Educational Excursions</b>
	<b>Fire Drills</b>
	<b>Emergency Procedures</b>
	<b>Staff Lounge</b>
	<b>Medications</b>
	<b>Vehicles</b>
	<b>Electronic Devices</b>
	<b>Restrooms</b>
	<b>Visitors</b>
	<b>Student Records</b>
	<b>Textbooks</b>
<b>II.) 10 - 11</b>	<b>Academics and Assessment</b>
	<b>STAAR</b>
	<b>Tutoring</b>
	<b>Graduation</b>
	<b>Pre-College/Dual Credit</b>
	<b>Assessment</b>
	<b>Assembly</b>
	<b>Awards</b>
	<b>Report Cards</b>
	<b>Guidance</b>
	<b>GPA/Rank</b>
	<b>Transcripts</b>
<b>III.) 11 -39</b>	<b>Code of Conduct</b>

	<b>Behavior</b>
	<b>Discipline</b>
	<b>Dress Code</b>
	<b>Drugs, Alcohol, Tobacco</b>
	<b>Assault</b>
	<b>Sexual Harassment</b>
	<b>Gambling</b>
	<b>Weapons</b>
	<b>Littering</b>
	<b>Language</b>
	<b>Theft</b>
	<b>Terroristic Threats/Threatening Comments</b>
	<b>Vandalism</b>
	<b>Grievance Procedure</b>
<b>16</b>	<b>Credit Policy</b>
	<b>Minimum Graduation Program</b>
	<b>Recommended Graduation Program</b>
<b>17 - 19</b>	<b>Anti-Bullying Policy</b>
<b>20 - 21</b>	<b>Food Allergy Policy</b>
<b>22</b>	<b>Prevention of Sexting Policy</b>
<b>23 - 27</b>	<b>Wellness Policy on Nutrition and Physical Education</b>
<b>28</b>	<b>Campus Parent Involvement Policy</b>
<b>29</b>	<b>Schedule</b>
<b>30</b>	<b>Statement of Understanding</b>

# **POR VIDA ACADEMY CHARTER HIGH SCHOOL**

## **FACULTY and STAFF**

**Deputy Superintendent:** Loren Franckowiak

**Principal:** Mariza Loreda

**Math Department:**

Ms. M Rodriguez

Mr. C. Reams

**English Department:**

Ms. T. Noel

**Social Studies Department:**

Ms. B. Ramones

**Science Department:**

Mr. C. Reams

**Special Education Department:**

TBA

**Self-paced Credit Recovery Lab:**

Mr. B. Barnes

Mrs. S Ibrahim

**Support Staff:**

Ms. N. Chavarria, Front Office Assistant

Mrs. A. Villarreal, Front Office Manager

Mrs. J. Fernandez, Academic Advisor

Mr. C. Ratajczyk, Social Worker/Counselor

Ms. N. Casiano, PEIMS Coordinator

Mr. T. Martinez, Drop Out Prevention Specialist

**POR VIDA ACADEMY CHARTER HIGH SCHOOL, (PVA)**, is an Academic High School that has been recognized for its innovative and dynamic program by the State Board of Education and approved as one of the Open-Enrollment Charter Schools in the state of Texas.

## **EQUAL OPPORTUNITY**

PVA and its educational programs do not discriminate with regard to race, color, religion, sex, national origin, age, disability, veteran status, or any other characteristic protected by law in accordance with applicable federal laws, including, but not limited to, Title VII, Title IX, Section 504, and Title VI, the Americans with Disabilities Act, 422 U.S. s 12112 (a) (b), and Section 504 of the Rehabilitation Act of 1973, in its educational programs, employment, and activities. In addition, PVA complies with applicable state and local laws governing nondiscrimination. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, reduction in force, transfer, leaves of absence, compensation, training, educational programs and school activities.

If you have any questions concerning this policy, or feel that the policy has been violated, please contact administration at 210-775-1132.

**POR VIDA ACADEMY CHARTER HIGH SCHOOL  
1135 MISSION ROAD  
SAN ANTONIO, TEXAS 78210  
PHONE# 210-775-1132      FAX# 210-390-1744  
[www.porvidaacademy.org](http://www.porvidaacademy.org)**

## **VISION & MISSION STATEMENTS**

### **VISION:**

We support success through education by providing our students an innovative educational experience.

### **MISSION:**

To prepare students for life beyond high school.

### **CORE VALUES:**

- Trust
- Dignity
- Respect
- Love

## **I. GENERAL INFORMATION:**

### **ADMISSION:**

Admission is based on a first come first served basis. If our maximum enrollment of 200 students is at capacity, we will place students on a waiting list. Students will be picked from the waiting list at random.

Any student interested in attending PVA must complete the registration packet which is available in the school office. Implementation of this handbook and all other policies of PVA will comply with all applicable state and federal laws including laws relating to special education.

**Students may enroll in the traditional program at age 18, as long as they will earn all credits to graduate by the end of that school year. Students who are 19 or over will be offered the accelerated lab. All determinations whether a student is likely to graduate during that academic year will be based on the student's transcript and decided by the Academic Advisor.**

### **FOR YOUR INFORMATION:**

- ◆ Students may be searched at any time, for any reason, as determined by staff, while on campus and campus grounds. In addition, back packs and purses will not be permitted.
- ◆ PVA is not responsible for the loss, damage, and/or theft of personal property brought on school grounds by any student (Cell Phones, iPod, Jewelry, etc.)

### **WITHDRAWALS:**

When a student is withdrawn from school for any reason, he/she and the parent/guardian will be contacted or every attempt to contact will be made including a letter mailed home.

### **ATTENDANCE:**

The process of education and academic success requires continuity of instruction, class participation and study. Frequent absences from class disrupt the instructional process. Perfect attendance can guarantee success. School attendance is the responsibility of every parent or legal guardian. Therefore, PVA shall make every effort to encourage regular attendance for all students and to assist parents with their responsibility of having their children attend school. One method

used will be through weekly attendance meetings by our attendance committee to review excessive absences and act items forward. PVA has partnered with District Judge Laura Parker 386<sup>th</sup> Judicial District of Texas, Judge Lisa Jarret 436<sup>th</sup> District Court and Judge Edmundo Zaragoza as a proactive measure to keep our students in school.

**Unexcused Absences:** These are absences without an excuse document submitted to the office. This will include a full day's absence, excessive early checkouts, or skipping any periods of the school day. Good attendance is expected and tracked throughout the entire school day.

**Excused Absences:** 2 excused absences from a parent(s)/guardian(s) or adult student will be accepted per semester. The document must contain the name and phone number of a person to contact in order to verify the absence excuse. Other professional excuses will be accepted.

- Parent should notify school before 9:00 A.M. of student absence (call and leave message)
- Notification by phone system that evening
- Excuses must be turned in the next morning by 9:30A.M.
- No more than two handwritten notes/excuses will be accepted from the parent(s)/guardian(s) or an adult student per semester. All other excuses must be professional documents. All excuses must contain the name and phone number of a person to contact in order to verify the absence excuse.
- Student/parents/guardians must submit absence excuse upon returning to school
- Student with 3 unexcused absences per semester will be brought to the attendance committee and a determination will be made as to whether the student will stay enrolled or not.

#### **EARLY LEAVE/EARLY DISMISSAL:**

Students are encouraged to schedule non-school appointments and meetings after school hours. When it is necessary to leave school before the school day has ended, all students are required to show documentation that identifies the reason the student must leave early, and/or the name and phone number of a parent/guardian to contact to verify this information. In the absence of documentation, the parent/guardian must come into the school office and sign the student out for the remainder of the day. The parent/guardian must show valid ID for students under 18.

Any student who leaves due to illness must first talk to an administrator or assigned staff and then sign out in the front office. The front office staff may or may not provide a note of excuse. The parent/guardian of minor students will be contacted by the school if it is the recommendation of the school to release the student due to illness.

#### **HEALTH SERVICES DEPARTMENT:**

PVA is part of a charter school co-op that shares a nurse and utilizes him/her for such annual checkups as scoliosis, hearing, and eye exams. In addition to teaching our seniors First Aid/CPR the nurse ensures all shot records for students are up to date and in compliance with laws. The school administers first aid as needed but we do not have a school nurse on campus every day. Staff does not diagnose illnesses but take notes of symptoms and notify the parent/guardian of her/his observations. We ask that the student be kept at home when ill and he must have a normal temperature for 24 hours after any illness before returning to school. This is very important for the health of your child and for the health of all other students at school.

## **Medications**

1. Parents are encouraged to schedule the administration of a student's medications in such a manner that the medication required at school is kept to a minimum.
2. Antibiotics and other short-term medication may be administered at school upon written request from the parent or guardian. Medication must be brought to school in the original prescription labeled bottle. Short term medications will be administered for a maximum of two weeks, unless stated otherwise by a physician.
3. Long-term medication may be given only if a special medication form is completed by the attending physician and the medication is brought in the properly labeled prescription bottle. Special medication forms may be obtained in the school office. The student must have a current medication form filled out for each school year. Parent/ Guardian must fill out the bottom of the form.
4. All medications must be taken to the school office by an adult and medications will be dispensed from the school office. **Medications are not to be carried by the student, kept in classrooms or administered by the student.**
5. Over the counter medications for headache, sore throat, cough, upset stomach, diarrhea, itching from insect bites, allergic skin reactions, muscular/skeletal discomfort and menstrual cramps may be given by the school office after a complete assessment and per medical standing orders and parental consent.

## **Illness or Injury at School**

6. If upon observation a student is determined to be ill and/or possibly contagious to others or is injured at school and needs evaluation or treatment, he/she will be given first aid and the parent/guardian will be notified. Every effort will be made to contact the parent or guardian first. If the parent/guardian is unable to come for the student, arrangements must be made for his/her care by the parent/guardian/emergency contacts. In an extreme emergency EMS or ambulance will be called.
7. **Chronic Illnesses**
8. If your student has been diagnosed with a chronic Illness such as Diabetes, Asthma, Seizures/Epilepsy, please see the school so that an appropriate individualized treatment plan can be developed to best care for your child's needs.

## **TRANSPORTATION:**

High School students across San Antonio can ride VIA busses at the "Student Reduced Fare". They simply show the bus operator their school ID upon boarding. Their school photo ID card entitles students to the reduced fare rate." PVA School ID's are available for students through the front office. Students may obtain a VIA Student ID card for \$2.00 from the VIA Customer Information Centers. Students are also eligible to purchase a VIA Semester Pass at \$38.00. Fall semester – August 1 through January 31 and Spring semester – January 1 through July 31.

## **FOOD SERVICE:**

PVA participates in the National School Breakfast and Lunch Program. Students who qualify receive a free/reduced breakfast and/or lunch. Breakfast is served from 8:00 am to 8:55 am.

- Por Vida Academy is a 'Closed Campus', which means students, are ***NOT*** allowed to leave campus for food and/or anything else before or during the school day.
- Except for clear and capped bottled water or the drinks sold in the school, there will be absolutely ***no food or drinks*** allowed in the building without administrator approval.



- Traditional students have lunch from 12:02-12:29 PM and **LAB STUDENTS** have lunch from 11:30-12:00 PM. These designated lunches are separate and will be enforced.

### **EDUCATIONAL EXCURSIONS:**

Educational excursions are used within the school curriculum to create and/or present another educational setting. Students are expected to participate on these excursions as they would in a productive classroom environment. Excursions will vary throughout the school year and may have different requirements for the student to participate.

### **FIRE DRILLS:**

Regularly scheduled fire drills are included in emergency procedures. Fire drill procedures are posted in each classroom/learning center. Emergency equipment, such as fire extinguishers and fire bells, are located throughout the school buildings.

### **EMERGENCY PROCEDURES:**

At the time of enrollment, each student/parent/guardian provides contact information in case of an emergency. PVA will contact those listed; however, PVA reserves the right to use prudent judgment in cases where the safety/health of any student is concerned. If EMS is called to attend to a student, the expense of this call shall be borne by the student/parent. PVA may call the local police, EMS, etc., in any instance where the safety or well-being of any student is in question.

### **MEDICATIONS:**

Students who are required to take prescription medication(s) during the school day are required to register these medications with the school registrar. Parents/Guardians must complete a Medication Form as provided by the school office. Above all, these medications may not be shared with anyone whose name does not appear on the container prescription label. Students should not possess or consume over-the-counter drugs of any type on the school campus.

### **VEHICLES:**

Vehicles must be parked in the student parking lot located in front of the gym. For a student to drive a vehicle on campus they will need to provide the front office with their Driver's License and auto insurance. The speed limit on campus grounds is 10-MILES PER HOUR. A police officer WILL be on campus to ticket violators. Students are NOT allowed to go to their vehicle without prior approval.

### **ELECTRONIC DEVICES:**

Students **ARE NOT** allowed to use electronic devices during school hours. Examples include Cell phones, mp3 players, iPod, tablets, iPad, gaming devices, headphones, earbuds, and other devices as determined by administration. If a student has any of these electronic devices and does not turn them in at the beginning of the day the device will be confiscated by administration/staff and returned at the end of the day to a parent and a \$10.00 fee will be collected. Repeat offenders will have a \$20 fee and be dealt with on an individual basis by administration.

**RESTROOMS:**

Restrooms should be used before school, between class times, designated bathroom breaks, and at lunch. Other than the above mentioned, and student current medical documentation, students may only use the restroom in an emergency and must have a pass from their teacher. **LAB STUDENTS** will need to use the restroom facility in their designated building.

**VISITORS:**

Visitors are required to check into the front office before visiting our school. The visitor will sign in to state their purpose for visit. A tour/explanation of our program will be made available by administration or assigned staff/student. Visitors **WILL NOT** be allowed to spend the day with students on the premises (exception parents/guardians).

**STUDENT RECORDS:**

According to FERPA (Family Educational Rights and Privacy Act), certain information from a student's school records cannot be released to anyone requesting their records unless the parent/guardian has authorized so in writing.

**II. ACADEMICS & ASSESSMENT:****STAAR:**

All students will be tested accordingly with the state-mandated exam known as the STAAR. At the Exit Level portion of STAAR, students who do not pass within the school calendar will have to retest during the summer.

**TUTORING:**

Tutoring will be available for students to conference with teachers and seek additional help in all subject areas.

**GRADUATION:**

To receive a high school diploma, students must complete the required units of credit indicated by the Texas Education Agency **AND** pass all sections of the STAAR or TAKS tests, depending on enrollment date. Students may complete all required coursework and receive a certificate of completion until they pass all sections of the STAAR or TAKS. PVA offers Minimum, Recommended, and Distinguished diplomas.

- Commencement Exercise: Graduation ceremonies are held in June, the final month of the school year.
- Baccalaureate: A Baccalaureate ceremony precedes commencement exercise. This event is a unique service for graduating seniors during which time the PVA staff extends its best wishes for success and happiness.
- Valedictorian: PVA awards the graduating senior with the highest, overall grade average with at least 6 credits taken at PVA.

**PRE-COLLEGE/DUAL CREDIT**

Students at PVA are encouraged to pursue post-secondary education whenever possible. Students will receive assistance in exploring post-secondary education, completing proper documentation

to apply for admissions, financial aid, and scholarships. PVA will have students participating in the Dual Credit Program (see the Academic Advisor for details).

#### **ASSEMBLY:**

Assemblies are times when the school community gathers to share information and give honor to outstanding student performance. Student will be recognized once a week for outstanding contributions.

#### **REPORT CARDS:**

Report cards will be available at the end of each Semester.

#### **GPA/RANK:**

While PVA calculates student grades, it does not formally rank students.

- Students will receive grades based on the following grading scale:
  - ❖ A 100-90
  - ❖ B 89-80
  - ❖ C 79-70
  - ❖ F 69-below

#### **TRANSCRIPTS:**

Transcripts of a student's scholastic achievement records and test scores may be obtained by written request. *Transcripts may take up to 10 school days from the request date to receive.* Upon entering PVA, students are required to bring official transcripts showing credits and test scores from schools they have attended in the past.

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

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

To function properly, education must provide an equal learning opportunity for all students by recognizing, valuing, and addressing the individual needs of every student. In addition to the regular curriculum, principles and practices of good citizenship must also be taught and modeled by school staff. To foster an orderly and distraction-free environment, PVA has established this Student Code of Conduct in accordance with state law and PVA's 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 Student Code of Conduct will be posted at each PVA 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 PVA. Students must be familiar with the standards set forth in the Student Code of Conduct, as well as campus and classroom rules.

The Student Code of Conduct does not define all types and aspects of student behavior, as PVA may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the

Student Code of Conduct. When students participate in student activities, they will also be expected to follow the guidelines and constitutions that further specify PVA organization's expectations, student behavior and consequences.

## **Authority and Jurisdiction**

### **PVA has disciplinary authority over a student:**

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

## **Reporting Crimes**

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

## **Standards for Student Conduct**

### **Each student is expected to:**

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet PVA's standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other PVA staff and volunteers.

- Respect the property of others, including PVA property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

## **Discipline Management Techniques**

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

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

### **Techniques**

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

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

- Withdrawal or restriction of bus privileges.
- Other strategies and consequences as determined by school officials.

### **Corporal Punishment**

PVA will NOT administer corporal punishment upon a student for misconduct.

### **Procedures for Use of Restraint**

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

1. Only reasonable force as is necessary to address the emergency may be used.
2. The restraint must be discontinued at the point at which the emergency no longer exists.
3. The restraint must be implemented in such a way as to protect the health and safety of the student and others.
4. The student may not be deprived of basic human necessities. "Restraint" generally means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body. "Emergency" means a situation in which a student's behavior poses a threat of:
  1. Imminent, serious physical harm to the student or others; or
  2. Imminent, serious property destruction.

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

### **Procedures for Use of Time-Out**

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or the threat of physical force will not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques, and must be included in the student's IEP or BIP if it is utilized on a recurrent basis  
  
to increase or decrease targeted behavior.
3. Time-out will not be utilized in a manner that precludes the ability of the student to be involved in  
  
progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The student’s ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

## **Student Code of Conduct Offenses**

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 using 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 principal 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.
35. Violating PVA's Virtual Learning Code of Conduct.

*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 above.
3. Confiscation of cell phones or other electronic devices.
4. Grade reductions for academic dishonesty.
5. In-school suspension.
6. Out-of-school suspension.
7. Removal from the classroom and/or placement in another classroom.
8. Restitution/restoration, if applicable.
9. Saturday school.
10. School-assessed and school-administered probation.
11. Temporary confiscation of items that disrupt the educational process.
12. Verbal correction, oral or written.
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.

## **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 PVA property or facilities, property belonging to school employees or other students.
7. Defacing or damaging PVA 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 after-school detention and/or in-school suspension placement.
10. Failure to comply with PVA's 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 PVA 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, viewing, or distributing pictures, text messages, emails, or other material of a sexual nature in any media format.
24. Refusing to allow lawful student search.
25. Sexual harassment/sexual abuse not defined as a Level III offense.
26. Theft.
27. Threats (nonviolent/verbal or written).
28. Throwing objects not considered an illegal weapon that can cause bodily injury or property damage.
29. Unruly, disruptive, or abusive behavior that interferes with the teacher's ability to communicate effectively with the students in the class.

30. Use of profanity or vulgar/offensive language (oral or in writing).
31. Using the Internet or other electronic communications to threaten students or employees, or cause disruption to the school program.
32. Verbal or written abuse (e.g., name calling, racial or ethnic slurs, or derogatory statements that may disrupt the school environment, etc.).
33. Violating PVA's Virtual Learning Code of Conduct.
34. 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 or Discipline Management Technique listed above, including multiple consequences at PVA's discretion.
2. Out-of-school suspension for up to five days.

### **Level III Offenses**

1. Abusing a student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug while on PVA 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 PVA's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  1. Behaving in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  2. Behaving in a manner that contains the elements of the offense of public lewdness or indecent exposure.
  3. Committing an assault under Texas Penal Code 22.01(a)(1).

4. Engaging in conduct punishable as a felony.
  5. 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.
  6. 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 PVA’s computer data or networks.
  20. Engaging in bullying and/or cyberbullying.
  21. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
  22. Engaging in conduct punishable as a felony.
  23. Engaging in conduct punishable as a felony listed under Title 5 of the Texas penal Code when the conduct occurs off PVA property and not at a school-sponsored or school-related event and:
    1. The student receives deferred prosecution.
    2. A court or jury finds that the student has engaged in delinquent conduct; or
    3. The principal or designee has reasonable belief that the student engaged in the conduct.
  24. Engaging in conduct punishable as a Level III expulsion offense when the conduct occurs off PVA 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 PVA employee, including but not limited to:
    1. Initiating communication and during the communication making a comment, request, suggestion, or proposal that is obscene.
    2. 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.
    3. 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
    4. 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 PVA 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 PVA student, employee, or volunteer.
30. Engaging in conduct that contains the elements of retaliation against any PVA employee or volunteer, whether on or off of school property.
31. Engaging in the electronic transmission of sexually explicit visual material that:
  1. Depicts any person engaging in sexual conduct; or
  2. Depicts a person's intimate parts exposed; or
  3. Depicts the covered genitals of a male person that are in a discernibly turgid state; and
  4. 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. Failure to complete more than one scheduled in-school suspension without a confirmed 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. Inhalant abuse.
42. Issuing a false fire alarm.
43. Manslaughter.
44. Murder.
45. Persistent Level I offenses (four or more Level I offenses committed in any one school year).
46. Persistent Level II offenses (two or more Level II offenses committed in any one school year).
47. Possessing any prohibited items, including but not limited to:
  1. 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)
  2. A laser pointer for other than an approved use.
  3. A pocketknife or any other small knife with a blade less than 1.5" in length;
  4. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
  5. A stun guns.
  6. Ammunition.
  7. An air gun or BB gun.
  8. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic or explosive device.
  9. Mace or pepper spray.
  10. Matches or a lighter.
  11. Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device or accessory to a vapor product; or
  12. Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

48. Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
49. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
50. Possessing or using alcohol.
51. Possessing, selling, distributing, or being under the influence of inhalants.
52. Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
53. 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.
54. Possessing, using, giving, or selling paraphernalia related to any prohibited substance, including illegal, prescription, and over-the-counter drugs.
55. 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 PVA).
56. Public lewdness.
57. 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.
58. Required registration as a sex offender.
59. 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.
60. Sending or distributing sexually suggestive, nude, or partially nude photographs and/or sexually explicit message via text message, social media applications, or other methods of electronic delivery while at school, or while away from school if the conduct creates a substantial disruption to the school environment.
61. 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.
62. Setting or attempting to set fire on school property.
63. Sexual abuse of a young child or children.
64. Sexual assault.
65. Stealing from students, staff, or PVA.
66. Targeting another individual for bodily harm.
67. 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.
68. 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.
69. Vandalism or conduct constituting criminal mischief with respect to school facilities or property.
70. Violating the terms and conditions of a student behavior contract.
71. Violating PVA’s computer use policies, rules, or agreements, such as the Student Acceptable Use policy, and including conduct involving but not limited to:

1. Attempting to access or circumvent passwords or other security-related information of PVA 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.
  2. Attempting to alter, destroy, or disable PVA computer equipment, PVA data, the data of others, or other networks connected to the PVA system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment.
  3. Using the Internet or other electronic communications to threaten PVA students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment.
  4. 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.
  5. Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.
72. Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37.

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

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

## **Student Code of Conduct Consequences**

### **Detention**

Detention may be held on each day during school for up to eight hours. Students who serve detention must decide to be picked up from school. Parents may request, in person, a delay of the detention; no phone calls or notes will be accepted.

### **After School Detention**

The following rules apply to students assigned to after school detention:

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

### **Suspension**

PVA utilizes two kinds of suspension: in school suspension and out of school suspension.

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

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

1. Students must report to the detention room after entering the building and will remain until dismissal time.
2. Students will bring materials to work on, including an ISS assignment with their teachers’ names, subjects, and assignments. Students are responsible for obtaining assignments from each teacher.
3. Students will not be permitted to go their lockers. All materials must be brought to the room when reporting.
4. Students may not bring food or drink into the detention room.
5. No disruptive behavior will be allowed.
6. Unexcused absences from suspension will be referred to the principal or designee.
7. Sleeping is prohibited.
8. Students must abide by PVA’s policies and behavioral standards during their suspension period.
9. A student who misses a scheduled ISS session without a confirmed excuse will be assigned one

day out of school suspension. If a student misses more than one scheduled ISS session without a confirmed excuse, he or she may be subject to expulsion.

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

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

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

In addition to the Code of Conduct violations listed above that may result in suspension, the Principal or designee has authority to suspend a student for a period of up to five school days for any of the following additional reasons:

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

### ***Special Rules for Suspensions Involving Homeless Students***

PVA 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 school property:

1. Unlawful possession of a firearm or other weapon
2. Assault, sexual assault, aggravated assault, or aggravated sexual assault; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence

of any amount of marijuana or a controlled substance, a dangerous drug, or an alcoholic beverage.

### ***Emergency Placement***

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

### **Removal from School Transportation**

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

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

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

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

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

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

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

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

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

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



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

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

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

### **Hearing Before the Principal**

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

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

1. The length of the extended suspension or expulsion, if any.
2. When or if the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period if at all; and
3. The right to appeal the principal 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 principal in writing within five calendar days of the date of receipt of the

Principal or designee's decision. The student and/or his or her parent(s) will be informed of the date, time, and location of the meeting in which the disciplinary consequence will be reviewed. The Board of Directors will review the disciplinary administrative record and any audio recording or transcription/minutes of any hearings or conferences before the principal or designee at a 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 principal 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 (504 or special education under the IDEA) shall be conducted in accordance with applicable federal and state laws.

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

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

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

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

1. Any weapon – including a starter gun – which will, or is designed to, or which may readily be converted to expel a projectile by the action of an explosive from the frame or receiver of any such weapon.
2. Any firearm muffler or firearm silencer.
3. Any destructive device. "Destructive device" means any explosive, incendiary or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or device like any of the preceding described devices. It

also means any type of weapon – other than a shotgun shell or a shotgun that is generally recognized as particularly suitable for sporting purposes – by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2 inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described, and from which a destructive device may be readily assembled.

## Glossary

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

**Abuse** is improper or excessive use.

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

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

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

No student shall knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body an abusable volatile chemical. No student shall knowingly deliver, sell, or possess with intent to deliver or sell inhalant paraphernalia knowing that 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 using 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 PVA 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 PVA 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, PVA, 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 another 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; or a tire deflation device.

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

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

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

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

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

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

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

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies.
- Place any person in fear of imminent serious bodily injury.
- Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or another 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 PVA).

**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 PVA) 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 PVA 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.

## **DRESS CODE:**

Students are required to wear uniforms. Uniforms will consist of blue denim pants, black, gray, maroon, white or tan khaki pants, joggers and a PVA school designed t-shirt.

- ☐ PVA Jackets will be available in the front office for \$25. These jackets function in place of the school uniform shirt. The student is allowed to wear a non-school uniform shirt that does not reference drugs, alcohol, sex or has any blue or red while wearing the PVA jacket.
- ☐ Pants and shorts are allowed.
- ☐ Athletic shoes and closed toe flat shoes **ONLY**. **NO** bedroom slippers, flip flops, sandals, slides, slides, or high heels.
- ☐ Shoes CANNOT have solid Red or Blue on them.

- ☐ Long sleeve shirts (white, gray, black, and maroon) are allowed under a PVA school designed t-shirt **ONLY**.
- ☐ Clothing **MUST NOT** show any undergarment. Pants will be worn **at the waist**.
- ☐ **NO** bandanas or bandana print worn on any part of the body (i.e., headbands, out of pockets, etc.)
- ☐ **NO** hats/caps/wave beanies or any other headwear (applies to both male and female students).
- ☐ **NO** red or blue (unless blue jeans) will be permitted.

### **DRUGS, ALCOHOL, TOBACCO:**

PVA is a Smoke-Free campus (Senate Bill #30-59, 64<sup>th</sup> Legislature). No student shall knowingly possess, use, transmit, or be under the influence of any narcotic drug, hallucinogen, amphetamine, barbiturate, marijuana, alcoholic beverage, other intoxicant (as those terms are defined by law), or any other substance prohibited under the Texas Controlled Substance Act or the Federal Drug Abuse Prevention Control Act:

- (1) On school grounds during any school term.
- (2) Off school grounds at a school activity, function, or event.

PVA is a Tobacco Free School and as such the school policy prohibits smoking or using cigarettes (including e-cigarettes and vape pens) or dipping at school related or school sanctioned activities on or off school property.

If a student is in possession of any drug or paraphernalia (i.e., flasks, rolling paper, lighters, pipes, matches, etc.), the school will notify the proper authorities. Upon the student's return to school, he/she will be required to meet with the School Social Worker/Counselors/Staff members for further intervention.

If a student is under the influence or is suspected of being under the influence of any drug, he/she will be removed from class and required to be examined by a school administrator. Depending on the results of this examination, the student will be sent home and a Parent/Administrator Conference will be required prior to the student's return to school. The student may have an SRB and will be required to meet with our School Social Worker for further intervention.

If a student is selling or suspected of selling drugs, the school will notify the proper authorities and the student may be withdrawn from school. **Again, any student and their belongings may be searched at any time, for any reason as determined by staff while on school property.**

### **ASSAULT:**

Students are prohibited from assaulting any individual. Assault is defined as:

- ☐ Intentionally, knowingly, or recklessly causing bodily injury to another.
- ☐ Intentionally or knowingly threatening another with imminent bodily injury; or
- ☐ Intentionally or knowingly causing physical contact with another when the student knows the other will regard the contact as offensive or provocative.

Actions or threats of actions that constitute verbal or physical assaults or abuse of any individual on school property or at a school-related function by a student or any other individual will not be tolerated. Offenses of this nature may result in legal prosecution. A student may be withdrawn

from school for any of these offenses or may have a Student Review Board Meeting. A student who threatens a staff member or guest will be withdrawn for the rest of the academic year.

### **SEXUAL HARASSMENT:**

It is the intent of PVA to provide an environment free of intimidation, hostility or other offensive conduct that may interfere with the learning environment. Harassment of any sort; verbal, physical or visual, of students, staff members, and guests WILL NOT be tolerated. PVA expressly prohibits all acts of harassment or intimidation whether based on one's race, national origin, color, sex, age, creed, religion, or disability on students, staff members, and guests.

Examples of conduct that may constitute sexual harassment include, but are not limited to, verbal, physical, or visual harassment or abuse (degrading sexual comments, unwelcome propositions, and sexually offensive jokes, materials, or tricks), unwelcome requests for sexual favors or activity, inappropriate touching in a sexual or abusive nature (pinching, hugging, patting, or repeated brushing against another person's body), or a suggestion, threat, or action that makes the affected individual's opportunities or benefits subject to submission to sexual demands, harassment, or sexually offensive conduct.

Examples of conduct that may constitute harassment on account of race, color, religion, gender, national origin, age, or disability include but are not limited to, epithets or slurs; negative stereotyping; threats, intimidation, or hostile acts based on a prohibited factor; written or graphic materials that denigrate, show hostility to or show aversion toward an individual or group because of a prohibited factor which are placed on walls, bulletin boards, or elsewhere on the property of PVA.

Any student found to have engaged in this type of harassment will be subject to immediate disciplinary action, up to and including withdrawal from school.

Any student who wants to report an incident of sexual or other unlawful or unwelcome harassment should immediately report the matter to the Administrator with details of the incident(s). Students can raise concerns and make reports without fear of retaliation.

Any student, who becomes aware of possible sexual or other unlawful or unwelcome harassment on other students, employees and/or guests, MUST immediately advise Administration. All reports of harassment received by PVA will be immediately and thoroughly investigated and prompt action will be taken. All students have an obligation to cooperate in such investigations. The student will be advised that he/she will not be retaliated against, and that any information given will be restricted as much as possible. However, no guarantee of absolute confidentiality can be provided. The student who submits a charge of harassment to PVA will be advised of the outcome of the investigation when appropriate but will be advised in all cases when an investigation has been completed.

### **GAMBLING:**

Gambling is defined as playing games of chance for stakes or risking something of value with hope of making a gain, wagering. Gambling of any form will not be permitted on the school campus or any place at which a school contest or activity is taking place. State law controls

gambling. School Administration and staff will enforce the law. An SRB will determine consequences.

**WEAPONS:**

Students are prohibited from bringing firearms, knives, or other weapons onto school premises or any grounds or building where a school sponsored activity takes place. The School Administration will determine an item that constitutes a “weapon” for the purpose of this policy. Common household items may constitute a “weapon” depending on the scope and nature of the use being made of such items. To ensure the safety of all persons, employees who observe or suspect a violation of PVA’s weapon policy should report it to Administration at 210-775-1132. Any student caught with a weapon will be referred to the police. A student in possession of a weapon will be withdrawn.

**LITTERING:**

Littering and not disposing of trash, lunch trays, etc. will not be tolerated.

**LANGUAGE:**

Students shall use language that demonstrates an awareness and sensitivity to others. Acceptable language shows respect for others and is one of the most important ideals at PVA. Therefore, the use of profanity is prohibited and may result in a citation/ticket from the campus officer.

**THEFT:**

No student shall take or borrow any property that does not belong to him/her without the consent of the person to whom the property belongs. A person shall not, without the consent of the owner, damage or destroy property of the owner. An administrator will determine consequences.

**TERRORISTIC THREATS/THREATENING COMMENTS:**

Threats or threatening comments will not be tolerated at PVA. These comments will be reported to the police. An administrator will determine consequences.

**VANDALISM:**

Students are prohibited from vandalizing or otherwise damaging or defacing any property belonging to, rented by, or used by PVA, PVA personnel, or other individuals. Buildings used by PVA are considered public property. Destroying or defacing public property is a serious violation of the law and will be considered a felony. If a student is caught vandalizing or suspected of vandalizing an administrator will determine consequences. Proper authorities will be notified if witnessed by a staff member.

**GRIEVANCE PROCEDURE:**

PVA recognizes the constitutional rights of all individuals to be heard. PVA has set forth this guide to establish procedures for a student to register a complaint regarding an action taken by a learning facilitator, staff member, or Administrator. Prior to the initiation of a formal complaint, an individual must first confer directly (face-to-face) with the staff member or administrator complained against for resolution of the complaint. If further action is desired, the following procedure must be followed:

- (1) The student must prepare a written statement of this complaint to the Administrator requesting a meeting with the staff members or students involved. In the case of minors, this statement must be co-signed by a parent or guardian.
- (2) The student should present the written statement to the Administrator. The Administrator will set an appointment for a meeting with the student (and parents in the case of minors) within 48 hours (exclusive of weekends or holidays) of receipt of the written complaint.
- (3) After the meeting between the Administrator and student and/or parent(s)/guardian(s), the Administrator will provide a written response to the complaint within three full working days after the meeting.
- (4) If the student and/or parent is not satisfied with the decision of the Administrator, the student and/or parent may submit a written request indicating to the board the following: (a) followed grievance procedure; (b) specify grievance procedure; (c) request a meeting with the Charter School Board of Trustees within three days of the receipt of the Administrator's written decision.

*Write attentions to: Charter School Board of Trustees  
1135 Mission Road  
San Antonio, Texas 78210*

- (5) The Charter School Board of Trustees will be available to the student and/or parent the following Board meeting to discuss the grievance. The Charter School Board of Trustees reserves the right to seek further information from the Administrator and any other concerned individual, as well as, to review all documentation regarding the complaint.
- (6) The student and/or parent will be notified of the decision in writing within three full business days following the Board meeting. The decision of the Charter School Board of Trustees is final.

## **CREDIT POLICY**

### **Incoming and Current Students**

Semester 1 and Semester 2 must average to a minimum of a 70 for the student to receive full credit. PVA awards credits by semester.

*Example 1 – Current Student:*

<b><i>Course</i></b>	<b><i>Semester 1</i></b>	<b><i>Semester 2</i></b>	<b><i>Final</i></b>	<b><i>Pass/Fail</i></b>
Algebra I	60	80	70	Pass (Full Credit)
Biology I	70	20	45	½ Credit for S1

Por Vida Academy reserves the right to review incoming student transcripts and to grant/confirm credit that falls within our stated Credit Policy. Credit withheld by other districts for attendance purposes will be reviewed and incoming students may receive credit for courses where they earned 70 % or more.

## **GRADUATION PROGRAMS**

The State of Texas has several graduation programs: Minimum, Recommended and Distinguished. The academic advisor will help you determine which program applies to you.

### **MINIMUM, RECOMMENDED, FHS PROGRAM CREDIT BREAKDOWN FOR GRADE LEVEL**

<i>Level</i>	<i>Credits</i>
Freshman	0-5.5
Sophomore	6.0-11.5
Junior	12-17
Senior	17.5+

### **POR VIDA DISTRICT ANTI-BULLYING POLICY**

#### **PURPOSE:**

Por Vida School District is committed to a safe and civil educational environment for all students, employees, volunteers, and patrons free from harassment, intimidation, or bullying.

Harassment, intimidation, or bullying means any intentional written, cyber, verbal, or physical act, when the intentional written, cyber, verbal, or physical act:

- Physically harms a student or damages a student/staff's property; or
- Has the effect of substantially interfering with a student's education; or
- Is severe, persistent, or pervasive that it creates an intimidating or threatening, educational environment; or has the effect of substantially disrupting the orderly operation of the school.

Nothing in this policy requires the affected student to possess a characteristic such as gender, race/ethnicity, sexual orientation, or physical characteristic that is perceived basis for the harassment, intimidation, or bullying.

#### **POLICY:**

The Board of Por Vida School District has determined that a safe and civil environment is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Harassment intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral, or physical

actions. “Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

**PROCEDURE:**

1. The Board of Por Vida School District expects students to conduct themselves in a manner in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and other contractors.
2. This policy is not intended to prohibit expression of religious, philosophical, or political views provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or rules.
3. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation or bullying also constitutes violation of this policy.
4. The Por Vida School District Board requires the principal and/or the principal’s designee at each school to be responsible for receiving complaints alleging violation of this policy. All school employees are required to report alleged violation of this policy to the principal or principal’s designee. All other members of the school community, including students, parents, volunteers, and visitors are encouraged to report any act that may be a violation of this policy.
5. The Por Vida School District Board requires the principal and/or the principal’s designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing the principal and/or designee shall conduct a prompt, thorough and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made.
6. The Por Vida School District Board prohibits reprisal or retaliation against any person who reports an act of harassment or bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal after consideration of the nature, severity, and circumstances of the act.
7. The Por Vida School District Board prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action

for a person found to have falsely accused another as a means of harassment or bullying shall be disciplined in accordance with district policies.

8. The Por Vida School District Board requires principals to annually disseminate the policy to all school staff, students, and parents along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school –sponsored functions, or on a school bus. The principal shall develop an annual process for discussing the school district anti-bullying policy with staff and students.
9. The school shall incorporate information regarding the policy against harassment or bullying into each student handbook and employee training program/handbook.

**DAVIDS LAW ADDENDUMS:**

10. Following a significant increase in reports of student bullying, the Texas Legislature passes Senate Bill 179, known as “David’s Law”, to give schools more tools to combat and prevent bullying and cyber bullying.
11. David’s Law, who went into effect September 1, 2017, give schools the ability to investigate potential bullying more fully, including bullying conduct that occurs off campus if the conduct materially affects the school environment.
12. David’s Law also encourages collaboration with law enforcement authorities when serious situations arise and gives schools greater latitude to discipline students for bullying behavior.
13. Counseling options available to students who are victims of or witnesses to bullying, or who engage in bullying.
14. Prohibit discipline against a student who after investigation, is found to be a victim of the bullying on the basis of the student’s use of reasonable self-defense in response to the bullying.
15. To make an anonymous report of bullying any student can make a note and deposit the note inside the hanging folder designated for the principal outside the principal’s office wall.
16. David’s Law allows, but does not require, the principal of any public or private school, or an employee designated by a principal (other than the school counselor), to make a report to local law enforcement if, after investigation is completed, the principal has reasonable grounds to believe that a student engaged in conduct that constitutes the offense of Assault (under Penal Code 220IO or Criminal Harassment by Repeated Electronic



Communication (under Penal Code 42.07(a)(7)). The report may include the name and address of each student the reporting person believes to have participated in the conduct.

17. Victims and parents/guardians of victims do have the right to file a civil suit against perpetrators and their families.

18. A student may be expelled if that student:

- a. Engages in bullying that encourages a student to commit or attempt to commit suicide.
- b. Incites violence against a student through group bullying; or
- c. Releases or threatens to release “intimate visual material” of a minor or a student who is 18 years of age or older without the student’s consent. ‘Intimate visual material’ means visual material that depicts a person (a) with the persons intimate parts exposed or (b) engaged in sexual conduct.

### **POR VIDA DISTRICT** **MANAGEMENT OF FOOD ALLERGY POLICY**

#### **PURPOSE:**

To outline the procedure for the care and management of student with a food allergy.

#### **POLICY:**

Por Vida School District is committed to the safety and health of all students and employees. It is the policy of the school district to:

- Provide a safe and healthy learning environment for students with food allergies
- Reduce the likelihood of severe or potentially life-threatening allergic reactions
- Ensure a rapid and effective response in the case of a severe or life-threatening allergic reaction
- Protect the rights of food allergic students to participate in all school activities.

#### **PROCEDURE:**

1. A food allergy is an overreaction of the immune system in response to a food protein.
2. Foods most often causing food allergy reactions may include peanuts, tree nuts (almonds, pecans, walnuts), milk, eggs, soy, fish and wheat.
3. Symptoms of a food allergy may include:
  - \*Mouth – itching, tingling, or swelling lips, tongue, mouth
  - \*Nose – Hay fever-like symptoms: runny, itchy nose, sneezing, watery/red eyes
  - \*Skin – Hives, itchy rash, swelling of the face or extremities, flushing

- \*GI – Nausea, abdominal cramps, vomiting, diarrhea
- \*Throat – Hacking cough, tightening of throat, hoarseness, difficulty swallowing
- \*Lung – Shortness of breath, repetitive cough, wheezing
- \*Heart – Weak pulse, low blood pressure, fainting, pale, blueness
- \*Mental – Anxiety, “sense of impending doom”, lethargy

4. The most serious type of a reaction is called “anaphylaxis”. If reaction is left untreated, anaphylaxis may result in death.
5. Management of food allergy and anaphylaxis:
  - a. There is no cure or preventive medication for food allergy.
  - b. Avoidance of the food allergen is the only way to prevent a food allergy reaction.
  - c. Prevention of food allergy is achieved by reading ingredient statements on every food product and avoiding products with the offending food allergen.
  - d. Avoidance of cross contact of allergen containing food to a non-allergy containing food during food processing or preparation.
  - e. A student with known food allergy should notify school staff and bring his/her healthcare provider’s written instructions and prescribed treatment for managing food allergy.
  - f. A food allergy plan will be developed and implemented for the student.
  - g. Food Services staff, nursing staff and teachers will be notified of student’s allergy and receive education and copy of the food allergy plan for the student.
  - h. Parents will be asked to provide Epi Pens for the student to manage a food allergy reaction in the school setting.
  - i. Nursing staff and other trained staff will administer Epi pen as directed/ordered by the physician.
  - j. Students who have been trained on use of the Epi pen may carry their own Epi pen and administer as needed. Student shall inform teacher and school nurse on use of the Epi pen.
  - k. Epi pens may also be stored in the health clinic.
  - l. Educational Excursions will be discussed with student, parent and staff to decide on appropriate strategies for managing the food allergy.
6. In the event of an allergic reaction in a student, the Parent/Guardian will be notified.
7. EMS will be called to continue management of student experiencing food allergy reaction.
8. Emergency Standing Orders – The Medical Advisor for the School District will provide emergency standing orders for the management of food allergy reaction in a person with

no history of a reaction, and no personal physician orders. These standing orders will be reviewed and approved annually by the district.

9. Allergy Bullying – All threats or harassment of student with food allergy will be taken very seriously and will be dealt with in accordance with District Anti- Bullying policy.

*References:*

1. *The Food Allergy and Anaphylaxis Network*
2. *Sample Rhode Island School Food Allergy Policy*

### **Prevention of Sexting Policy**

**Purpose:** To outline the role of our schools in the awareness and prevention of sexting.

**Policy:** It is the policy of Por Vida Academy School District that students, parents, and staff will be made aware of sexting and prevention of sexting.

**Procedure:**

1. Texas Senate Bill 407 was passed June 17, 2011, to address the issue of sexting between minors.
2. An individual is illegally engaging in sexting if he/she – knowingly or on purpose- send, show, or keep a picture or video of a minor –including himself/herself –engaging in “sexual conduct”.
3. Possession of sexting material: having the actual care, custody, control, or management of material that depicts another minor engaging in sexual conduct.
4. Promotion of sexting material: to procure, manufacture, issue, sell, give, provide, lend, mail deliver, transmit, publish, distribute, circulate, disseminate, exhibit, or advertise, or agree to any of the above, sexually explicit or sexually suggestive images or video via mobile device or computer.
5. There are misdemeanor and felony conditions and penalties that can be applied by the law for possession and/or promotion of sexting.
6. Students who are found to be in possession or promotion of sexting material(s) will be reported to the principal or his/her designee.
7. The principal will investigate and may determine to make a Police report and or Department of Family Protective Services report as required by law within 3 days of the incident.
8. Por Vida School District will also make available an educational program to students, parents and staff on the prevention and awareness of sexting. This training that is required by law is available at: Before You Text: <https://txssc.txstate.edu/tools/courses/before-you-text/>
9. Attached to this policy is a Sexting Brochure from the Office of the Attorney General of Texas.
10. A student may be expelled if that student:

- a. Releases or threatens to release “intimate visual material” of a minor or a student who is 18 years of age or older without the student’s consent. ‘Intimate visual material’ means visual material that depicts a person (a) with the persons intimate parts exposed or (b) engaged in sexual conduct.

## **Por Vida School District**

### **Wellness Policy on Nutrition and Physical Education**

**Purpose:** Por Vida School District is committed to providing a school environment that advances student’s health and strives to reduce adolescent obesity. The District promotes student well-being and ability to learn through nutrition education, physical education/activities and other school based health activities.

**Nutrition Wellness Policy:** It is the policy of Por Vida School District that:

- The school will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition policies.
- Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious and appealing foods that meet the health and nutrition needs of the students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe and pleasant settings and adequate time for students to eat.
- The school will participate in available federal school meal programs (including the School Breakfast Program and National School lunch Program).
- The school will provide nutrition education to foster lifelong habits of healthy eating and will establish linkages between health education and school meal programs and with related community services.
- The school will maintain nutritional guidelines and wellness goals in consultation with students, parents, school nutrition services and board.

### **Procedure:**

#### **School Meals**

1. **Breakfast:** To ensure that all students have breakfast, either at home or at school, to meet their nutritional needs and enhance their ability to learn:
  - The school will utilize methods to serve school breakfasts that will encourage student participation.
  - The school will encourage parents to provide a healthy breakfast for their children.
2. **Free and reduced – priced Meals:** All students are provided free breakfast and lunch.

3. **Sharing of Foods and Beverages:** The school will discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some student's diets.
4. **Fundraising Activities:** The school will use only foods that meet the nutrition and portion size standards for foods and beverages sold individually. The school will encourage fundraising activities that promote physical activity. The school district will make available a list of ideas for acceptable fund-raising activities.
5. **Snacks:** Snacks served during the school day will make a positive contribution to the student's diet and health, with emphasis on serving fruits and vegetables as the primary snack and water as the primary beverage.
6. **School sponsored Events (Athletic Events, Dances or Performances):** Foods and beverages offered or sold at school-sponsored events
7. **Nutrition Education and Promotion:** Por Vida Academy Charter High School aims to teach, encourage, and support healthy eating by students. The school will provide nutrition education and engage in nutrition promotion that:
  - Is offered as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health
  - Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects
  - Includes enjoyable, developmentally appropriate, culturally relevant, participator activities, such as contests, promotions, taste testing and school gardens.
  - Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods and health-enhancing nutrition practices
  - Emphasizes caloric balance between food intake and energy expenditure (physical activity and exercise)
8. **Food Marketing in Schools:** School-based marketing will be consistent with nutrition education and health promotion. The school will limit food and beverage marketing to the promotion of foods and beverages that meet the nutrition standards for meals and beverages. School-based marketing of brands promoting predominantly low-nutrition foods and beverages is prohibited. The promotion of healthy foods, including fruits, vegetables, whole grains and low – fat dairy products is encouraged.

**Physical Education Wellness Policy:** It is the policy of Por Vida Academy School District that physical activity is integrated into the classroom and that students receive the nationally recommended amount of physical education.

**Procedure:**

1. All students, who still need physical education credit(s) in grades 9-12, including students with disabilities and special healthcare needs will receive daily physical education or its equivalent of 225 minutes per week.
2. All physical education will be taught by a certified physical education teacher or other qualified personnel.
3. Student will spend at least 50 percent of physical education class time participating in moderate to rigorous physical activity.
4. Student involvement in other activities involving physical activity (i.e., interscholastic or intramural sports) will not be substituted for meeting the physical education requirement.
5. The school will discourage extended periods (i.e., periods of two or more hours) of inactivity. When mandatory school wide testing, make it necessary for students to remain indoors for long periods of time, the school will give students periodic breaks in which they are encouraged to stand and be moderately active.
6. The school shall offer physical activity opportunities to the entire student body before and/or after school. These extracurricular, interscholastic sports programs will meet the needs, interest, and abilities of all students.
7. The school will implement a process for addressing the safety of students in a physical education class with a student ratio greater than 45 to one.
8. Teachers and other school personnel will not use physical activity (i.e., running laps, pushups) or withhold opportunities for physical activity as a form of punishment.
9. The district will encourage parents to support their children's participation, to be active role models and to include physical activity in family events.
10. All students enrolled in physical education and athletic activities will participate in fitness testing using state approved assessment tool. Fitness assessment results will be shared with School Health Advisory Council and parents.
11. Por Vida School District will encourage students, staff, parents, and community members to use the district's recreational facilities as available.

**Monitoring and Implementation:**

1. The school principal shall initiate a plan for measuring the implementation of this wellness policy annually and include participation by Nutrition, Physical Education and Health Services Professionals in conjunction with School Health Advisory Council.
2. Each District School will inform and update the public, including parents, students, and others in the community about the content and implementation of this wellness policy.



**Por Vida Academy Charter High School  
Campus Parent Involvement Policy**

The Por-Vida Academy Charter High School Title 1 Parent Involvement Policy was developed by the Campus Parental Involvement Team (CPIT) to encourage parent participation in school programs and parent partnerships, in building effective and supportive learning environments for

students. Implementation of this policy is necessary to enable Por Vida Academy Charter High School students to meet the state's high academic standards.

The Por Vida Academy Charter High School Title 1 Advisory Committee, consisting of parents, teachers, and the school principal, update the Parent Involvement Policy at least annually, taking into consideration information and comments solicited from parents.

The following Parental Involvement Policy is in accordance with the philosophy that the improved academic achievement of each student is a responsibility shared by the entire school community.

1. The Por Vida Academy Charter High School, School-wide Title 1 program will hold an annual meeting each school year to update parents with the function of the program.
2. Parents will be notified of this meeting, in a language and format that they understand, in advance, and encouraged to attend. The school will offer to hold additional meetings if parents cannot attend the scheduled annual meeting.
3. Under the guidelines of the school-wide Title 1 Program, your child may participate in reading and /or math enrichment classes at any time during the school year.
4. Parents will be given timely notification of any teachers in the classroom who are not highly qualified.
5. Por Vida Academy Charter High School will put into operation, programs, activities, and procedures for the involvement of parents. These programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
6. Por Vida Academy Charter High School will provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement.
7. Parent/teacher conferences will be held throughout the year to report progress and interpret and explain the district and state assessments.
8. Por Vida Academy Charter High School will submit parent comments to the district that express the Campus Improvement Plan.



## **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 any time.

### Special Education Referrals:

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

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

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

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

Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

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

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

#### Contact Person for Special Education Referrals:

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

Contact Person: Loren Franckowiak

Phone Number: 210-775-1132

#### 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:

Contact Person: Mariza Loredó

Phone Number: 210-775-1132

#### Additional Information:

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

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

## **Por Vida Academy Charter High School**

School Hours: 9:00 am – 1:00 pm

**1st Period: 9:00 am - 9:47 am**

**2nd Period: 9:48 am - 10:36 am**

**3rd Period: 10:37 am - 11:25 am**

**4th Period: 11:26 am - 12:13 pm**

**5th Period: 12:14 pm - 1:00 pm**

## **POR VIDA ACADEMY CHARTER HIGH SCHOOL**

### **STUDENT HANDBOOK 2022-2023 STUDENT**

#### **STATEMENT OF UNDERSTANDING**

The purpose of this handbook is to describe the expectations of Por Vida Academy, its Board and Staff, regarding student conduct. It is the belief of this school that the rights of students can be protected only if an atmosphere of organization, respect and cooperation exist.

We, as students and parents/guardians, understand and consent to the responsibilities outlined in the PVA Student Handbook. We also understand and agree that the student will be held accountable for the behavior and consequences outlined in the Student Handbook regarding each topic. Any student who violates the PVA Student Handbook will be subject to disciplinary action. We further indicate by signing below that that we have read and understand the policies and regulations contained in the PVA Student Handbook.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent

\_\_\_\_\_  
Date