

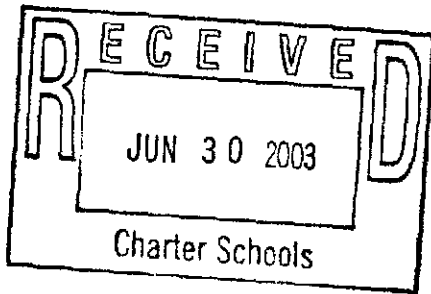
CHARTER SCHOOL NAME Amigos Por Vida - Friends For Life COUNTY-DISTRICT # 101819

Generation Three
Open-Enrollment Charter
Renewal Application
Standard Renewal

Application Due June 30, 2003

21ST CENTURY ACADEMY OF SCIENCE AND TECHNOLOGY
ACADEMY OF BEAUMONT
ACADEMY OF CAREERS AND TECHNOLOGIES CHARTER SCH
ALPHONSO CRUTCH'S-LIFE SUPPORT CENTER
AMERICAN ACADEMY OF EXCELLENCE CHARTER SCHOOL
AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL
BRAZOS SCHOOL FOR INQUIRY & CREATIVITY
CAREER PLUS LEARNING ACADEMY
COMQUEST ACADEMY
CROSSROADS COMMUNITY ED CTR CHARTER SCHOOL
DALLAS COUNTY JUVENILE JUSTICE
EAGLE PROJECT (ABILENE)
EAGLE PROJECT (BEAUMONT)
EAGLE PROJECT (BROWNSVILLE)
EAGLE PROJECT (BRYAN)
EAGLE PROJECT (DALLAS)
EAGLE PROJECT (DEL RIO)
EAGLE PROJECT (FT WORTH)
EAGLE PROJECT (LAREDO II)
EAGLE PROJECT (LUBBOCK)
EAGLE PROJECT (MIDLAND)
EAGLE PROJECT (PHARR-MCALLEN)
EAGLE PROJECT (SAN ANTONIO)
EAGLE PROJECT (TEXARKANA)
EAGLE PROJECT (TYLER)

EAGLE PROJECT (WACO)
ERATH EXCELS ACADEMY INC
FOCUS LEARNING ACADEMY
FORT WORTH CAN ACADEMY
FRUIT OF EXCELLENCE
GEORGE I SANCHEZ CHARTER HS SAN ANTONIO
GULF SHORES ACADEMY
HONORS ACADEMY
HOUSTON GATEWAY ACADEMY, INC.
HOUSTON HEIGHTS LEARNING ACADEMY
JAMIE'S HOUSE CHARTER SCHOOL
KATHERINE ANNE PORTER SCHOOL
KENNY DORHAM SCHOOL FOR THE PERFORMING
MCCULLOUGH ACADEMY OF EXCELLENCE
MIDLAND ACADEMY CHARTER SCHOOL
OAK CLIFF ACADEMY
RANCH ACADEMY
SAN ANTONIO CAN! HIGH SCHOOL
SAN ANTONIO SCHOOL FOR INQUIRY & CREATIVITY
SHEKINAH RADIANCE ACADEMY
SOUTHWEST HIGH SCHOOL
TEKOA ACADEMY OF ACCELERATED STUDIES
TOVAS-TACTILE ORAL VISUAL ALTERNATIVE
WA-SET PREPARATOY ACADEMY



**Texas Education Agency
William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701-1494**

Dated Material---Open Immediately

**Return on or before—5:00 p.m., Central Time
Tuesday, June 30, 2003
Charter Schools Division
Room 5-107**

Application Instructions

The Renewal Application is due to TEA/Charter Schools Division by 5:00 pm, **June 30, 2003**. Timely submission of a **complete** renewal application will be used as part of the basis for renewal determination. After the application is reviewed by internal reviewers at the agency, applicants may be required to submit follow-up information to clarify or complete the original application. Applicants have five working days after being contacted to submit any follow-up information unless a longer period of time is specified by the reviewer. After that point, the application will not be considered timely and sufficient.

The application form has been designed to be downloaded and responses can be entered directly onto the electronic application form on your computer. The spaces provided for answering questions are expandable. Use as much space as needed for responses.

Attachments should be labeled as indicated in the application and submitted in prescribed order. The forms for Attachment 3, Board Member Biographical Affidavit and Attachment 6, Electronic Application Certification are included with the application.

Seven complete paper copies of the entire document must be submitted in prescribed order with only original signatures in blue ink. One copy (less attachments) must also be submitted on a 3.5 inch floppy diskette. (The agency uses a PC compatible text file.)

Format of Application

Number of paper copies:	7
Font:	12 pt.; Times New Roman
Paper:	8.5"x11.0", white, one side only
Binding:	NONE! DO NOT BIND May be rubber-banded or clipped

List of Attachments

- Attachment 1, Organizational Chart
- Attachment 2, Criminal History Records for Board Members
- Attachment 3, Board Member Biographical Affidavits
- Attachment 4, Documentation for Evaluation of Other Information Relevant to Performance
- Attachment 5, Special Needs/Programs Information Request
- Attachment 6, Electronic Application Certification
- Attachment 7, Written Resolution Adopted by Governing Body of Charter Holder

Definitions

Please review TEC §12.1012 and 19 TAC Chapter 100 §100.1011 for definitions of terms. Listed below are some selected terms and definitions:

1. *Charter holder* – the entity to which a charter is granted under TEC, Chapter 12
2. *Charter school* – a Texas public school operated by a charter holder under an open-enrollment charter granted by the State Board of Education pursuant to TEC, §12.101
3. *Governing body of a charter holder* – the board of directors, board of trustees, or other governing body of a charter holder
4. *Governing body of an open-enrollment charter school* – the board of directors, or other governing body of an open-enrollment charter school. The term includes the governing body of a charter holder if that body acts as the governing body of the open-enrollment charter school
5. *Management company* – a person, other than a charter holder, who provides management services for an open-enrollment charter school
6. *Officer of an open-enrollment charter school* – the principal, director, or other chief operating officer of an open-enrollment charter school; an assistant principal or assistant director of an open-enrollment charter school; or a person charged with managing the finances of an open-enrollment charter school

General Scope of Agency Review

As authorized in Texas Education Code § 12.115, the commissioner may modify, place on probation, revoke or deny renewal of the charter of an open-enrollment charter school if the commissioner determines that the charter holder:

- 1) committed a material violation of the charter; including failure to satisfy accountability provisions prescribed by the charter;
- 2) failed to satisfy generally accepted accounting standards of fiscal management;
- 3) failed to protect the health, safety, or welfare of the students enrolled at the school; or
- 4) failed to comply with this subchapter or another applicable law or rule.

The Commissioner's Rules Concerning Open-Enrollment Charter Schools, 19 TAC, Chapter 100, provides more specific information about commissioner action and intervention and other issues concerning open-enrollment charter schools.

Internal reviews for all renewal applications will be conducted by TEA staff in areas such as student performance, business and financial management, and compliance. Components for determining adequate *student performance* generally include accountability ratings, AEIS indicators, and other relevant student performance information, as reported by the charter school on this application and as supported by required evidence and documentation.

Components for evaluating *business and financial management* generally consist of a review by the Financial Audits Division of annual financial audits and other relevant documents.

Agency *compliance* requirements that may be generally considered include, but are not limited to, timely and accurate submission of grant expenditures and evaluations, PEIMS reports, accountability/accreditation information (including data requested prior to on-site visits, and follow-up information such as corrective action plans for bilingual and special education programs and PAS/DAS risk levels), assessment requests (including requests for and submission of testing materials), other special education information, governance data, student transfer data required by Civil Action 5281, and the renewal application.

Complaints made against the charter school through the Agency complaints process may also be considered, as well as any issues concerning the health, safety, and welfare of students.

Section II. Governance Structure and Procedures

Review *TEC, Sec. 12.121* and *19 TAC Chapter 100, Division 5 (Charter School Governance)*, which lists, among other things, powers and duties that must be exercised by the governing body of the charter holder, and nepotism and conflict of interest prohibitions and exceptions.

Where indicated, list all relatives of the members of the Governing Body of the Charter Holder, of the Governing Body of the Charter School, and of the Officers of the Charter School within the *third degree of consanguinity or affinity*. These include your spouse and the following relations to you and to your spouse: parents, children, grandchildren, siblings, grandparents, great-grandparents, nieces, nephews, aunts, uncles, and great-grandchildren.

A. Governing Body of Charter Holder

1. In the spaces below please list the names of the members of the governing body of the charter holder, the offices held, any board member's relative within the third degree of consanguinity or affinity (see definition above), and any compensation or remuneration from the charter holder or charter school received by the board members.

Board Member Name	Office Held	Relative(s) Within the Third Degree of Consanguinity or Affinity Who are Also Serving on the Board	Board Member Compensation or Remuneration Per Year
Rosemary Garza	Member	none	none
Silvia Graves	Vice-President	none	none
Mary Riley	President	none	none
Joseph Vail	Secretary	none	none
Omar Velez	Member	none	none

2. Will any relative of the board member within the third degree of consanguinity or affinity (see definition above) be employed by or receive any compensation or remuneration from the charter holder or the charter school? If yes, provide details in the space provided below. YES NO

Empty space for providing details for question 2.

3. Will any board member's spouse or any of the spouse's relatives within the third degree of consanguinity or affinity (see definition on page 2) be employed by or receive any compensation or remuneration from the charter holder or charter school? If yes, provide details in the space provided below. YES NO

4. Will any person who is a relative within the third degree of consanguinity or affinity (see definition on page 2) of a charter school officer (i.e., a person charged with the duties of, or acting as, a chief executive officer, a central administrator, a campus administration officer, or a business manager) be employed by or receive any compensation or remuneration from the charter holder or charter school? If yes, provide details in the space provided below. YES NO

B. Governing Body of Charter School

1. If the governance structure includes more than one board (i.e., a governing body that is separate from the governing body of the charter holder), in the spaces below please list the names of the members of the governing body of the charter school, the offices held, any relative of a board member within the third degree of consanguinity or affinity (see definition on page 2), and any compensation or remuneration from the charter holder or charter school received by the board members.

Board Member Name	Office Held	Relative(s) Within the Third Degree of Consanguinity or Affinity Who are also Serving on the Board	Board Member Compensation or Remuneration Per Year
Not Applicable			

2. Will any relative of a board member within the third degree of consanguinity or affinity (see definition on page 3) be employed by or receive any compensation or remuneration from the charter holder or the charter school? If yes, provide details in space provided below. YES NO

3. Will any board member's spouse or any of the spouse's relatives within the third degree of consanguinity or affinity (see definition on page 3) be employed by or receive any compensation or remuneration from the charter holder or charter school? If yes, provide details in the space provided below. YES NO

C. Roles and Responsibilities of Governing Bodies

Describe the roles and responsibilities of both the charter holder and charter school governing bodies. If this represents a change from the governance structure currently on file with the Agency, please indicate that it is a change and describe the difference from the previous structure.

The School no longer utilizes a management company to operate the school. The School has employed a CEO/Superintendent, Principal and Operations Manager to operate, manage and take care of the day to day activities of the School.

The composition of the board has changed. The School has five active members of the community represented on the board of directors.

Throughout the renewal application there will be descriptions of tasks delegated by the board and/or the CEO/Superintendent, Principal and Operations Manager. This delegation has been approved by the board and its approvals of this renewal application.

See Appendix A1: Job Descriptions for CEO/Superintendent, Principal and Operations Manager.

See Appendix A2: Articles of Incorporation and Bylaws.

D. Organizational Chart, Criminal History Records, Biographical Affidavit

- Submit an organizational chart. Include this document as **Attachment 1, Organizational Chart**.
- Submit a criminal history record for each board member. Include these documents as **Attachment 2, Criminal History Records for Board Members**.
- Submit a biographical affidavit for each board member. Include these documents as **Attachment 3, Board Member Biographical Affidavit**.

Section III. Teacher Qualifications

In the space provided, describe the qualifications required for all classroom teachers and other instructional staff. If this represents a change from the charter application on file with the Agency or approved amendments, please indicate that it is a change and describe the difference from the previous requirement.

See Appendix B: Letter to Instructional Faculty and Staff.

In order to meet the federal requirements for Bilingual Education, APV-FFL Public Charter School's Board of Governors has mandated that teachers be certified or are officially accepted into a Deficiency Plan, Alternative Certification Program prior to obtaining a teaching position. Paraprofessionals are required to meet or exceed the No Child Left Behind Act's mandates.

Parents will be notified in writing at the beginning of each school year to state whether their child's teacher is highly qualified or not.

Section IV. Code of Conduct

In the space provided, describe the methods used to inform parents and students about school rules and guidelines governing student behavior. Include policies regarding student expulsion and suspension and procedures that satisfy due process requirements.

See Appendix C: Student Code of Conduct.

The methods used to inform parents and students about school rules and guidelines governing student behavior are through the Student Code of Conduct.

Section V. Complaints

In the space provided, describe the methods used to inform parents, students, and employees about the procedures for receiving and responding to complaints. (Note: Under 19 TAC § 100.1101(e), the governing body of a charter holder shall not delegate final authority to hear or decide employee grievances, citizen complaints, or parental concerns.)

Amigos Por Vida-Friends for Life Public Charter School ("Amigos Por Vida" or "School") values its employees and strives to foster a productive, efficient, and collegial work atmosphere. The School recognizes, however, that sometimes a situation may occur that causes an employee concern which he or she wishes to address with the administration. Employees are encouraged to utilize all methods of communication to resolve differences and seek a resolution before filing a formal grievance. When this course of action is not feasible, comfortable, or successful, the matter should be brought to the attention of the Superintendent/CEO. The following procedures apply to formal complaints or grievances:

A grievance under this procedure includes:

- 1) Complaint concerning an employee's wages, hours, or condition of work.
- 2) Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.
- 3) Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.

Formal Complaint Procedure:

A formal complaint must be in writing, must identify the policy allegedly violated or the action or omission that allegedly occurred, and must be submitted within ten (10) days of the time the employee first knew of or should have known of the event or series of events about which the employee is complaining. The Superintendent/CEO (which term also includes his or her designee for purposes of this complaint and grievance procedure) will hold a conference with the employee within ten (10) days of receipt of the written complaint. If the Superintendent/CEO is unable to schedule the meeting within ten (10) days, he or she will notify the employee of alternative dates for availability but no later than twenty (20) days after receiving the formal written complaint.

The employee is encouraged to use and submit exhibits for the Superintendent/CEO's consideration. The Superintendent/CEO is not required to hear sworn testimony from witnesses, but may choose to do so at his or her discretion. The Superintendent/CEO will determine whether the allegations warrant further investigation and give a written determination to the employee within ten (10) days after the conference as to whether the policy alleged was violated or whether the act or omission did occur unless the facts or initial inquiry indicate the need for further investigation. If further investigation is warranted, the Superintendent/CEO will notify the employee of the estimated date for providing a response.

In the event that an investigation determines that an employee has violated a policy or engaged in other unlawful or improper conduct, the supervisor of the person about whom the complaint was lodged shall take prompt and appropriate disciplinary action up to and including termination of employment. Employees accused of unlawful harassment or discrimination should be given sufficient information about allegations to provide them a reasonable opportunity to respond before any corrective action or discipline is imposed.

Appeal to Board:

If the complainant does not believe the resolution achieved by submission to the Superintendent/CEO is adequate, the complainant may appeal the decision or action to the governing board of Amigos Por Vida ("Board"). The employee has ten (10) days after a written determination by the Superintendent/CEO to appeal to the Board by submitting a written request to the Superintendent/CEO. The Board will act as an appellate body rather than a fact-finding body, reviewing only arguments and documents provided by the employee to the Superintendent/CEO and giving weight to the Superintendent/CEO's findings.

The Board will convene to review the complaint within thirty (30) days. If this time period does not afford the Board adequate time to review all documents and written decisions, the Board will discuss the grievance at its next scheduled board meeting.

At the Board's discretion, both the complainant and the administration may have the opportunity to present oral argument before the Board. During oral argument, the oral argument must be limited to the evidence that was before the administration when it made its decision. The Board may set reasonable limits on the time and manner in which oral arguments are made. Either or both the complainant or the administration may have a representative present the oral argument on their behalf.

The complainant has the opportunity to address the Board under the same conditions as any other member of the public during the hearing of citizens portion of the Board meeting. By law, the Board may not take action on any item brought before the Board during the hearing of citizens portion of the meeting unless the item has been posted with some specificity in accordance with the Texas Open Meetings Act.

Within twenty (20) days after the meeting at which the Board heard the complainant's appeal, the Board will provide a written response to the complainant.

Closed Meeting

If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it shall be heard by the Board in closed meeting unless the employee who is bringing the grievance requests that it be heard in public. However, if the grievance involves a complaint or charge against another employee or Board member, it shall be heard in a closed meeting unless an open hearing is requested in writing by the employee or Board member against whom the complaint or charge is brought.

Freedom from Retaliation

The complaining person will not be penalized in any way for reporting any matter in good faith. There will be no retaliation against any person because of his or her participation in the investigation of a complaint.

Sexual Harassment and Non-Discrimination

The School shall comply with and carry out its responsibility under all applicable federal and state laws and their implementing regulations including, but not limited to, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act, the Age Discrimination in Employment Act of 1975, Title VII of the Civil Rights Act; and Section 504 of the Rehabilitation Act of 1973 and will investigate any complaints alleging noncompliance or action prohibited in these provisions.

The School will not tolerate sexual harassment or unlawful discrimination. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and any other physical or visual conduct of a sexual nature. Specific examples of prohibited conduct include, but are not limited to, engaging in sexually oriented conversations for purposes of sexual gratification, telephoning employees at home or elsewhere to solicit inappropriate sexual relationships, visible contact that would reasonably be construed as sexual in nature, and enticing or threatening another employee to engage in sexual behavior in exchange for work or other school-related benefits. The School will not discriminate against any employee on the basis of that person's race, color, religion, sex, national origin, disability, or age in the terms and conditions of employment.

Employees with questions or concerns about any type of harassment or discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Principal, or the Superintendent/CEO. All employees of the School are responsible for maintaining a workplace free of harassment and/or discrimination. An employee who believes that he or she has been the target of sexual harassment and/or unlawful discrimination should inform the School Principal immediately. In the event that the Principal is the person about whom the complaint of sexual harassment and/or unlawful discrimination is alleged, the employee is to notify the Superintendent/CEO of the allegations. Any school employee who receives information about or has knowledge concerning sexual harassment or unlawful discrimination or conduct that may be reasonably characterized as known or suspected sexual harassment or unlawful discrimination, must notify the Principal or Superintendent/CEO immediately. In addition to making an oral report or complaint, the complainant or other person with knowledge should reduce the complaint to writing. Do not assume that the School is aware of a problem. It is the responsibility of all employees to bring complaints to the School so that the School can help resolve them. Employees may make complaints about unlawful harassment or discrimination without fear of reprisal.

All reports of sexual harassment will be treated seriously and, to the extent possible, confidentiality will be maintained. In determining whether alleged conduct constitutes sexual harassment, unlawful discriminatory harassment and/or unlawful discrimination, the reviewing person or Board will consider the totality of the circumstances, the nature of the conduct of which the employee complained, and the context in which the alleged conduct or incident occurred. If it is determined that unlawful harassment or discrimination has occurred, prompt and appropriate action will be taken.

Anyone found to be engaging in any type of unlawful discrimination and/or harassment will be subject to disciplinary action, up to and including termination of employment.

In addition to the above grievance procedure, if an employee believes he or she has been subjected to sexual harassment or unlawful discrimination under any federal or state nondiscrimination statute, he or she may file a formal complaint with either or both the United States Equal Employment Opportunity Commission ("EEOC") or the Texas Commission on Human Rights. Using the complaint process set forth above does not prohibit an employee from filing a complaint with these agencies.

Section VI. Admissions Policy

In the space provided, describe the timeline used for admitting students, including the application deadline and the process for the admission of students by lottery. (Although state law permits students to be accepted on a first come, first served basis or through a lottery, **a charter school that is oversubscribed must use a lottery to be eligible to receive federal funds.**)

In admitting students to the school, Amigos Por Vida-Friends for Life Public Charter School will not discriminate against any student on the basis of sex; national origin; ethnicity; religion; disability; academic, artistic, or athletic ability; or the district the child would otherwise attend. The School reserves the right to exclude from admission any child who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the Texas Education Code.

The school will admit students on a first-come, first-serve basis with one day advance notice. The School maintains a 22:1 ratio in grades pre-kindergarten through fourth. Fifth grade serves no more than 25 students throughout a school year. Therefore, when a grade level is oversubscribed, the School will determine acceptance based on a lottery system.

Part 2. Program Evaluation

Section VII. Evaluation of Student Performance

In the spaces provided, describe student performance. Address student progress over time and performance as it relates to AEIS *base* and *additional* indicators and in terms of any *other relevant performance information*.

A. AEIS Base Indicators

Describe student performance as it relates to AEIS *base* indicators (i.e., TAAS scores and dropout rates). Be specific about indicators such as percentage of students passing exams and annual dropout rates.

Note: Campuses rated under the Alternative Education Accountability system may also have student attendance and Texas Learning Index (TLI) growth as base indicators.

Because our campus solely serves elementary age students, the School does not have an annual student drop out rate. The students have shown a steady progress academically year after year as shown below:

		State	Reg. IV	District	Hisp.	Male	Female	Economically Dis.
Reading	2002	91.3%	92.2%	54.8%	54.3%	46.7%	62.5%	54.8%
	2001	88.9%	89.7%	39.0%	38.2%	18.5%	56.3%	39.0%
Writing	2002	88.7%	89.8%	63.2%	63.2%	62.5%	63.6%	63.2
	2001	87.9%	88.6%	72.2%	68.8%	58.3%	100.0%	72.2%
Math	2002	92.7%	93.6%	64.5%	65.2%	68.9%	60.4%	64.5%
	2001	90.2%	91.0%	50.8%	52.7%	51.9%	50.0%	50.8%
All Tests	2002	85.3%	86.8%	43.2%	43.6%	40.0%	46.0%	43.2%
	2001	82.1%	83.1%	18.3%	18.2%	7.4%	27.3%	18.3%

Our only area of concern is Writing as it dropped a few percentage points from 2001 to 2002. The School plans to bring in staff development training and writing workshops to vertically and horizontally align the writing curriculum for its second language learners.

B. AEIS Additional Indicators

Describe student performance as it relates to AEIS *additional* indicators (i.e., attendance rates, 4-year completion rates, college admissions testing, and participation in the recommended high school program). Be specific about indicators such as average Texas Learning Index (TLI) growth, year-to-year progress, and accountability ratings.

Note: Campuses rated under the Alternative Education Accountability system may also have campus-selected additional AEIS indicators.

The students' attendance rate has been 95% or better every six weeks and has been kept constant. There are no college admissions testing, recommended high school program nor 4-year completion rates as our charter plans to serve students in grades pre-kindergarten through fifth grade.

C. Other Information Relevant to Student Performance

Describe unique accomplishments of the charter school as they relate to student performance. Be specific in describing accomplishments and provide supporting evidence and documentation as **Attachment 4, Documentation for Evaluation of Other Information Relevant to Performance.**

Refer to questions three and four of the charter application on file for any additional accountability provisions, in addition to those required under Texas Education Code, Chapter 39, under which the performance of the open-enrollment charter may be assessed. Refer to question five of the application for any basis, in addition to a basis specified under Texas Education Code, Chapter 12, on which the renewal of the charter may be denied.

The school will be implementing the Dual Language Program to provide a more balanced education so that students may improve their English and Spanish language proficiency and become bilingual, biliterate and bi-cultural...by choice.

The school will also implement the Family Resource Center with DePelchin Children's Center to promote parental involvement in a child's educational setting, as well as, to allow parents to become a contributing member of the community.

Students who attend Amigos Por Vida-Friends for Life Public Charter School are considered to be at-risk or educationally disadvantaged as a result of their limited English proficiency, low-socio economic status or other environmental factors. Nevertheless, students have academically flourished at Amigos Por Vida-Friends for Life Public Charter School. Attachment 4 will list academic results of several assessments taken during the 2002-2003 school year.

See Attachment 4, Documentation for Evaluation of Other Information Relevant to Performance.

- Reading Proficiency Test in English (RPTE); given to limited English proficient (LEP) students in 3rd-6th
- Summary of Aprenda and Stanford 10 Results
- Summary of 2003 Texas Assessment of Knowledge and Skills (TAKS) Results
- Dual Language Program Information Sheet
- Copy of Draft Contract with DePelchin Children's Services

Section VIII. Student Performance Goals

In the spaces provided below, identify the school's academic goals for student learning for the next **five years** in terms of AEIS *base* and *additional* indicators and *other relevant performance information*.

Some accountability standards and criteria for 2004 and 2005 are available in the 2002 Accountability Manual, which is available at www.tea.state.tx.us/perfreport/account/2002/manual. TAKS passing standards for Exemplary and Recognized are the same as in 2002. Rating criteria and standards have not yet been determined beyond 2002 for completion rate, dropout rate, the State-Developed Alternative Assessment (SDAA), and the Academically Acceptable/Acceptable rating.

A. AEIS Base Indicators

Describe student performance goals in terms of AEIS *base* indicators (i.e., TAAS scores and dropout rates). Be specific about indicators such as percentage of students passing exams and annual dropout rates.

Note: Campuses rated under the Alternative Education Accountability system may also have student attendance and Texas Learning Index (TLI) growth as base indicators.

See Appendix D: School Improvement Plan.

B. AEIS Additional Indicators

Describe student performance goals in terms of AEIS *additional* indicators (i.e., attendance rates, 4-year completion rate, college admissions testing, and participation in the recommended high school program). Be specific about indicators such as average Texas Learning Index (TLI) growth, year-to-year progress, and accountability ratings.

Note: Campuses rated under the Alternative Education Accountability system may also have campus-selected additional indicators.

Amigos Por Vida-Friends for Life Public Charter School recognizes that students in grades 3-6 have been rated low performing due to lack luster results in the TAAS test of 2001 and 2002. Despite those previous results, students at Amigos Por Vida have risen to the challenge of the TAKS test and the School plans to continue to provide educational support to students, parents and faculty. On the other hand, student attendance at Amigos Por Vida has not been an issue of concern. The attendance rates have been maintained at or above 95% each six weeks. As stated before Amigos Por Vida does not serve students in the secondary environment therefore 4-year completion rates, college admissions testing and participation in the recommended high school program are not applicable to the School at this time.

C. Other Relevant Performance Goals

Describe other relevant student performance goals that may be unique to your school.

None at this time.

Section IX. Plans and Initiatives to Improve Student Performance

Describe plans and initiatives to improve student performance for the next five years. Explain how the school plans to accomplish its goals.

See Appendix E: Five Year Strategic Plan.

The School believes that Saturday School, Afterschool Tutorials and Enrichment classes, as well as 120 hours of Summer School will significantly impact students' academic performance.

Section X. Monitoring Follow-Up

Discuss improvements made and other actions taken to address any and all findings, recommendations, or sanctions by the Agency including those resulting from monitoring on-site visits or hearings. Provide specific information about compliance status with all special program indicators, including corrective action plans for bilingual and special education programs, and about PAS/DAS risk levels.

Findings, recommendations, and sanctions were addressed in the following areas:

- Federal School Lunch/Breakfast Program
- Accreditation

The School was able to address and correct findings.

See Appendix F: Letters of Correspondence between Texas Education Agency and Amigos Por Vida-Friends for Life Public Charter School.

Part 3. Special Needs Students/Programs

NOTE: The approval of this charter school renewal application and/or removal of any contingencies is based on the information provided by the charter school as it reflects the charter school's knowledge of special education. Approval of the charter school renewal application and/or removal of any contingencies should not be construed to reflect a determination of special education compliance or to cover any other issues outside the scope of this renewal application process or actions that may have occurred since this renewal application process.

Section XI. IDEA Key Components

Describe ***IN DETAIL*** (*in the order requested and in the space provided below*) how the charter school accommodates students with disabilities in the SPECIAL EDUCATION program according to the Individuals with Disabilities Education Act (IDEA), the Texas Education Code, the State Board of Education rules, and the Commissioner's rules (SEE, Key Components).

Please **DO NOT SEND** a copy of the charter school's special education policies and procedures. This will only delay the review by a second request to submit the information as requested.

The Texas Side-by-Side is available online to assist the application process:
<http://www.tea.state.tx.us/special.ed/rules/sbs.html>.

A. Child Find (34 CFR 300.125)

Child Find.

General requirement.

The School has in effect policies and procedures to ensure that—

All children with disabilities residing in the School, including children with disabilities who are in need of special education and related services, are identified, and evaluated; and

A practical method has been developed and implemented to determine which children are currently receiving needed special education and related services.

The requirements of this section apply to—

Highly mobile children with disabilities (such as migrant and homeless children); and

Children who are suspected of being a child with a disability under §300.7 and in need of special education, even though they are advancing from grade to grade.

The School understands that child find for children from birth through age 2 for the Part C program are different.

With Texas Education Agency's agreement, the Part C lead agency's participation may include the actual implementation of child find activities for infants and toddlers with disabilities.

The use of an interagency agreement or other mechanism for providing for the Part C lead agency's participation does not alter or diminish the responsibility of the TEA to ensure compliance with the requirements of this section.

Confidentiality of child find data.

The collection and use of data to meet the requirements of this section are subject to the confidentiality requirements of §§300.560-300.577.

The School provides teachers the opportunity to collaborate with a certified Special Educator to locate and assist students with disabilities. Educators are given a Child Find pamphlet and receive training throughout the school year to have a better understanding of the laws and guidelines.

B. Confidentiality (34 CFR 300.127; 34 CFR 300.560-300.577; 34 CFR Part 99; TEC 26.004)

Access to Student Records.

A parent is entitled to access to all written records of a school district concerning the parent's child, including:

- (1) attendance records;
- (2) test scores;
- (3) grades;
- (4) disciplinary records;
- (5) counseling records;
- (6) psychological records;
- (7) applications for admission;
- (8) health and immunization information;
- (9) teacher and counselor evaluations; and
- (10) reports of behavioral patterns.

Transfer of Records.

In accordance with TEC, §25.002, the school district in which the student was previously enrolled shall furnish the new school district with a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student was enrolled in the new school district. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., §1232g, does not require the student's current and previous school districts to obtain parental consent before requesting or sending the student's special education records if the disclosure is conducted in accordance with 34 CFR, §99.31(a)(2) and §99.34.

Confidentiality of personally identifiable information.

The School has on file in detailed policies and procedures conforming to State and Federal requirements to ensure protection of the confidentiality of any personally identifiable information, collected, used, or maintained by the School.

Notice to parents.

The School will give notice that is adequate to fully inform parents about the requirements of §300.127, including—
A description of the extent that the notice is given in the native languages of the various population groups in the State;
A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the State intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
A summary of the policies and procedures that the School will follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and
A description of all of the rights of parents and children regarding this information, including the rights under the Family Educational Rights and Privacy Act of 1974 and implementing regulations in 34 CFR part 99.
Before any major identification, location, or evaluation activity, the notice will be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the State of the activity.

Access rights.

The School will permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the School under this law. The School will comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to §§300.507 and 300.521-300.528, and in no case more than 45 days after the request has been made.

The right to inspect and review education records by the parents includes—

- The right to a response from the School to reasonable requests for explanations and interpretations of the records;
- The right to request that the School provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
- The right to have a representative of the parent inspect and review the records.

The School may presume that the parent has authority to inspect and review records relating to his or her child unless the School has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

Record of access.

The School will keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the Act (except access by parents and authorized employees of the School), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Records on more than one child.

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

List of types and locations of information.

The School will provide parents on request a list of the types and locations of education records collected, maintained, or used by the School.

Fees.

The School may charge a fee of 10 cents per copy for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

The School will not charge a fee to search for or to retrieve information under this part.

Amendment of records at parent's request.

A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child may request the School to amend the information.

The School will decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

If the School decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a hearing under Sec. 300.568.

Opportunity for a hearing.

The agency shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

Result of hearing.

If, as a result of the hearing, the School decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it will amend the information accordingly and so inform the parent in writing.

If, as a result of the hearing, the School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the School.

Any explanation placed in the records of the child under this section will—

Be maintained by the School as part of the records of the child as long as the record or contested portion is maintained by the School; and

If the records of the child or the contested portion is disclosed by the School to any party, the explanation will also be disclosed to the party.

Hearing procedures.

A hearing held under §300.568 will be conducted according to the procedures under 34 CFR 99.22

Consent.

Except as to disclosures addressed in §300.529(b) for which parental consent is not required by Part 99, parental consent will be obtained before personally identifiable information that is collected or used by the School (except ofr information used in a meeting)—

Disclosed to anyone other than officials of the School.

The School as subject to 34 CFR Part 99 will not release information from education records to other participating agencies without parental consent unless authorized to do so under part 99.

The School will follow TEA's policies and procedures that are used in the event that a parent refuses to provide consent under this section.

Safeguards.

The School will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

One official as assigned by the CEO/Superintendent at the School shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information will receive training or instruction regarding the State and Federal policies and procedures under §300.127 and 34 CFR part 99.

The School will maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

Destruction of information.

The School will inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child.

The information will be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Children's rights.

The School will follow TEA and Federal policies and procedures regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

Under the regulations for the Family Educational Rights and Privacy Act of 1974 (34 CFR 99.5(a)), the rights of parents regarding education records are transferred to the student at age 18.

If the rights accorded to parents under Part B of the Act are transferred to a student who reaches the age of majority, consistent with §300.517, the rights regarding educational records in §§300.562-300.573 will also be transferred to the student. However, the School understands that it must provide any notice required under section 615 of the Act to the student and the parents.

Enforcement.

The School will follow the policies and procedures, including sanctions, that the State uses to ensure that its policies and procedures are followed and that the requirements of the Act and the regulations in this part are met. 34 CFR Part 99 (An assurance to abide by FERPA)

C. Procedural Safeguards (34 CFR 300.504)

Procedural safeguards notice.

General. A copy of the procedural safeguards available to the parents of a child with a disability will be given to the parents, at a minimum—

- (1) Upon initial referral for evaluation;
- (2) Upon each notification of an IEP meeting;
- (3) Upon reevaluation of the child; and
- (4) Upon receipt of a request for due process under §300.507.

Contents.

The procedural safeguards notice will include a full explanation of all of the procedural safeguards available under §§300.403, 300.500-300.529, and 300.560-300.577, and the State complaint procedures available under §§300.660-300.662 relating to—

- (1) Independent educational evaluation;
- (2) Prior written notice;
- (3) Parental consent;
- (4) Access to educational records;
- (5) Opportunity to present complaints to initiate due process hearings;
- (6) The child's placement during pendency of due process proceedings;
- (7) Procedures for students who are subject to placement in an interim alternative educational setting;
- (8) Requirements for unilateral placement by parents of children in private schools at public expense;
- (9) Mediation;
- (10) Due process hearings, including requirements for disclosure of evaluation results and recommendations;
- (11) State-level appeals (if applicable in that State);
- (12) Civil actions;
- (13) Attorneys' fees; and
- (14) The State complaint procedures under §§300.660-300.662, including a description of how to file a complaint and the timelines under those procedures.

Notice in understandable language.

The notice required under paragraph (a) of this section will meet the requirements of §300.503(c).

D. Notice of admission, review & dismissal (ARD) committee meetings (34 CFR 300.503; 34 CFR 300.345; TEC 26.0081; 19 TAC 89.1015; 19 TAC 89.1045)

Notice.

The School will provide required written notice to parents within a "reasonable time" defined as at least five school days, unless the parents agree otherwise.

Written notice will be provided when the School:

- Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
- Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

If the notice described under this section relates to an action proposed by the School that also requires parental consent under §300.505, the School will give notice at the same time it requests parent consent.

Content of notice.

The notice required under this section will include—

- (1) A description of the action proposed or refused by the School;
- (2) An explanation of why the School proposes or refuses to take the action;
- (3) A description of any other options that the School considered and the reasons why those options were rejected;

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- (1) A description of the action proposed or refused by the School;
- (2) An explanation of why the School proposes or refuses to take the action;
- (3) A description of any other options that the School considered and the reasons why those options were rejected;

E. Evaluation of children to determine eligibility

(34 CFR 300.530-300.543; TEC 29.004; 19 TAC 89.1011; 19 TAC 89.1015; 19 TAC 89.1040)

Referral for Full and Individual Initial Evaluation.

Referral of students for a full and individual initial evaluation for possible special education services will be a part of the School's overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial, remedial, compensatory, and other services. If the student continues to experience difficulty in the general classroom after the provision of interventions, School personnel will refer the student for a full and individual initial evaluation. This referral for a full and individual initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. The referral for a full and individual initial evaluation will be completed in accordance with Texas Education Code, §29.004, related to the 60 calendar day time line.

Individual and Initial Evaluation.

A written report of a full individual and initial evaluation of a student for purposes of special education services will be completed not later than the 60th calendar day following the date on which the referral for evaluation was initiated by school personnel, the student's parent or legal guardian, or another appropriate person. The evaluation shall be conducted using procedures that are appropriate for the student's most proficient method of communication.

General.

The School will establish and implement procedures that meet the requirements of §§300.531-300.536. §300.531.

Initial evaluation.

The School will conduct a full and individual initial evaluation, in accordance with §§300.532 and 300.533, before the initial provision of special education and related services to a child with a disability under Part B of the Act.

Evaluation procedures.

The School will ensure, at a minimum, that the following requirements are met:

Tests and other evaluation materials used to assess a child under Part B of the Act—

Are selected and administered so as not to be discriminatory on a racial or cultural basis; and

Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so; and

Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining—

Whether the child is a child with a disability under §300.7; and

The content of the child's IEP.

Any standardized tests that are given to a child—

Have been validated for the specific purpose for which they are used; and

Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.

If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report. Tests and other evaluation materials include those tailored to assess specific areas of

educational need and not merely those that are designed to provide a single general intelligence quotient. Tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure). No single procedure is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. In evaluating each child with a disability under §§300.531-300.536, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. The School will use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. The School will use assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

Determination of needed evaluation data.

Review of existing evaluation data. As part of an initial evaluation (if appropriate) and as part of any reevaluation under Part B of the Act, a group that includes the individuals described in §300.344, and other qualified professionals, as appropriate, shall—

- Review existing evaluation data on the child, including-
- Evaluations and information provided by the parents of the child;
- Current classroom-based assessments and observations; and
- Observations by teachers and related services providers; and

On the basis of that review, and input from the child's parents, the School will identify what additional data, if any, are needed to determine—

Whether the child has a particular category of disability, as described in §300.7, or, in case of a reevaluation of a child, whether the child continues to have such a disability;

The present levels of performance and educational needs of the child;

Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and

Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum.

Conduct of review. The group described in this section may conduct its review without a meeting.

Need for additional data. The School will administer tests and other evaluation materials as may be needed to produce the data identified in this section.

Requirements if additional data are not needed.

If the determination under this section is that no additional data are needed to determine whether the child continues to be a child with a disability, the School will notify the child's parents—

Of that determination and the reasons for it; and

Of the right of the parents to request an assessment to determine whether, for purposes of services under this part, the child continues to be a child with a disability.

The School understands that it is not required to conduct the assessment described in paragraph (d)(1)(ii) of this section unless requested to do so by the child's parents.

Eligibility Criteria.

Special education services. To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 Code of Federal Regulations (CFR), §300.7(a), subject to the provisions of 34 CFR, §300.7(c), the Texas Education Code (TEC), §29.003, and this section. The provisions in this section specify criteria to be

used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law.

Eligibility determination. The determination of whether a student is eligible for special education and related services is made by the student's admission, review, and dismissal (ARD) committee. Any evaluation or re-evaluation of a student shall be conducted in accordance with 34 CFR, §§300.530-300.536. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility will include, but is not limited to, the following:

- (1) a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in the area of the disability; or
- (2) a licensed or certified professional for a specific eligibility category defined in this section.

Determination of eligibility

Upon completing the administration of tests and other evaluation materials—

A group of qualified professionals and the parent of the child will determine whether the child is a child with a disability, as defined in §300.7; and

The School will provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

A child may not be determined to be eligible under this part if—

The determinant factor for that eligibility determination is—

Lack of instruction in reading or math; or

Limited English proficiency; and

The child does not otherwise meet the eligibility criteria under §300.7(a).

A School will evaluate a child with a disability in accordance with §§300.532 and 300.533 before determining that the child is no longer a child with a disability.

Procedures for determining eligibility and placement.

In interpreting evaluation data for the purpose of determining if a child is a child with a disability under §300.7, and the educational needs of the child, the School will—

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

Ensure that information obtained from all of these sources is documented and carefully considered.

If a determination is made that a child has a disability and needs special education and related services, an IEP will be developed for the child in accordance with §§300.340-300.350.

Reevaluation.

The School ensures—

That the IEP of each child with a disability is reviewed in accordance with §§300.340-300.350; and

That a reevaluation of each child, in accordance with §§300.532-300.535, is conducted if conditions warrant a reevaluation, or if the child's parent or teacher requests a reevaluation, but at least once every three years.

Additional team members.

The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in §300.7, will be made by the child's parents and a team of qualified professionals which must include—

The child's regular teacher; or

If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or

For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

Criteria for determining the existence of a specific learning disability.

A team may determine that a child has a specific learning disability if—

The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in this section, if provided with learning experiences appropriate for the child's age and ability levels; and

The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

- (i) Oral expression.
- (ii) Listening comprehension.
- (iii) Written expression.
- (iv) Basic reading skill.
- (v) Reading comprehension.
- (vi) Mathematics calculation.
- (vii) Mathematics reasoning.

The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of—

- (1) A visual, hearing, or motor impairment;
- (2) Mental retardation;
- (3) Emotional disturbance; or
- (4) Environmental, cultural or economic disadvantage.

Observation.

At least one team member other than the child's regular teacher will observe the child's academic performance in the regular classroom setting.

In the case of a child of less than school age or out of school, a team member will observe the child in an environment appropriate for a child of that age.

Written report.

For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility, as required by §300.534(a)(2), will include a statement of—

Whether the child has a specific learning disability;

The basis for making the determination;

The relevant behavior noted during the observation of the child;

The relationship of that behavior to the child's academic functioning;

The educationally relevant medical findings, if any;

Whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and

The determination of the team concerning the effects of environmental, cultural, or economic disadvantage. Each team member will certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member will submit a separate statement presenting his or her conclusions.

F. Development and implementation of the individualized educational program (IEP); Extended school year (ESY) services (34 CFR 300.342-300.350; 34 CFR 300.309; TEC 37.0021; 19 TAC 89.1050; 19 TAC 89.1053; 19 TAC 89.1055; 19 TAC 89.1065)

Admission, Review and Dismissal (ARD) Committee.

The School will establish an admission, review, and dismissal (ARD) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted pursuant to §89.1011 of this title (relating to Referral for Full and Individual Initial Evaluation). The ARD committee will be the individualized education program (IEP) team defined in federal law and regulations, including, specifically, 34 Code of Federal Regulations (CFR), §300.344. The School will be responsible for all of the functions for which the IEP team is responsible under federal law and regulations and for which the ARD committee is responsible under state law, including, specifically, the following:

30 Day Timeline

The ARD committee will make its decisions regarding students referred for a full and individual initial evaluation within 30 calendar days from the date of the completion of the written full and individual initial evaluation report. If the 30th day falls during the summer and school is not in session, the ARD committee will have until the first day of classes in the fall to finalize decisions concerning the initial eligibility determination, the IEP, and placement, unless the full and individual initial evaluation indicates that the student will need extended school year (ESY) services during that summer.

Notice to Parents for Admission, Review, and Dismissal (ARD) Committee Meetings.

(b) A parent may request an ARD committee meeting at any mutually agreeable time to address specific concerns about his or her child's special education services. The School will respond to the parent's request either by holding the requested meeting or by requesting assistance through the Texas Education Agency's mediation process. The School will inform parents of the functions of the ARD committee and the circumstances or types of problems for which requesting an ARD committee meeting would be appropriate.

When IEPs must be in effect.

General. At the beginning of each school year, the School will have an IEP in effect for each child with a disability within its jurisdiction.

Implementation of IEPs. The School will ensure that—

An IEP—

Is in effect before special education and related services are provided to an eligible child under this part; and
Is implemented as soon as possible following the meetings described under §300.343;

The child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and

Each teacher and provider described in paragraph (b)(2) of this section is informed of—

His or her specific responsibilities related to implementing the child's IEP; and

The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

IEP or IFSP for children aged 3 through 5.

In the case of a child with a disability aged 3 through 5 (or, at the discretion of the TEA's 2-year-old child with a disability who will turn age 3 during the school year), an IFSP that contains the material described in section 636 of the Act, and that is developed in accordance with §§300.341-300.346 and §§300.349-300.350, may serve as the IEP of the child if

using that plan as the IEP is—

Consistent with State policy; and

Agreed to by the agency and the child's parents.

In implementing the requirements of paragraph (c)(1) of this section, the School will—

Provide to the child's parents a detailed explanation of the differences between an IFSP and an IEP; and
If the parents choose an IFSP, obtain written informed consent from the parents.

IFSP /IEP

For a child from birth through two years of age with visual and/or auditory impairments, an individualized family services plan (IFSP) meeting must be held in place of an ARD committee meeting in accordance with 34 CFR, §§303.340-303.346, and the memorandum of understanding between the Texas Education Agency (TEA) and Texas Interagency Council on Early Childhood Intervention. For students three years of age and older, the School will develop an IEP.

For a student who is new to the School:

when a student transfers to the School, the ARD committee may, but is not required to, meet when the student enrolls and a copy of the student's IEP is available, the parent(s) indicate in writing that they are satisfied with the current IEP, and the School determines that the current IEP is appropriate and can be implemented as written; or

if the conditions of this section are not met, then the ARD committee must meet when the student enrolls and the parents verify that the student was receiving special education services in the previous school School, or the previous school School verifies in writing or by telephone that the student was receiving special education services. At this meeting, the ARD committee must do one of the following:

the ARD committee may determine that it has appropriate evaluation data and other information to develop and begin implementation of a complete IEP for the student; or

the ARD committee may determine that valid evaluation data and other information from the previous school School are insufficient or unavailable to develop a complete IEP. In this event, the ARD committee may authorize the provision of temporary special education services pending receipt of valid evaluation data from the previous school School or the collection of new evaluation data by the current school School. In this situation, a second ARD committee meeting must be held within 30 school days from the date of the first ARD committee meeting to finalize or develop an IEP based on current information.

In accordance with TEC, §25.002, the school School in which the student was previously enrolled will furnish the School with a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student was enrolled in the School. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., §1232g, does not require the student's current and previous schools to obtain parental consent before requesting or sending the student's special education records if the disclosure is conducted in accordance with 34 CFR, §99.31(a)(2) and §99.34.

Free appropriate public education (FAPE).

The School's policy, in accordance with State and Federal requirements, is to ensure that all children with disabilities aged 3 through Fifth grade students attending the School have the right to FAPE, including children with disabilities who have been suspended or expelled from the School.

The School understands that it has an obligation to make FAPE available to each eligible child at the School begins no later than the child's third birthday; and

An IEP or an IFSP is in effect for the child by that date, in accordance with Sec. 300.342(c).

If a child's third birthday occurs during the summer, the child's IEP team will determine the date when services under the IEP or IFSP will begin.

For children suspended or expelled from school, (1) The School will not provide services during periods of removal under Sec. 300.520(a)(1) to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if services are not provided to a child without disabilities who has been similarly removed.

In the case of a child with a disability who has been removed from his or her current placement for more than 10 school days in that school year, the School, for the remainder of the removals, will--

Provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP, if the removal is--

Under the School personnel's authority to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under Sec. 300.519(b) (Sec. 300.520((a)(1))); or
For behavior that is not a manifestation of the child's disability, consistent with Sec. 300.524; and
Provide services consistent with Sec. 300.522, regarding determination of the appropriate interim alternative educational setting, if the removal is--

For drug or weapons offenses under Sec. 300.520(a)(2); or

Based on a hearing officer determination that maintaining the current placement of the child is substantially likely to result in injury to the child or to others if he or she remains in the current placement, consistent with Sec. 300.521.
(3)(i) School personnel, in consultation with the child's special education teacher, determine the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed under the authority of school personnel to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under Sec. 300.519 (Sec. 300.520(a)(1)).

The child's IEP team determines the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed because of behavior that has been determined not to be a manifestation of the child's disability, consistent with Sec. 300.524.

Children advancing from grade to grade. (1) Each State will ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child is advancing from grade to grade.

The determination that a child described in paragraph (a)(1) of this section is eligible under this part, must be made on an individual basis by the group responsible within the child's LEA for making those determinations.

IEP meetings.

General. The School initiates and conducts meetings for the purpose of developing, reviewing, and revising the IEP of a child with a disability (or, if consistent with §300.342(c), an IFSP).

Initial IEPs; provision of services.

Each School will ensure that within a reasonable period of time following the agency's receipt of parent consent to an initial evaluation of a child—

The child is evaluated; and

If determined eligible under this part, special education and related services are made available to the child in accordance with an IEP.

In meeting the requirement in paragraph (b)(1) of this section, a meeting to develop an IEP for the child must be conducted within 30-days of a determination that the child needs special education and related services.

Review and revision of IEPs. Each School will ensure that the IEP team—

Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and

Revises the IEP as appropriate to address—

Any lack of expected progress toward the annual goals described in §300.347(a), and in the general curriculum, if appropriate;

The results of any reevaluation conducted under §300.536;

Information about the child provided to, or by, the parents, as described in §300.533(a)(1);

The child's anticipated needs; or

Other matters.

IEP team.

General. The School ensures that the IEP team for each child with a disability includes—

The parents of the child;

At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

At least one special education teacher of the child, or if appropriate, at least one special education provider of the child;

A representative of the School who—

Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;

Is knowledgeable about the general curriculum; and

Is knowledgeable about the availability of resources of the School;

An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a)(2) through (6) of this section;

At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
If appropriate, the child.

Transition services participants.

Under this section, the School will invite a student with a disability of any age to attend his or her IEP meeting if a purpose of the meeting will be the consideration of—

The student's transition services needs under §300.347(b)(1);

The needed transition services for the student under §300.347(b)(2); or Both.

If the student does not attend the IEP meeting, the School will take other steps to ensure that the student's preferences and interests are considered.

In implementing the requirements of §300.347(b)(2), the School also will invite a representative of any other agency that is likely to be responsible for providing or paying for transition services.

If an agency invited to send a representative to a meeting does not do so, the School will take other steps to obtain participation of the other agency in the planning of any transition services.

Determination of knowledge and special expertise. The determination of the knowledge or special expertise of any individual described in paragraph (a)(6) of this section will be made by the party (parents or School) who invited the individual to be a member of the IEP.

Designating a School representative. A School may designate another School member of the IEP team to also serve as the agency representative, if the criteria in paragraph (a)(4) of this section are satisfied.

Teacher member requirements

At least one general education teacher of the student (if the student is, or may be, participating in the general education environment) will participate as a member of the ARD committee. The special education teacher or special education provider that participates in the ARD committee meeting in accordance with 34 CFR, §300.344(a)(3), must be certified in the child's suspected areas of disability. When a specific certification is not required to serve certain disability categories, then the special education teacher or special education provider must be qualified to provide the educational services that the child may need. Schools should refer to §89.1131 of this title (relating to Qualifications of Special Education, Related Service, and Paraprofessional Personnel) to ensure that appropriate teachers and/or service providers are present and participate at each ARD committee meeting.

Parent participation.

The School's responsibility—general. The School has taken steps to ensure that one or both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate, including—
Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and

Scheduling the meeting at a mutually agreed on time and place.

Other methods to ensure parent participation. If neither parent can attend, the School will use other methods to ensure parent participation, including individual or conference telephone calls.

Conducting an IEP meeting without a parent in attendance. A meeting may be conducted without a parent in attendance if the School is unable to convince the parents that they should attend. In this case the School must have a record of its attempts to arrange a mutually agreed on time and place, such as—

Detailed records of telephone calls made or attempted and the results of those calls;

Copies of correspondence sent to the parents and any responses received; and

Detailed records of visits made to the parent's home or place of employment and the results of those visits.

Use of interpreters or other action, as appropriate. The School will take whatever action is necessary to ensure that the parent understands the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Parent copy of child's IEP. The School will give the parent a copy of the child's IEP at no cost to the parent.

Development, review, and revision of IEP.

Development of IEP.

General. In developing each child's IEP, the IEP team, will consider—

The strengths of the child and the concerns of the parents for enhancing the education of their child;

The results of the initial or most recent evaluation of the child; and

As appropriate, the results of the child's performance on any general State or School-wide assessment programs.

Consideration of special factors. The IEP team also will—

In the case of a child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior;

In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;

In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;

Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and

Consider whether the child requires assistive technology devices and services.

Review and Revision of IEP. In conducting a meeting to review, and, if appropriate, revise a child's IEP, the IEP team will consider the factors described in this section.

Statement in IEP. If, in considering the special factors described in this section, the IEP team determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive FAPE, the IEP team must include a statement to that effect in the child's IEP.

Requirement with respect to regular education teacher. The regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including assisting in the determination of—

Appropriate positive behavioral interventions and strategies for the child; and

Supplementary aids and services, program modifications or supports for school personnel that will be provided for the child, consistent with §300.347(a)(3).

Content of IEP.

General. The IEP for each child with a disability must include—

A statement of the child's present levels of educational performance, including—

How the child's disability affects the child's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled children); or

For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

A statement of measurable annual goals, including benchmarks or short-term objectives, related to—

Meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general curriculum (i.e., the same curriculum as for nondisabled children), or for preschool children, as appropriate, to participate in appropriate activities; and

Meeting each of the child's other educational needs that result from the child's disability;

A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child—

To advance appropriately toward attaining the annual goals;

To be involved and progress in the general curriculum in accordance with paragraph (a)(1) of this section and to participate in extracurricular and other nonacademic activities; and

To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(3) of this section;

A statement of any individual modifications in the administration of State or School-wide assessments of student achievement that are needed in order for the child to participate in the assessment; and

If the IEP team determines that the child will not participate in a particular State or School-wide assessment of student achievement (or part of an assessment), a statement of—

Why that assessment is not appropriate for the child; and

How the child will be assessed;

The projected date for the beginning of the services and modifications described in paragraph (a)(3) of this section, and the anticipated frequency, location, and duration of those services and modifications; and

A statement of—

How the child's progress toward the annual goals described in paragraph (a)(2) of this section will be measured; and

How the child's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled children's progress, of—

Their child's progress toward the annual goals; and

The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.

Transition services. The IEP must include—

For each student with a disability beginning at age 14 (or younger, if determined appropriate by the IEP team), and updated annually, a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program); and

For each student beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkages.

Transfer of rights. In a State that transfers rights at the age majority, beginning at least one year before a student reaches the age of majority under State law, the student's IEP must include a statement that the student has been informed of his or her rights under Part B of the Act, if any, that will transfer to the student on reaching the age of majority, consistent with §300.517.

The School will ensure that extended school year services are available as necessary to provide FAPE, consistent with this section.

Extended school year services must be provided only if a child's IEP team determines, on an individual basis, in accordance with §§300.340-300.350, that the services are necessary for the provision of FAPE to the child.

In implementing the requirements of this section, a School may not—
Limit extended school year services to particular categories of disability; or
Unilaterally limit the type, amount, or duration of those services.

Definition. As used in this section, the term extended school year services means special education and related services that—

Are provided to a child with a disability—
Beyond the normal school year of the School;
In accordance with the child's IEP; and
At no cost to the parents of the child; and

Meet the standards of the SEA.

Extended School Year Services (ESY Services).

Extended school year (ESY) services are defined as individualized instructional programs beyond the regular school year for eligible students with disabilities.

The need for ESY services must be determined on an individual student basis by the admission, review, and dismissal (ARD) committee in accordance with 34 Code of Federal Regulations (CFR), §300.309, and the provisions of this section.

In determining the need for and in providing ESY services, a School may not:

limit ESY services to particular categories of disability; or
unilaterally limit the type, amount, or duration of ESY services.

The need for ESY services must be documented from formal and/or informal evaluations provided by the School or the parents. The documentation will demonstrate that in one or more critical areas addressed in the current individualized education program (IEP) objectives, the student has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period of time. Severe or substantial regression means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.

The reasonable period of time for recoupment of acquired critical skills will be determined on the basis of needs identified in each student's IEP. If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results, or reasonably may be expected to result, in immediate physical harm to the student or to others, ESY services may be justified without consideration of the period of time for recoupment of such skills. In any case, the period of time for recoupment will not exceed eight weeks.

A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences during the first eight weeks of the next regular school year:

placement in a more restrictive instructional arrangement;

significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum;

significant loss of self-sufficiency in self-help skill areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services;

loss of access to community-based independent living skills instruction or an independent living environment provided by noneducational sources as a result of regression in skills; or

loss of access to on-the-job training or productive employment as a result of regression in skills.

If the School does not propose ESY services for discussion at the annual review of a student's IEP, the parent may request that the ARD committee discuss ESY services pursuant to 34 CFR, §300.344.

If a student for whom ESY services were considered and rejected loses critical skills because of the decision not to provide ESY services, and if those skills are not regained after the reasonable period of time for recoupment, the ARD committee will reconsider the current IEP if the student's loss of critical skills interferes with the implementation of the student's IEP.

For students enrolling in a School during the school year, information obtained from the prior School as well as information collected during the current year may be used to determine the need for ESY services.

The provision of ESY services is limited to the educational needs of the student and will not supplant or limit the responsibility of other public agencies to continue to provide care and treatment services pursuant to policy or practice, even when those services are similar to, or the same as, the services addressed in the student's IEP. No student will be denied ESY services because the student receives care and treatment services under the auspices of other agencies.

Schools are not eligible for reimbursement for ESY services provided to students for reasons other than those set forth in this section.

Discipline.

All disciplinary actions regarding students with disabilities will be determined in accordance with 34 CFR, §§300.121 and 300.519-300.529 (relating to disciplinary actions and procedures), the TEC, Chapter 37, Subchapter A (Alternative Settings for Behavior Management), and §89.1053 of this title (relating to Procedures for Use of Restraint and Time-Out).

Disagreements.

All members of the ARD committee will have the opportunity to participate in a collaborative manner in developing the IEP. A decision of the committee concerning required elements of the IEP will be made by mutual agreement of the required members if possible. The committee may agree to an annual IEP or an IEP of shorter duration.

When mutual agreement about all required elements of the IEP is not achieved, the party (the parents or adult student) who disagrees will be offered a single opportunity to have the committee recess for a period of time not to exceed ten school days. This recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense which may lead to a placement in an alternative education program (AEP). The requirements of this subsection (h) do not prohibit the members of the ARD committee from recessing an ARD committee meeting for reasons other than the failure of the parents and the School from reaching mutual agreement about all required elements of an IEP.

During the recess the committee members will consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons which may assist in enabling the ARD committee to reach mutual agreement.

The date, time, and place for continuing the ARD committee meeting will be determined by mutual agreement prior to the recess.

If a ten-day recess is implemented as provided in paragraph (1) of this subsection and the ARD committee still cannot reach mutual agreement, the School will implement the IEP which it has determined to be appropriate for the student.

When mutual agreement is not reached, a written statement of the basis for the disagreement will be included in the IEP. The members who disagree will be offered the opportunity to write their own statements.

When a School implements an IEP with which the parents disagree or the adult student disagrees, the School will provide prior written notice to the parents or adult student as required in 34 CFR, §300.503.

Parents will have the right to file a complaint, request mediation, or request a due process hearing at any point when they disagree with decisions of the ARD committee.

Use of Confinement, Restraint, Seclusion, and Time-Out.

It is the policy of this state to treat all students with dignity and respect. A student with a disability may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

In this section:

"Restraint" means the use of physical force or a mechanical device to restrict the free movement of all or a portion of a student's body.

"Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:
is designed solely to seclude a person; and
contains less than 50 square feet of space.

"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:
that is not locked; and
from which the student is not physically prevented from leaving.

A School employee or volunteer or an independent contractor of a School may not place a student in seclusion. This subsection does not apply to the use of seclusion in a facility to which the following law, rules, or regulations apply: the Children's Health Act of 2000, Pub. L. No. 106-310, any subsequent amendments to that Act, any regulations adopted under that Act, or any subsequent amendments to those regulations;
40 T.A.C. Sections 720.1001-720.1013; or
25 T.A.C. Section 412.308(e).

The commissioner by rule will adopt procedures for the use of restraint and time-out by a School employee or volunteer or an independent contractor of a School in the case of a student receiving special education services under Subchapter A, Chapter 29. A procedure adopted under this subsection must:
be consistent with:

professionally accepted practices and standards of student discipline and techniques for behavior management; and
relevant health and safety standards; and
identify any discipline management practice or behavior management technique that requires a School employee or volunteer or an independent contractor of a School to be trained before using that practice or technique. In the case of a conflict between a rule adopted under Subsection (d) and a rule adopted under Subchapter A, Chapter 29, the rule adopted under Subsection (d) controls.

For purposes of this subsection, "weapon" includes any weapon described under Section 37.007(a)(1). This section does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:
the student possesses a weapon; and
the confinement is necessary to prevent the student from causing bodily harm to the student or another person.

Procedures for Use of Restraint and Time-Out.

Requirement to implement. In addition to the requirements of 34 Code of Federal Regulations (CFR), §300.346(a)(2)(i) and (c), the School will implement the provisions of this section regarding the use of restraint and time-out. In accordance with the provisions of Texas Education Code (TEC), §37.0021 (Use of Confinement, Restraint, Seclusion, and Time-Out), it is the policy of the state to treat all students with dignity and respect.

Definitions.

The School understands that emergency means a situation in which a student's behavior poses a threat of: imminent, serious physical harm to the student or others; or
imminent, serious property destruction.

The School understands that restraint means the use of physical force or a mechanical device to restrict the free movement of all or a portion of the student's body.

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: that is not locked; and from which the student is not physically prevented from leaving.

Use of restraint. A school employee, volunteer, or independent contractor may use restraint only in an emergency as defined in this section and with the following limitations.

Restraint will be limited to the use of such reasonable force as is necessary to address the emergency.

Restraint will be discontinued at the point at which the emergency no longer exists.

Restraint will be implemented in such a way as to protect the health and safety of the student and others.

Restraint will not deprive the student of basic human necessities.

Training on use of restraint. Training for school employees, volunteers, or independent contractors will be provided according to the following requirements.

Not later than April 1, 2003, a core team of personnel on each campus was trained in the use of restraint, and the team must include a campus administrator or designee and any general or special education personnel likely to use restraint. After April 1, 2003, personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint.

Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint.

All trained personnel will receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint.

Documentation and notification on use of restraint. In a case in which restraint is used, school employees, volunteers, or independent contractors will implement the following documentation requirements.

On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.

On the day restraint is utilized, a good faith effort will be made to verbally notify the parent(s) regarding the use of restraint.

Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.

Written documentation regarding the use of restraint must be placed in the student's special education eligibility folder in a timely manner so the information is available to the ARD committee when it considers the impact of the student's behavior on the student's learning and/or the creation or revision of a behavioral intervention plan (BIP).

Written notification to the parent(s) and documentation to the student's special education eligibility folder will include the following:

(A) name of the student;

(B) name of the staff member(s) administering the restraint;

(C) date of the restraint and the time the restraint began and ended;

(D) location of the restraint;

(E) nature of the restraint;

(F) a description of the activity in which the student was engaged immediately preceding the use of restraint;

(G) the behavior that prompted the restraint;

(H) the efforts made to de-escalate the situation and alternatives to restraint that were attempted; and

(I) information documenting parent contact and notification.

Clarification regarding restraint. For the purposes of this section, restraint does not include the use of: physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;

limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, or provide comfort;

limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors; or

seat belts and other safety equipment used to secure students during transportation.

Use of time-out. A school employee, volunteer, or independent contractor may use time-out in accordance with subsection this section with the following limitations.

Physical force or threat of physical force will not be used to place a student in time-out.

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 individualized education program (IEP) and/or BIP if it is utilized on a recurrent basis to

increase or decrease a targeted behavior.

Use of time-out will not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

Training on use of time-out. Training for school employees, volunteers, or independent contractors will be provided according to the following requirements.

Not later than April 1, 2003, general or special education personnel who implement time-out based on requirements established in a student's IEP and/or BIP must be trained in the use of time-out.

After April 1, 2003, newly-identified personnel called upon to implement time-out based on requirements established in a student's IEP and/or BIP must receive training in the use of time-out within 30 school days of being assigned the responsibility for implementing time-out.

Training on the use of time-out must be provided as part of a program which addresses a full continuum of positive behavioral intervention strategies, and must address the impact of time-out on the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

All trained personnel will receive instruction in current professionally accepted practices and standards regarding behavior management and the use of time-out.

Documentation on use of time-out. Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The admission, review, and dismissal (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 safety. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

Data collection requirement. Beginning with the 2003-2004 school year, with the exception of actions covered by this section, cumulative data regarding the use of restraint must be reported through the Public Education Information Management System (PEIMS).

G. Least restrictive environment (LRE) placement (34 CFR 300.550-300.553; 19 TAC 89.63(a-c))

General LRE requirements.

The School ensures—

That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and

That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Continuum of alternative placements.

The School will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

The continuum required in paragraph (a) of this section will—

Include the alternative placements listed in the definition of special education under §300.26 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and

Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

Instructional Arrangements and Settings.

The School will be able to provide services with special education personnel to students with disabilities in order to meet the special needs of those students in accordance with 34 Code of Federal Regulations, §§300.550-300.554.

Subject to §89.1075(e) of this title (relating to General Program Requirements and Local District Procedures) for the purpose of determining the student's instructional arrangement/setting, the regular school day is defined as the period of time determined appropriate by the admission, review, and dismissal (ARD) committee.

Instructional arrangements/settings will be based on the individual needs and individualized education programs (IEPs) of

eligible students receiving special education services and will include the following.

Mainstream. This instructional arrangement/setting is for providing special education and related services to a student in the regular classroom in accordance with the student's IEP. Qualified special education personnel will be involved in the implementation of the student's IEP through the provision of direct, indirect and/or support services to the student, and/or the student's regular classroom where necessary to enrich the regular classroom and enable student success. The student's

IEP will specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP. Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/accommodations, special materials/equipment, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.

Homebound. This instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside.

Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by local district policy, also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee will determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in subsection (b) of this section.

Home instruction may also be used for services to infants and toddlers (birth through age 2) and young children (ages 3-5) when determined appropriate by the child's individualized family services plan (IFSP) committee or ARD committee.

This arrangement/setting also applies to Schools described in Texas Education Code, §29.014.

Hospital class. This instructional arrangement/setting is for providing special education instruction in a classroom, in a hospital facility, or a residential care and treatment facility not operated by the School. If the students residing in the facility are provided special education services outside the facility, they are considered to be served in the instructional arrangement in which they are placed and are not to be considered as in a hospital class.

Speech therapy. This instructional arrangement/setting is for providing speech therapy services whether in a regular education classroom or in a setting other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.

Resource room/services. This instructional arrangement/setting is for providing special education and related services to a student in a setting other than regular education for less than 50% of the regular school day.

Self-contained (mild, moderate, or severe) regular campus. This instructional arrangement/setting is for providing special education and related services to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus.

Off home campus. This instructional arrangement/setting is for providing special education and related services to the following, including students at South Texas Independent School and Windham Independent School:

Nonpublic day school. This instructional arrangement/setting is for providing special education and related services to students through a contractual agreement with a nonpublic school for special education.

Vocational adjustment class/program. This instructional arrangement/setting is for providing special education and related services to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP. This instructional arrangement/setting will be used in conjunction with the student's individual transition plan and only after the School's career and technology classes have been considered and determined inappropriate for the student.

Residential care and treatment facility (not School resident). This instructional arrangement/setting is for providing special education instruction and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the School providing educational services to the students. In order to be considered in this arrangement, the services will be provided on a School campus. If the instruction is provided at the facility, rather than on a School campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the district in the same way as all other students receiving special education.

State school for persons with mental retardation. This instructional arrangement/setting is for providing special education and related services to a student who resides at a state school when the services are provided at the state school location. If services are provided on a local School campus, the student is considered to be served in the residential care and treatment facility arrangement/setting.

Placements.

In determining the educational placement of a child with a disability, including a preschool child with a disability, the School ensures that—

The placement decision—

Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

Is made in conformity with the LRE provisions of this subpart, including §§300.550-300.554;

The child's placement—

Is determined at least annually;

Is based on the child's IEP; and

Is as close as possible to the child's home;

Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

Nonacademic settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.306, The School will ensure that each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child.

H. Transition planning (34 CFR 300.29; TEC 29.011; 19 TAC 89.1110)

Transition services.

As used in this part, transition services means a coordinated set of activities for a student with a disability that—
Is designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

Is based on the individual student's needs, taking into account the student's preferences and interests; and

Includes—

Instruction;

Related services;

Community experiences;

The development of employment and other post-school adult living objectives; and

If appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

Transition Planning.

The Texas Education Agency, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission will develop, agree to, and by rule adopt a memorandum of understanding that establishes the respective responsibilities of each agency for the provision of services necessary to prepare students enrolled in special education programs for a successful transition to life outside of the public school system.

The Texas Education Agency, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission may request other appropriate agencies to participate in the development of the memorandum of understanding, and each agency requested will participate and adopt the memorandum. The memorandum will be agreed to by all participating agencies.

The memorandum may require an agency or a School to provide a service only if the agency or School is providing that service at the time the memorandum is adopted. The memorandum will require each participating agency to participate in the development of a transition plan required by Subsection (e) on the request of a School.

The Texas Education Agency will coordinate the development of the memorandum of understanding.

The School will develop and annually review an individual transition plan (ITP) for each student enrolled in a special education program who is at least 16 years of age. The ITP will be developed in a separate document from the individualized education program (IEP) and may not be considered a part of the IEP. The School will coordinate development of the ITP with any participating agency as provided in the memorandum of understanding in order to provide continuity and coordination of services among the various agencies and between the ITP and IEP. The district will request the participation in the development of the ITP of any participating agency recommended by school personnel or requested by the student or the student's parent. The district will invite the student and the student's parents or guardians to participate in the development of the ITP. Only those components of the ITP that are the responsibility of the district may be incorporated into the student's IEP. Only the failure to implement those components of a student's ITP that are included in the IEP are subject to the due process procedures of the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or to Texas Education Agency complaint procedures. The failure of the district to develop and annually review an ITP for a student is subject only to the Texas Education Agency complaint procedures and not to the due process procedures of the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). A monitoring visit under Section 29.010 will include a review of the transition planning requirements under this section. A School is not liable for the failure of another agency to implement those components of the ITP that are designated as the responsibility of that agency under the memorandum of understanding.

However, the School does not anticipate serving students of this age considering the School plans to serve students in grades pre-kindergarten through fifth.

Residential care and treatment facility (not School resident). This instructional arrangement/setting is for providing special education instruction and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the School providing educational services to the students. In order to be considered in this arrangement, the services will be provided on a School campus. If the instruction is provided at the facility, rather than on a School campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the district in the same way as all other students receiving special education.

State school for persons with mental retardation. This instructional arrangement/setting is for providing special education and related services to a student who resides at a state school when the services are provided at the state school location. If services are provided on a local School campus, the student is considered to be served in the residential care and treatment facility arrangement/setting.

Placements.

In determining the educational placement of a child with a disability, including a preschool child with a disability, the School ensures that—

The placement decision—

Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

Is made in conformity with the LRE provisions of this subpart, including §§300.550-300.554;

The child's placement—

Is determined at least annually;

Is based on the child's IEP; and

Is as close as possible to the child's home;

Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

Nonacademic settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.306, The School will ensure that each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child.

H. Transition planning (34 CFR 300.29; TEC 29.011; 19 TAC 89.1110)

Transition services.

As used in this part, transition services means a coordinated set of activities for a student with a disability that—
Is designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

Is based on the individual student's needs, taking into account the student's preferences and interests; and

Includes—

Instruction;

Related services;

Community experiences;

The development of employment and other post-school adult living objectives; and

If appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

Transition Planning.

The Texas Education Agency, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission will develop, agree to, and by rule adopt a memorandum of understanding that establishes the respective responsibilities of each agency for the provision of services necessary to prepare students enrolled in special education programs for a successful transition to life outside of the public school system.

The Texas Education Agency, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission may request other appropriate agencies to participate in the development of the memorandum of understanding, and each agency requested will participate and adopt the memorandum. The memorandum will be agreed to by all participating agencies.

The memorandum may require an agency or a School to provide a service only if the agency or School is providing that service at the time the memorandum is adopted. The memorandum will require each participating agency to participate in the development of a transition plan required by Subsection (e) on the request of a School.

The Texas Education Agency will coordinate the development of the memorandum of understanding.

The School will develop and annually review an individual transition plan (ITP) for each student enrolled in a special education program who is at least 16 years of age. The ITP will be developed in a separate document from the individualized education program (IEP) and may not be considered a part of the IEP. The School will coordinate development of the ITP with any participating agency as provided in the memorandum of understanding in order to provide continuity and coordination of services among the various agencies and between the ITP and IEP. The district will request the participation in the development of the ITP of any participating agency recommended by school personnel or requested by the student or the student's parent. The district will invite the student and the student's parents or guardians to participate in the development of the ITP. Only those components of the ITP that are the responsibility of the district may be incorporated into the student's IEP. Only the failure to implement those components of a student's ITP that are included in the IEP are subject to the due process procedures of the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or to Texas Education Agency complaint procedures. The failure of the district to develop and annually review an ITP for a student is subject only to the Texas Education Agency complaint procedures and not to the due process procedures of the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). A monitoring visit under Section 29.010 will include a review of the transition planning requirements under this section. A School is not liable for the failure of another agency to implement those components of the ITP that are designated as the responsibility of that agency under the memorandum of understanding.

However, the School does not anticipate serving students of this age considering the School plans to serve students in grades pre-kindergarten through fifth.

I. Certified personnel for the provision of services to children with special needs
(34 CFR 300.26; 34 CFR 300.136; 19 TAC 89.1131; SBEC requirements)

Qualifications of Special Education, Related Service, and Paraprofessional Personnel.

All special education and related service personnel will be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 Code of Federal Regulations (CFR), §300.23 and §300.136; the Texas Education Code (TEC), §§21.002, 21.003, and 29.304; or appropriate state agency credentials.

A teacher who holds a special education certificate or an endorsement may be assigned to any level of a basic special education instructional program serving eligible students 3-21 years of age, as defined in §89.1035(a) of this title (relating to Age Ranges for Student Eligibility), in accordance with the limitation of their certification, except for the following.

Persons assigned to provide speech therapy instructional services will hold a valid Texas Education Agency (TEA) certificate in speech and hearing therapy or speech and language therapy, or a valid state license as a speech/language pathologist.

Teachers holding only a special education endorsement for early childhood education for children with disabilities will be assigned only to programs serving infants through Grade 6.

Teachers assigned full-time to teaching students who are orthopedically impaired or other health impaired with the teaching station in the home or a hospital will not be required to hold a special education certificate or endorsement as long as the personnel file contains an official transcript indicating that the teacher has completed a three-semester-hour survey course in the education of students with disabilities and three semester hours directly related to teaching students with physical impairments or other health impairments.

Teachers certified in the education of students with visual impairments will be available to students with visual impairments, including deaf-blindness, through one of the School's instructional options, a shared services arrangement with other Schools, or an education service center (ESC). A teacher who is certified in the education of students with visual impairments will attend each admission, review, and dismissal (ARD) committee meeting or individualized family service plan (IFSP) meeting of a student with a visual impairment, including deaf-blindness.

Teachers certified in the education of students with auditory impairments will be available to students with auditory impairments, including deaf-blindness, through one of the School's instructional options, a regional day school program for the deaf, a shared services arrangement with other Schools, or an ESC. A teacher who is certified in the education of students with auditory impairments will attend each ARD committee meeting or IFSP meeting of a student with an auditory impairment, including deaf-blindness.

The following provisions apply to physical education.

When the ARD committee has made the determination and the arrangements are specified in the student's individualized education program (IEP), physical education may be provided by the following personnel:

special education instructional or related service personnel who have the necessary skills and knowledge;
physical education teachers;
occupational therapists;
physical therapists; or

occupational therapy assistants or physical therapy assistants working under supervision in accordance with the standards of their profession.

When these services are provided by special education personnel, the School will document that they have the necessary skills and knowledge. Documentation may include, but need not be limited to, inservice records, evidence of attendance at seminars or workshops, or transcripts of college courses.

Teachers assigned full-time or part-time to instruction of students from birth through age two with visual impairments, including deaf-blindness, will be certified in the education of students with visual impairments. Teachers assigned full-time or part-time to instruction of students from birth through age two who are deaf, including deaf-blindness, will be certified in education for students who are deaf and severely hard of hearing. Other certifications for serving these students will require prior approval from TEA.

Teachers with secondary certification with the generic delivery system may be assigned to teach Grades 6-12 only. Paraprofessional personnel will be certified and may be assigned to work with eligible students, general and special education teachers, and related service personnel. Aides may also be assigned to assist students with special education transportation, serve as a job coach, or serve in support of community-based instruction. Aides paid from state administrative funds may be assigned to the Special Education Resource System (SERS), the Special Education Management System (SEMS), or other special education clerical or administrative duties.

Interpreting services for students who are deaf will be provided by an interpreter who is certified in the appropriate

language mode(s), if certification in such mode(s) is available. If certification is available, the interpreter will be certified by the Registry of Interpreters for the Deaf or the Texas Commission for the Deaf and Hard of Hearing, unless the interpreter has been granted an emergency permit by the commissioner of education to provide interpreting services for students who are deaf. The commissioner will consider applications for the issuance of an emergency permit to provide interpreting services for students who are deaf on a case-by-case basis in accordance with requirements set forth in 34 CFR, §300.136, and standards and procedures established by the TEA. In no event will an emergency permit allow an uncertified interpreter to provide interpreting services for more than a total of three school years to students who are deaf. Orientation and mobility instruction will be provided by a certified orientation and mobility specialist (COMS) who is certified by the Academy for Certification of Vision Rehabilitation and Education.

Special Education.

General.

As used in this part, the term special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including—

Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
Instruction in physical education.

The term includes each of the following, if it meets the requirements of paragraph (a)(1) of this section:
Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under State standards;
Travel training; and
Vocational education.

Individual terms defined. The terms in this definition are defined as follows:

At no cost means that all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as a part of the regular education program.

Physical education—

Means the development of—

Physical and motor fitness;

Fundamental motor skills and patterns; and

Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports); and

Includes special physical education, adapted physical education, movement education, and motor development.

Specially-designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—

To address the unique needs of the child that result from the child's disability; and

To ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the School that apply to all children.

Travel training means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to—

Develop an awareness of the environment in which they live; and

Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).

Vocational education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

Personnel standards.

Definitions. As used in this part—

Appropriate professional requirements in the State means entry level requirements that—

Are based on the highest requirements in the State applicable to the profession or discipline in which a person is providing special education or related services; and

Establish suitable qualifications for personnel providing special education and related services under Part B of the Act to children with disabilities who are served by State, local, and private agencies (see §300.2);

Highest requirements in the State applicable to a specific profession or discipline means the highest entry-level academic degree needed for any State-approved or -recognized certification, licensing, registration, or other comparable requirements that apply to that profession or discipline;

Profession or discipline means a specific occupational category that—

Provides special education and related services to children with disabilities under Part B of the Act;

Has been established or designated by the State;

Has a required scope of responsibility and degree of supervision; and

Is not limited to traditional occupational categories; and

State-approved or -recognized certification, licensing, registration, or other comparable requirements means the requirements that a State legislature either has enacted or has authorized a State agency to promulgate through rules to establish the entry-level standards for employment in a specific profession or discipline in that State.

Policies and procedures.

TEA's policies and procedures relating to the establishment and maintenance of standards to ensure that personnel necessary to carry out the purposes of this part are appropriately and adequately prepared and trained will be used by the School.

The policies and procedures required in this section will provide for the establishment and maintenance of standards that are consistent with any State-approved or recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which a person is providing special education or related services.

Understanding that each Texas may—

Determine the specific occupational categories required to provide special education and related services within the State; and

Revise or expand those categories as needed.

Nothing in this part requires a State to establish a specified training standard (e.g., a masters degree) for personnel who provide special education and related services under Part B of the Act.

A State with only one entry-level academic degree for employment of personnel in a specific profession or discipline may modify that standard as necessary to ensure the provision of FAPE to all children with disabilities in the State without violating the requirements of this section.

Steps for retraining or hiring personnel. To the extent that a State's standards for a profession or discipline, including standards for temporary or emergency certification, are not based on the highest requirements in the State applicable to a specific profession or discipline, the State will provide the steps the State is taking and the procedures for notifying public agencies and personnel of those steps and the timelines it has established for the retraining or hiring of personnel to meet appropriate professional requirements in the State.

Status of personnel standards in the State.

In meeting the requirements in paragraphs (b) and (c) of this section, a determination will be made about the status of personnel standards in the State. That determination will be based on current information that accurately describes, for each profession or discipline in which personnel are providing special education or related services, whether the applicable standards are consistent with the highest requirements in the State for that profession or discipline.

The information required in paragraph (d)(1) of this section will be on file in the SEA and available to the public.

Applicability of State statutes and agency rules. In identifying the highest requirements in the State for purposes of this section, the requirements of all State statutes and the rules of all State agencies applicable to serving children with disabilities will be considered.

Use of paraprofessionals and assistants. A State may allow paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulations, or written policy, in meeting the requirements of this part to be used to assist in the provision of special education and related services to children with disabilities under Part B of the Act.

Policy to address shortage of personnel.

In implementing this section, Texas may adopt a policy that includes a requirement that LEAs in the State make an ongoing good faith effort to recruit and hire appropriately and adequately trained personnel to provide special education and related services to children with disabilities, including, in a geographic area of the State where there is a shortage of personnel that meet these qualifications, the most qualified individuals available who are making satisfactory progress toward completing applicable course work necessary to meet the standards described in paragraph (b)(2) of this section, consistent with State law and the steps described in paragraph (c) of this section, within three years.

If Texas has reached its established date under paragraph (c) of this section, the State may still exercise the option under this section for training or hiring all personnel in a specific profession or discipline to meet appropriate professional requirements in the State.

Each State will have a mechanism for serving children with disabilities if instructional needs exceed available personnel who meet appropriate professional requirements in the State for a specific profession or discipline.

A State that continues to experience shortages of qualified personnel will address those shortages in its comprehensive system of personnel development under §300.135.

J. Services to expelled students (34 CFR 300.121(d); 34 CFR 300.522; TEC Chapter 37 – 10 day rule)

Free appropriate public education (FAPE).

FAPE for children suspended or expelled from school.

The School understands that it need not provide services during periods of removal under §300.520(a)(1) to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if services are not provided to a child without disabilities who has been similarly removed.

In the case of a child with a disability who has been removed from his or her current placement for more than 10 school days in that school year, the School, for the remainder of the removals, will—

Provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP, if the removal is—

Under the school personnel's authority to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519(b) (§300.520(a)(1)); or

For behavior that is not a manifestation of the child's disability, consistent with §300.524; and

Provide services consistent with §300.522, regarding determination of the appropriate interim alternative educational setting, if the removal is—

For drug or weapons offenses under §300.520(a)(2); or

Based on a hearing officer determination that maintaining the current placement of the child is substantially likely to result in injury to the child or to others if he or she remains in the current placement, consistent with §300.521.

School personnel, in consultation with the child's special education teacher, determine the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed under the authority of school personnel to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519 (§300.520(a)(1)).

The child's IEP team determines the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed because of behavior that has been determined not to be a manifestation of the child's disability, consistent with §300.524.

Determination of setting.

General. The interim alternative educational setting referred to in §300.520(a)(2) will be determined by the IEP team.

Additional requirements. Any interim alternative educational setting in which a child is placed under §§300.520(a)(2) or

300.521 will—

Be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP, that will enable the child to meet the goals set out in that IEP; and

Include services and modifications to address the behavior described in §§300.520(a)(2) or 300.521, that are designed to prevent the behavior from recurring.

Placement of Students With Disabilities

The placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal committee. Any disciplinary action regarding a student with disabilities that would constitute a change in placement under federal law may only occur after a manifestation determination review has been conducted by the student's admission, review, and dismissal committee.

All disciplinary actions regarding a student with a disability who receives special education services will be determined in accordance with federal law and regulations, including the provision of functional behavioral assessments; positive behavioral interventions, strategies, and supports; behavioral intervention plans; and the manifestation determination review.

A teacher in a disciplinary alternative education program who has a special education assignment will hold an appropriate certificate or permit for that assignment. A student with a disability who receives special education services may not be placed in alternative education programs solely for educational purposes.

Placement of Students With Disabilities

The placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal committee.

Any disciplinary action regarding a student with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the student's admission, review, and dismissal committee conducts a manifestation determination review under 20 U.S.C. Section 1415(k)(4) and its subsequent amendments. Any disciplinary action regarding the student will be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of:

- functional behavioral assessments;**
- positive behavioral interventions, strategies, and supports; and**
- behavioral intervention plans.**

A student with a disability who receives special education services may not be placed in alternative education programs solely for educational purposes.

A teacher in an alternative education program under Section 37.008 who has a special education assignment will hold an appropriate certificate or permit for that assignment.

Notwithstanding any other provision of this subchapter, in a county with a juvenile justice alternative education program established under Section 37.011, the expulsion under a provision of Section 37.007 described by this subsection of a student with a disability who receives special education services will occur in accordance with this subsection and Subsection (f). The School from which the student was expelled will, in accordance with applicable federal law, provide the administrator of the juvenile justice alternative education program or the administrator's designee with reasonable notice of the meeting of the student's admission, review, and dismissal committee to discuss the student's expulsion. A representative of the juvenile justice alternative education program may participate in the meeting to the extent that the meeting relates to the student's placement in the program. This subsection applies only to an expulsion under:

Section 37.007(b), (c), or (f); or

Section 37.007(d) as a result of conduct that contains the elements of any offense listed in Section 37.007(b)(3) against any employee or volunteer in retaliation for or as a result of the person's employment or association with a School. If, after placement of a student in a juvenile justice alternative education program under Subsection (e), the administrator of the program or the administrator's designee has concerns that the student's educational or behavioral needs cannot be met in the program, the administrator or designee will immediately provide written notice of those concerns to the School from which the student was expelled. The student's admission, review, and dismissal committee will meet to reconsider the placement of the student in the program. The district will, in accordance with applicable federal law, provide the administrator or designee with reasonable notice of the meeting, and a representative of the program may participate in the

meeting to the extent that the meeting relates to the student's continued placement in the program.

K. Allowable expenditures of state special education funds (19 TAC 89.1125)

Allowable Expenditures of State Special Education Funds.

Persons paid from special education funds will be assigned to instructional or other duties in the special education program and/or to provide support services to the regular education program in order for students with disabilities to be included in the regular program. Support services will include, but not be limited to, collaborative planning, co-teaching, small group instruction with special and regular education students, direct instruction to special education students, or other support services determined necessary by the admission, review, and dismissal (ARD) committee for an appropriate program for the student with disabilities. Assignments may include duties supportive to school operations equivalent to those assigned to regular education personnel.

Personnel assigned to provide support services to the regular education program as stated in subsection (a) of this section may be fully funded from special education funds.

If personnel are assigned to special education on less than a full-time basis, except as stated in subsection (a) of this section, only that portion of time for which the personnel are assigned to students with disabilities will be paid from state special education funds.

State special education funds may be used for special materials, supplies, and equipment which are directly related to the development and implementation of individualized education programs (IEPs) of students and which are not ordinarily purchased for the regular classroom. Office and routine classroom supplies are not allowable. Special equipment may include instructional and assistive technology devices, audiovisual equipment, computers for instruction or assessment purposes, and assessment equipment only if used directly with students.

State special education funds may be used to contract with consultants to provide staff development, program planning and evaluation, instructional services, assessments, and related services to students with disabilities.

State special education funds may be used for transportation only to and from residential placements. Prior to using federal funds for transportation costs to and from a residential facility, a district will use state or local funds based on actual expenses up to the state transportation maximum for private transportation contracts.

State special education funds may be used to pay staff travel to perform services directly related to the education of eligible students with disabilities. Funds may also be used to pay travel of staff (including administrators, general education teachers, and special education teachers and service providers) to attend staff development meetings for the purpose of improving performance in assigned positions directly related to the education of eligible students with disabilities. In no event will the purpose for attending such staff development meetings include time spent in performing functions relating to the operation of professional organizations. In accordance with 34 Code of Federal Regulations, §300.382(j), funds may also be used to pay for the joint training of parents and special education, related services, and general education personnel.

Maximum Allowable Indirect Cost.

No more than 15 % of the School's Foundation Program special allotments under the Texas Education Code, Chapter 42, Subchapter C, will be expended for indirect costs related to the following programs: compensatory education, gifted and talented education, bilingual education and special language programs, career and technology education, and special education. Indirect costs may be attributed to the following expenditure function codes: 34 - Student Transportation; 41 -

General Administration; 81 - Facilities Acquisition and Construction; and the Function 90 series of the general fund, as defined in the Texas Education Agency (TEA) bulletin, Financial Accountability System Resource Guide.

CFR=Code of Federal Regulations

TEC=Texas Education Code

TAC=Texas Administrative Code

Section XII. Information Request

Place the following information requests in Attachment 5, Special Needs Students/Programs Information Request.

A. Current copy of the charter school's informational brochure/pamphlet

B. Current blank copy of the initial pre-selection data sheet for potential students – the form or student information requested for the charter school's admission method (i.e., lottery, etc.)

C. Current blank copy of the student enrollment card once the student is selected for enrollment in the charter school

D. As part of Attachment 5, provide a brief description of the charter school's instructional arrangements/settings (mainstream*, resource room/services, self-contained, etc.) implemented for the provision of special education and related services**. This description is not limited to, but must include information on the location of services (in relation to the general education setting) and the staffing of personnel.

* If the charter school has students with disabilities receiving special education and related services in the instructional arrangement/setting of mainstream, then provide information on the provision of support services by qualified special education personnel.

** Currently, if the charter school has no students with disabilities receiving special education and related services, then provide information based on previous school years. If the charter school has never had students with disabilities receiving special education and related services, then provide information based on the possibility of the enrollment of a student with a disability that would receive special education and related services in the various special education instructional arrangements/settings.

E. As part of Attachment 5, provide a brief description of the charter school's system for placement decisions* with transfer students that previously received special education and related services from another district/charter school in any instructional arrangement/setting EXCEPT mainstream.

*If the initial placement prior to the 30-day transfer ARD is a mainstream instructional arrangement/setting, provide a detailed explanation for this decision.

For further **CLARIFICATION** on Section XII. Information Requests, please contact Carolyn Dietrich in the Division of Special Education (512-463-9362).

Part 4. Electronic Copy Certification and Written Resolution (Attachment 6)

Section XIII. Electronic Copy of Application

Please submit an electronic copy of the renewal application in addition to the five hard copies requested. The electronic copy should be on a 3.5 inch diskette and should be mailed along with the hard copies. The electronic copy must be identical to the hard copies. The signatures below are required to certify that the electronic and hard copies are identical.

By signing below, I hereby certify that the enclosed electronic and hard copies are identical.

Printed Name of Chairperson of Charter Holder Board

Signature

Date

Printed Name of Chief Executive Officer of the Charter School

Signature

Date

Section XIV. Written Resolution

Applications must be accompanied by a written resolution adopted by the governing body of the charter holder and signed by the members voting in favor. The resolution must authorize the commissioner to renew the open-enrollment charter as set forth in the renewal application, as finally negotiated between the charter holder and the commissioner, including any conditions. **(Attachment 7, Written Resolution)**

Note: Components for evaluating business and financial management generally consist of a review by the Financial Audits Division of annual financial audits and other relevant documents.

**TEXAS EDUCATION AGENCY
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT
BIOGRAPHICAL AFFIDAVIT (Attachment 3)
(MUST BE TYPED and NOTARIZED)**

Check all that apply:

- Member of the governing board of the charter holder
- Member of the managing board for the charter school
- School officer _____

Note: A board member's resignation may not be effective until a replacement is duly appointed. Board members should review the charter holder's articles of incorporation, bylaws, or comparable documents to determine the procedures for resignation. Until a board member's resignation is effective, the board member remains held to the fiduciary obligations and standards of a trustee holding funds in trust for a beneficiary and may be held liable for any breaches of those obligations and standards.

State Position as defined in TEC 12.1012

Full Name of Charter Holder (i.e., nonprofit corporation, institution of higher education, or governmental entity)

Full Name of Charter School

In connection with the above-named organization and charter school renewal application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable) _____

2. Have you ever had your name changed or used another name? _____

If yes, give reason for the change: _____

b. Maiden Name (if female) _____

c. Other names used at any time _____

3. Social Security Number: _____

4. Explain any compensation that you expect to receive from your association with the charter holder, the charter school, or a management company of the school:

POSITION	COMPENSATION
_____	_____
_____	_____
_____	_____

5. List all previous experience with charter schools. Include open-enrollment schools and/or campus or program charters:

DATES EMPLOYER ADDRESS TITLE

List all previous experience with any charter school management company:

DATES EMPLOYER ADDRESS TITLE

6. Will you or any relative within the third degree of consanguinity (i.e., parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? _____ If yes, give details: _____

7. Will your spouse or any of your spouse's relatives within the third degree of consanguinity (i.e., his or her parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? _____ If yes, give details: _____

8. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging a misdemeanor involving moral turpitude or any felony or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? _____

If yes, give details: _____

Dated and signed this _____ day of _____, 20_____, at _____.

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Affiant)

State of _____

County of _____

Personally appeared before me the above named _____ personally known to me, who, being duly sworn, deposes and says that he/she executed the above instrument and that the

statements and answers contained therein are true and correct to the best of his/her knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 20_____.

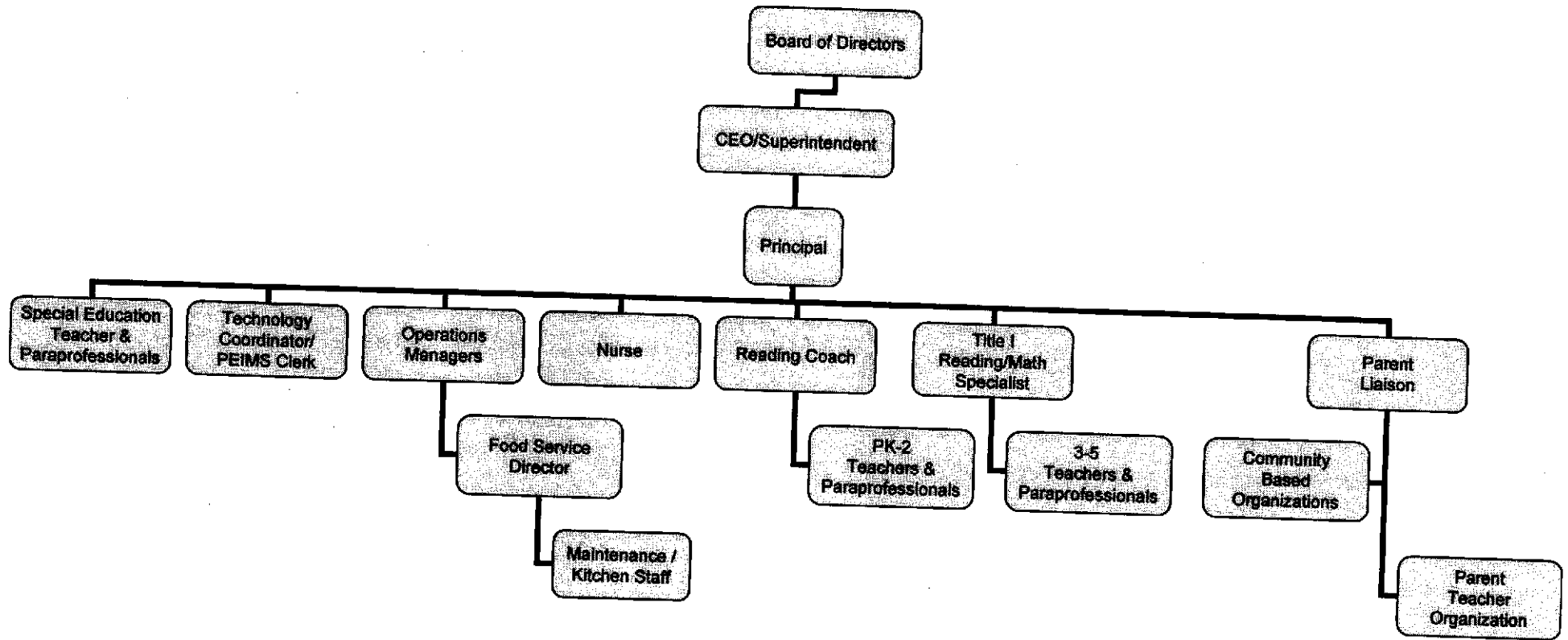
(Notary Public)

My commission expires _____

(SEAL)

Attachment 1
Organizational Chart

Amigos Por Vida-Friends for Life Public Charter School Organizational Chart



Attachment 2
Criminal History Record for Board Members

PIR #15547 – Eduardo Sindaco

Criminal History Records/Background

PAGES 58 - 62= 4 PAGES

4 PAGES HAVE BEEN WITHHELD UNDER SECTIONS 411.0845
AND 411.0901 OF THE GOVERNMENT CODE

Attachment 3
Board Member Biographical Affidavits

TEXAS EDUCATION AGENCY
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT
BIOGRAPHICAL AFFIDAVIT (Attachment 3)
(MUST BE TYPED and NOTARIZED)

Check all that apply:

- Member of the governing board of the charter holder
 Member of the governing board for the charter school

It should be understood that a board member's resignation may not be effective until a replacement is duly appointed by the board, and a board member may be personally liable for any actions taken by the board.

- School officer

State Position as defined in TEC 12.1012

Full Name of Charter Holder (i.e., nonprofit corporation, institution of higher education, or governmental entity)

Amigos Por Vida, Friends for Life Housing and Education Corporation, Inc.

Full Name of Charter School

Amigos Por Vida Friends for Life Public Charter School

In connection with the above-named organization and charter school renewal application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable) Silvia Graves

2. Have you ever had your name changed or used another name? Yes

If yes, give reason for the change: Marriage

b. Maiden Name (if female) Silvia Romo

c. Other names used at any time _____

3. Social Security Number: [REDACTED]

4. Explain any compensation that you expect to receive from your association with the charter holder, the charter school, or a management company of the school:

POSITION

COMPENSATION

Vice-President

None

5. List all previous experience with charter schools. Include open-enrollment schools and/or campus or program charters:

DATES	EMPLOYER	ADDRESS	TITLE
None			

List all previous experience with any charter school management company:

DATES	EMPLOYER	ADDRESS	TITLE
None			

6. Will you or any relative within the third degree of consanguinity (i.e., parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

7. Will your spouse or any of your spouse's relatives within the third degree of consanguinity (i.e., his or her parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

8. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging a misdemeanor involving moral turpitude or any felony or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? NO

If yes, give details: _____

Dated and signed this 24 day of June, 2003,
at Amigos Por Vida-Friends for Life Public Charter School

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

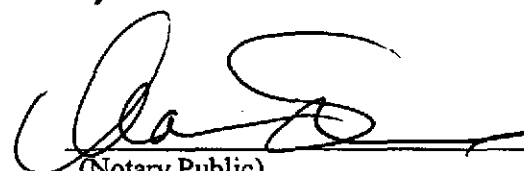

(Signature of Affiant)

State of Texas

County of Harris

Personally appeared before me the above named Silvia Graves
personally known to me, who, being duly sworn, deposes and says that he/she executed the above
instrument and that the statements and answers contained therein are true and correct to the best
of his/her knowledge and belief.

Subscribed and sworn to before me this 24th day of June
20 03.


(Notary Public)



My commission expires June 13, 2004

**TEXAS EDUCATION AGENCY
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT
BIOGRAPHICAL AFFIDAVIT (Attachment 3)
(MUST BE TYPED and NOTARIZED)**

Check all that apply:

- Member of the governing board of the charter holder
- Member of the managing board for the charter school
- School officer

Note: A board member's resignation may not be effective until a replacement is duly appointed. Board members should review the charter holder's articles of incorporation, bylaws, or comparable documents to determine the procedures for resignation. Until a board member's resignation is effective, the board member remains held to the fiduciary obligations and standards of a trustee holding funds in trust for a beneficiary and may be held liable for any breaches of those obligations and standards.

State Position as defined in TEC 12.1012

Full Name of Charter Holder (i.e., nonprofit corporation, institution of higher education, or governmental entity)

Amigos Por Vida, Friends for Life Housing and Education Corporation, Inc.

Full Name of Charter School

Amigos Por Vida-Friends for Life Public Charter School

In connection with the above-named organization and charter school renewal application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable) Mary Esther Santos Riley

2. Have you ever had your name changed or used another name? Yes

If yes, give reason for the change: Marriage

b. Maiden Name (if female) Mary Esther Santos

c. Other names used at any time Mary Esther Barboza

3. Social Security Number: 

4. Explain any compensation that you expect to receive from your association with the charter holder, the charter school, or a management company of the school:

POSITION	COMPENSATION
President	None

5. List all previous experience with charter schools. Include open-enrollment schools and/or campus or program charters:

DATES EMPLOYER ADDRESS TITLE
None

List all previous experience with any charter school management company:

DATES EMPLOYER ADDRESS TITLE
None

6. Will you or any relative within the third degree of consanguinity (i.e., parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? No If yes, give details: _____

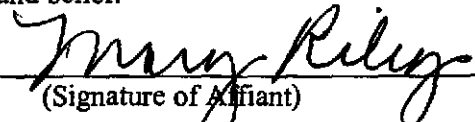
7. Will your spouse or any of your spouse's relatives within the third degree of consanguinity (i.e., his or her parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? No If yes, give details: _____

8. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging a misdemeanor involving moral turpitude or any felony or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? No

If yes, give details: _____

Dated and signed this 24 day of June , 20 03 ,
at Amigos Por Vida-Friends for Life Public Charter School

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.


(Signature of Affiant)

State of Texas

County of Harris

Personally appeared before me the above named Mary Esther Santos Riley
personally known to me, who, being duly sworn, deposes and says that he/she executed the above
instrument and that the statements and answers contained therein are true and correct to the best
of his/her knowledge and belief.

Subscribed and sworn to before me this 24th day of June,
20 03.



[Signature]
(Notary Public)

My commission expires 6-13-04

**TEXAS EDUCATION AGENCY
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT
BIOGRAPHICAL AFFIDAVIT (Attachment 3)
(MUST BE TYPED and NOTARIZED)**

Check all that apply:

Member of the governing board of the charter holder

Member of the governing board for the charter school

It should be understood that a board member's resignation may not be effective until a replacement is duly appointed by the board, and a board member may be personally liable for any actions taken by the board.

School officer

State Position as defined in TEC 12.1012

Full Name of Charter Holder (i.e., nonprofit corporation, institution of higher education, or governmental entity)

Amigos Por Vida, Friends for Life Housing and Education Corporation, Inc.

Full Name of Charter School

Amigos Por Vida-Friends for Life Public Charter School

In connection with the above-named organization and charter school renewal application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable) Joseph Vail

2. Have you ever had your name changed or used another name? No

If yes, give reason for the change: _____

b. Maiden Name (if female) _____

c. Other names used at any time _____

3. Social Security Number: [REDACTED]

4. Explain any compensation that you expect to receive from your association with the charter holder, the charter school, or a management company of the school:

POSITION

COMPENSATION

Secretary

None

5. List all previous experience with charter schools. Include open-enrollment schools and/or campus or program charters:

DATES EMPLOYER ADDRESS TITLE

None

List all previous experience with any charter school management company:

DATES EMPLOYER ADDRESS TITLE

None

6. Will you or any relative within the third degree of consanguinity (i.e., parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

7. Will your spouse or any of your spouse's relatives within the third degree of consanguinity (i.e., his or her parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

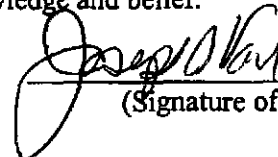
8. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging a misdemeanor involving moral turpitude or any felony or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? NO

If yes, give details: _____

Dated and signed this 24 day of June, 2003,

at Amigos por Vida-Friends for Life Public Charter School

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.


(Signature of Affiant)

State of Texas

County of Harris

Joseph Vail

Personally appeared before me the above named _____
personally known to me, who, being duly sworn, deposes and says that he/she executed the above
instrument and that the statements and answers contained therein are true and correct to the best
of his/her knowledge and belief.

Subscribed and sworn to before me this 24th day of June,
20 03.



[Handwritten Signature]

(Notary Public)

My commission expires 6-13-04

**TEXAS EDUCATION AGENCY
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT
BIOGRAPHICAL AFFIDAVIT (Attachment 3)
(MUST BE TYPED and NOTARIZED)**

Check all that apply:

Member of the governing board of the charter holder

Member of the governing board for the charter school

It should be understood that a board member's resignation may not be effective until a replacement is duly appointed by the board, and a board member may be personally liable for any actions taken by the board.

School officer

State Position as defined in TEC 12.1012

Full Name of Charter Holder (i.e., nonprofit corporation, institution of higher education, or governmental entity)

Amigos Por Vida, Friends for Life Housing and Education Corporation, Inc.

Full Name of Charter School

Amigos Por Vida-Friends for Life Public Charter School

In connection with the above-named organization and charter school renewal application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable) Omar Velez

2. Have you ever had your name changed or used another name? No

If yes, give reason for the change: _____

b. Maiden Name (if female) _____

c. Other names used at any time _____

3. Social Security Number: [REDACTED]

4. Explain any compensation that you expect to receive from your association with the charter holder, the charter school, or a management company of the school:

POSITION

COMPENSATION

Member

None

5. List all previous experience with charter schools. Include open-enrollment schools and/or campus or program charters:

DATES	EMPLOYER	ADDRESS	TITLE
None			

List all previous experience with any charter school management company:

DATES	EMPLOYER	ADDRESS	TITLE
None			

6. Will you or any relative within the third degree of consanguinity (i.e., parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

7. Will your spouse or any of your spouse's relatives within the third degree of consanguinity (i.e., his or her parent, grandparent, great-grandparent, child, grandchild, great-grandchild, sibling, aunt, uncle, niece, nephew) be employed by or receive any compensation or remuneration from the charter holder or the charter school? NO If yes, give details: _____

8. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging a misdemeanor involving moral turpitude or any felony or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? NO

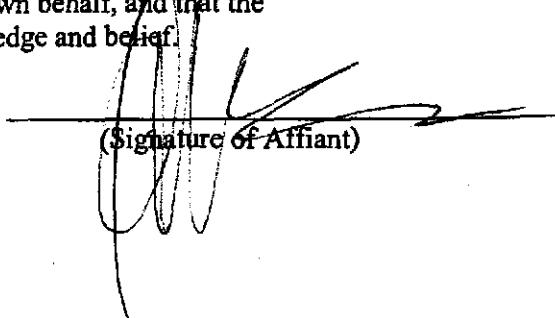
If yes, give details: _____

Dated and signed this 24 day of June, 2003

at Amigos Por Vida-Friends for Life Public Charter School

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

State of Texas


(Signature of Affiant)

County of Harris

Personally appeared before me the above named Omar Velez
personally known to me, who, being duly sworn, deposes and says that he/she executed the above
instrument and that the statements and answers contained therein are true and correct to the best
of his/her knowledge and belief.

Subscribed and sworn to before me this 24th day of June,
20 03.


(Notary Public)

My commission expires 6-13-04



Attachment 4
Documentation for Evaluation of Other Information
Relevant to Performance

Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: SPRING 2003

All Students

	Reading				Mathematics				All Tests Taken		
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Percent Met Standard	Percent Commended
..... = No Data Reported For Fewer Than Five Students											
All Students	13	2080	77	0	14	2124	86	0	14	71	0
Male	6	2017	50	0	6	2098	83	0	6	50	0
Female	7	2133	100	0	8	2142	88	0	8	88	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Native American	0	---	---	---	0	---	---	---	0	---	---
Asian	0	---	---	---	0	---	---	---	0	---	---
African American	0	---	---	---	0	---	---	---	0	---	---
Hispanic	13	2080	77	0	14	2124	86	0	14	71	0
White	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Economically Disadvantaged	13	2080	77	0	14	2124	86	0	14	71	0
Yes	0	---	---	---	0	---	---	---	0	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Title I, Part A	13	2080	77	0	14	2124	86	0	14	71	0
Participants	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Migrant	0	---	---	---	0	---	---	---	0	---	---
Yes	13	2080	77	0	14	2124	86	0	14	71	0
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Limited English Proficient	12	2086	75	0	13	2132	85	0	13	69	0
Yes	1	---	---	---	1	---	---	---	1	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Bilingual	8	2090	88	0	9	2145	100	0	9	89	0
Participants	5	2062	60	0	5	2085	60	0	5	40	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
ESL	5	2062	60	0	5	2085	60	0	5	40	0
Participants	8	2090	88	0	9	2145	100	0	9	89	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Special Education	0	---	---	---	0	---	---	---	0	---	---
Yes	13	2080	77	0	14	2124	86	0	14	71	0
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Gifted/Talented	0	---	---	---	0	---	---	---	0	---	---
Participants	13	2080	77	0	14	2124	86	0	14	71	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
At-Risk	13	2080	77	0	14	2124	86	0	14	71	0
Yes	0	---	---	---	0	---	---	---	0	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Oral Administration	0	---	---	---	0	---	---	---	0	---	---
Math											

Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: SPRING 2003

All Students

	Reading				Mathematics				Science				All Tests Taken		
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Percent Met Standard	Percent Commended
"..." = No Data Reported For Fewer Than Five Students															
All Students	16	2188	63	19	15	2095	80	7	16	2001	63	0	16	44	0
Male	5	2108	40	20	5	2028	40	20	5	1963	40	0	5	20	0
Female	11	2225	73	18	10	2129	100	0	11	2018	73	0	11	55	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Native American	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Asian	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
African American	2	---	---	---	1	---	---	---	2	---	---	---	2	---	---
Hispanic	14	2191	57	21	14	2098	79	7	14	2015	64	0	14	43	0
White	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Economically Disadvantaged	16	2188	63	19	15	2095	80	7	16	2001	63	0	16	44	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Title I, Part A	16	2188	63	19	15	2095	80	7	16	2001	63	0	16	44	0
Participants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Migrant	1	---	---	---	1	---	---	---	1	---	---	---	1	---	---
Yes	15	2200	67	20	14	2112	86	7	15	2007	67	0	15	47	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Limited English Proficient	11	2144	45	18	11	2059	73	9	11	1981	55	0	11	27	0
Yes	5	2286	100	20	4	---	---	---	5	2046	80	0	5	80	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Bilingual	6	2176	50	17	6	2095	100	0	6	1979	50	0	6	33	0
Participants	10	2196	70	20	9	2095	67	11	10	2014	70	0	10	50	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
ESL	5	2105	40	20	5	2016	40	20	5	1982	60	0	5	20	0
Participants	11	2226	73	18	10	2135	100	0	11	2009	64	0	11	55	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Special Education	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Yes	16	2188	63	19	15	2095	80	7	16	2001	63	0	16	44	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Gifted/Talented	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Participants	16	2188	63	19	15	2095	80	7	16	2001	63	0	16	44	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
At-Risk	12	2161	50	17	12	2070	75	8	12	2002	58	0	12	33	0
Yes	4	---	---	---	3	---	---	---	4	---	---	---	4	---	---
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Oral Administration	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Math	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Science	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---

Summary Report - Group Performance

Report Date: MAY 2003
 Date of Testing: SPRING 2003

All Students

	Reading				Mathematics				Writing				All Tests Taken		
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Percent Met Standard	Percent Commended
"..." = No Data Reported For Fewer Than Five Students															
All Students	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
Male	3	---	---	---	3	---	---	---	4	---	---	---	4	---	---
Female	4	---	---	---	4	---	---	---	4	---	---	---	5	40	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Native American	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Asian	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
African American	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Hispanic	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
White	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Economically Disadvantaged Yes	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Title I, Part A Participants	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Migrant Yes	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Limited English Proficient Yes	4	---	---	---	4	---	---	---	5	2209	80	0	5	60	0
No	3	---	---	---	3	---	---	---	3	---	---	---	4	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Bilingual Participants	2	---	---	---	2	---	---	---	3	---	---	---	3	---	---
Nonparticipants	5	2257	80	20	5	2294	100	20	5	2297	80	40	6	67	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
ESL Participants	2	---	---	---	2	---	---	---	2	---	---	---	2	---	---
Nonparticipants	5	2188	60	20	5	2254	100	20	6	2248	67	33	7	43	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Special Education Yes	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Gifted/Talented Participants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	7	2202	71	14	7	2239	100	14	8	2251	75	25	9	56	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
At-Risk Yes	4	---	---	---	4	---	---	---	5	2209	80	0	5	60	0
No	3	---	---	---	3	---	---	---	3	---	---	---	4	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Oral Administration Math	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---

Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: APRIL 2003

All Students

	Reading				Mathematics			
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended
"..." = No Data Reported For Fewer Than Five Students								
All Students	5	2012	40	0	19	2148	89	5
Male	1	---	---	---	8	2187	100	13
Female	4	---	---	---	11	2121	82	0
No Information Provided	0	---	---	---	0	---	---	---
Native American	0	---	---	---	0	---	---	---
Asian	0	---	---	---	0	---	---	---
African American	0	---	---	---	1	---	---	---
Hispanic	5	2012	40	0	18	2137	89	6
White	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Economically Disadvantaged Yes	5	2012	40	0	18	2148	89	6
No	0	---	---	---	1	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Title I, Part A Participants	5	2012	40	0	19	2148	89	5
Nonparticipants	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Migrant Yes	0	---	---	---	0	---	---	---
No	5	2012	40	0	19	2148	89	5
No Information Provided	0	---	---	---	0	---	---	---
Limited English Proficient Yes	5	2012	40	0	17	2136	88	6
No	0	---	---	---	2	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Bilingual Participants	3	---	---	---	13	2155	92	8
Nonparticipants	2	---	---	---	6	2134	83	0
No Information Provided	0	---	---	---	0	---	---	---
ESL Participants	2	---	---	---	4	---	---	---
Nonparticipants	3	---	---	---	15	2169	93	7
No Information Provided	0	---	---	---	0	---	---	---
Special Education Yes	0	---	---	---	0	---	---	---
No	5	2012	40	0	19	2148	89	5
No Information Provided	0	---	---	---	0	---	---	---
Gifted/Talented Participants	0	---	---	---	0	---	---	---
Nonparticipants	5	2012	40	0	19	2148	89	5
No Information Provided	0	---	---	---	0	---	---	---
At-Risk Yes	5	2012	40	0	17	2136	88	6
No	0	---	---	---	2	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Oral Administration Math	0	---	---	---	0	---	---	---

Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: SPRING 2003

All Students

	Lectura				Matemáticas				All Tests Taken		
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Percent Met Standard	Percent Commended
"---" = No Data Reported For Fewer Than Five Students											
All Students	4	---	---	---	3	---	---	---	4	---	---
Male	1	---	---	---	1	---	---	---	1	---	---
Female	3	---	---	---	2	---	---	---	3	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Native American	0	---	---	---	0	---	---	---	0	---	---
Asian	0	---	---	---	0	---	---	---	0	---	---
African American	1	---	---	---	1	---	---	---	1	---	---
Hispanic	3	---	---	---	2	---	---	---	3	---	---
White	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Economically Disadvantaged	4	---	---	---	3	---	---	---	4	---	---
Yes	4	---	---	---	3	---	---	---	4	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Title I, Part A	4	---	---	---	3	---	---	---	4	---	---
Participants	4	---	---	---	3	---	---	---	4	---	---
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Migrant	0	---	---	---	0	---	---	---	0	---	---
Yes	0	---	---	---	0	---	---	---	0	---	---
No	4	---	---	---	3	---	---	---	4	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Limited English Proficient	4	---	---	---	3	---	---	---	4	---	---
Yes	4	---	---	---	3	---	---	---	4	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Bilingual	1	---	---	---	0	---	---	---	1	---	---
Participants	1	---	---	---	0	---	---	---	1	---	---
Nonparticipants	3	---	---	---	3	---	---	---	3	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
ESL	3	---	---	---	3	---	---	---	3	---	---
Participants	3	---	---	---	3	---	---	---	3	---	---
Nonparticipants	1	---	---	---	0	---	---	---	1	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Special Education	0	---	---	---	0	---	---	---	0	---	---
Yes	0	---	---	---	0	---	---	---	0	---	---
No	4	---	---	---	3	---	---	---	4	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Gifted/Talented	0	---	---	---	0	---	---	---	0	---	---
Participants	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	4	---	---	---	3	---	---	---	4	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
At-Risk	4	---	---	---	3	---	---	---	4	---	---
Yes	4	---	---	---	3	---	---	---	4	---	---
No	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---
Oral Administration	0	---	---	---	0	---	---	---	0	---	---
Math	0	---	---	---	0	---	---	---	0	---	---

Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: SPRING 2003

All Students

	Lectura				Matemáticas				Escritura				All Tests Taken		
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Percent Met Standard	Percent Commended
..... = No Data Reported For Fewer Than Five Students															
All Students	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Male	7	2108	86	0	7	2053	71	0	7	2197	71	0	8	63	0
Female	9	2185	100	11	9	2112	78	11	9	2263	78	0	9	56	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Native American	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Asian	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
African American	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Hispanic	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
White	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Economically Disadvantaged	15	2135	93	0	15	2051	73	0	15	2223	73	0	16	56	0
No Information Provided	1	---	---	---	1	---	---	---	1	---	---	---	1	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Title I, Part A	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Participants	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Migrant	1	---	---	---	1	---	---	---	1	---	---	---	1	---	---
Yes	1	---	---	---	1	---	---	---	1	---	---	---	1	---	---
No	15	2146	93	7	15	2087	73	7	15	2227	73	0	16	56	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Limited English Proficient	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Yes	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Bilingual	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Participants	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Nonparticipants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
ESL	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Participants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Special Education	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Yes	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Gifted/Talented	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Participants	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Nonparticipants	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
At-Risk	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
Yes	16	2151	94	6	16	2086	75	6	16	2234	75	0	17	59	0
No	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
No Information Provided	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Oral Administration	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---
Math	0	---	---	---	0	---	---	---	0	---	---	---	0	---	---



Summary Report - Group Performance

Report Date: MAY 2003
Date of Testing: APRIL 2003

All Students

	Lectura				Matemáticas			
	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended	Number of Students Tested	Average Scale Score	Percent Met Standard	Percent Commended
"..." = No Data Reported For Fewer Than Five Students								
All Students	4	---	---	---	23	2114	74	4
Male	3	---	---	---	14	2083	64	7
Female	1	---	---	---	9	2162	89	0
No Information Provided	0	---	---	---	0	---	---	---
Native American	0	---	---	---	0	---	---	---
Asian	0	---	---	---	0	---	---	---
African American	0	---	---	---	0	---	---	---
Hispanic	4	---	---	---	23	2114	74	4
White	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Economically Disadvantaged	4	---	---	---	23	2114	74	4
Yes	4	---	---	---	23	2114	74	4
No	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Title I, Part A	4	---	---	---	23	2114	74	4
Participants	4	---	---	---	23	2114	74	4
Nonparticipants	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Migrant	1	---	---	---	1	---	---	---
Yes	1	---	---	---	1	---	---	---
No	3	---	---	---	22	2106	73	5
No Information Provided	0	---	---	---	0	---	---	---
Limited English Proficient	4	---	---	---	23	2114	74	4
Yes	4	---	---	---	23	2114	74	4
No	0	---	---	---	0	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Bilingual	3	---	---	---	22	2106	73	5
Participants	3	---	---	---	22	2106	73	5
Nonparticipants	1	---	---	---	1	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
ESL	4	---	---	---	23	2114	74	4
Participants	0	---	---	---	0	---	---	---
Nonparticipants	4	---	---	---	23	2114	74	4
No Information Provided	0	---	---	---	0	---	---	---
Special Education	4	---	---	---	23	2114	74	4
Yes	0	---	---	---	0	---	---	---
No	4	---	---	---	23	2114	74	4
No Information Provided	0	---	---	---	0	---	---	---
Gifted/Talented	4	---	---	---	23	2114	74	4
Participants	0	---	---	---	0	---	---	---
Nonparticipants	4	---	---	---	23	2114	74	4
No Information Provided	0	---	---	---	0	---	---	---
At-Risk	3	---	---	---	22	2106	73	5
Yes	3	---	---	---	22	2106	73	5
No	1	---	---	---	1	---	---	---
No Information Provided	0	---	---	---	0	---	---	---
Oral Administration	0	---	---	---	0	---	---	---
Math	0	---	---	---	0	---	---	---

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TEXAS READING PROFICIENCY TESTS IN ENGLISH

SUMMARY REPORT

ALL STUDENTS

REPORT DATE: MAY 2003

DATE OF TESTING: SPRING 2003

GRADE: 06

DISTRICT: 101-819 AMIGOS POR VIDA-FRIENDS FOR LI

CAMPUS: 001 AMIGOS POR VIDA-FRIENDS FOR LI

ADMINISTRATION SUMMARY	Number	Percent
Total Answer Documents Submitted	16	100
Students Absent	0	0
Students Exempt: ARD	0	0
Other Students Not Tested	1	6
Not Tested: 2nd Semester Immigrants Non-English Readers	0	0
Number of Students Tested	15	94

--- = NO DATA REPORTED FOR FEWER THAN FIVE STUDENTS	NUMBER OF STUDENTS SCORED*	BEGINNING*	INTERMEDIATE	ADVANCED**	AVERAGE RPTE SCALE SCORE*
		Percent of Students at Each Proficiency Rating			
		---	---	---	
All Students	15	0	20	80	828
Male	6	0	17	83	829
Female	9	0	22	78	828
No Information Provided	0	---	---	---	---
Native American	0	---	---	---	---
Asian	0	---	---	---	---
African American	1	---	---	---	---
Hispanic	14	0	14	86	838
White	0	---	---	---	---
No Information Provided	0	---	---	---	---
Economically Disadvantaged:					
Yes	14	0	14	86	838
No	1	---	---	---	---
No Information Provided	0	---	---	---	---
Title I, Part A:					
Participants	15	0	20	80	828
Nonparticipants	0	---	---	---	---
No Information Provided	0	---	---	---	---
Migrant:					
Yes	2	---	---	---	---
No	12	0	25	75	826
No Information Provided	1	---	---	---	---
Bilingual:					
Participants	1	---	---	---	---
Nonparticipants	14	0	14	86	838
No Information Provided	0	---	---	---	---
ESL:					
Participants	6	0	33	67	798
Nonparticipants	9	0	11	89	848
No Information Provided	0	---	---	---	---
Special Education:					
Yes	0	---	---	---	---
No	15	0	20	80	828
No Information Provided	0	---	---	---	---
Gifted/Talented:					
Participants	0	---	---	---	---
Nonparticipants	15	0	20	80	828
No Information Provided	0	---	---	---	---
At-Risk:					
Yes	9	0	33	67	798
No	6	0	0	100	874
No Information Provided	0	---	---	---	---
Years in U.S. Schools:					
Zero (2nd Semester Immigrants)	0	---	---	---	---
One	1	---	---	---	---
Two	4	---	---	---	---
Three	6	0	17	83	851
Four or more	4	---	---	---	---
No Information Provided	0	---	---	---	---

* Includes 2nd semester immigrants that were not tested, but assigned a proficiency rating of "Beginning" and a scale score of 340 (corresponds to a raw score of zero)

** Students rated "Advanced" have obtained the highest RPTE reading level and will no longer take the RPTE.

TEXAS READING PROFICIENCY TESTS IN ENGLISH SUMMARY REPORT

ALL STUDENTS

REPORT DATE: MAY 2003

DATE OF TESTING: SPRING 2003

GRADE: 05

DISTRICT: 101-819 AMIGOS POR VIDA-FRIENDS FOR LI

CAMPUS: 001 AMIGOS POR VIDA-FRIENDS FOR LI

ADMINISTRATION SUMMARY	Number	Percent
Total Answer Documents Submitted	13	100
Students Absent	0	0
Students Exempt: ARD	0	0
Other Students Not Tested	4	31
Not Tested: 2nd Semester Immigrants Non-English Readers	0	0
Number of Students Tested	9	69

--- = NO DATA REPORTED FOR FEWER THAN FIVE STUDENTS	NUMBER OF STUDENTS SCORED*	BEGINNING*	INTERMEDIATE	ADVANCED**	AVERAGE RPTE SCALE SCORE*
		Percent of Students at Each Proficiency Rating			
All Students	9	33	0	67	749
Male	5	20	0	80	761
Female	4	---	---	---	---
No Information Provided	0	---	---	---	---
Native American	0	---	---	---	---
Asian	0	---	---	---	---
African American	0	---	---	---	---
Hispanic	9	33	0	67	749
White	0	---	---	---	---
No Information Provided	0	---	---	---	---
Economically Disadvantaged:					
Yes	9	33	0	67	749
No	0	---	---	---	---
No Information Provided	0	---	---	---	---
Title I, Part A:					
Participants	9	33	0	67	749
Nonparticipants	0	---	---	---	---
No Information Provided	0	---	---	---	---
Migrant:					
Yes	1	---	---	---	---
No	8	38	0	63	744
No Information Provided	0	---	---	---	---
Bilingual:					
Participants	1	---	---	---	---
Nonparticipants	8	38	0	63	747
No Information Provided	0	---	---	---	---
ESL:					
Participants	7	43	0	57	735
Nonparticipants	2	---	---	---	---
No Information Provided	0	---	---	---	---
Special Education:					
Yes	1	---	---	---	---
No	8	38	0	63	747
No Information Provided	0	---	---	---	---
Gifted/Talented:					
Participants	0	---	---	---	---
Nonparticipants	9	33	0	67	749
No Information Provided	0	---	---	---	---
At-Risk:					
Yes	9	33	0	67	749
No	0	---	---	---	---
No Information Provided	0	---	---	---	---
Years in U.S. Schools:					
Zero (2nd Semester Immigrants)	3	---	---	---	---
One	0	---	---	---	---
Two	0	---	---	---	---
Three	2	---	---	---	---
Four or more	4	---	---	---	---
No Information Provided	0	---	---	---	---

* Includes 2nd semester immigrants that were not tested, but assigned a proficiency rating of "Beginning" and a scale score of 343 (corresponds to a raw score of zero)

** Students rated "Advanced" have obtained the highest RPTE reading level and will no longer take the RPTE.

TEXAS READING PROFICIENCY TESTS IN ENGLISH SUMMARY REPORT

ALL STUDENTS

REPORT DATE: MAY 2003

DATE OF TESTING: SPRING 2003

GRADE: 04

DISTRICT: 101-819 AMIGOS POR VIDA-FRIENDS FOR LI

CAMPUS: 001 AMIGOS POR VIDA-FRIENDS FOR LI

ADMINISTRATION SUMMARY	Number	Percent
Total Answer Documents Submitted	26	100
Students Absent	0	0
Students Exempt: ARD	0	0
Other Students Not Tested	3	12
Not Tested: 2nd Semester Immigrants Non-English Readers	0	0
Number of Students Tested	23	88

--- = NO DATA REPORTED FOR FEWER THAN FIVE STUDENTS	NUMBER OF STUDENTS SCORED*	BEGINNING*	INTERMEDIATE	ADVANCED**	AVERAGE RPTE SCALE SCORE*
		Percent of Students at Each Proficiency Rating			
All Students	23	30	9	61	719
Male	12	33	8	58	732
Female	11	27	9	64	704
No Information Provided	0	---	---	---	---
Native American	0	---	---	---	---
Asian	0	---	---	---	---
African American	0	---	---	---	---
Hispanic	23	30	9	61	719
White	0	---	---	---	---
No Information Provided	0	---	---	---	---
Economically Disadvantaged:					
Yes	23	30	9	61	719
No	0	---	---	---	---
No Information Provided	0	---	---	---	---
Title I, Part A:					
Participants	23	30	9	61	719
Nonparticipants	0	---	---	---	---
No Information Provided	0	---	---	---	---
Migrant:					
Yes	8	38	13	50	698
No	15	27	7	67	730
No Information Provided	0	---	---	---	---
Bilingual:					
Participants	18	39	11	50	686
Nonparticipants	5	0	0	100	838
No Information Provided	0	---	---	---	---
ESL:					
Participants	2	---	---	---	---
Nonparticipants	21	33	10	57	709
No Information Provided	0	---	---	---	---
Special Education:					
Yes	0	---	---	---	---
No	23	30	9	61	719
No Information Provided	0	---	---	---	---
Gifted/Talented:					
Participants	0	---	---	---	---
Nonparticipants	23	30	9	61	719
No Information Provided	0	---	---	---	---
At-Risk:					
Yes	23	30	9	61	719
No	0	---	---	---	---
No Information Provided	0	---	---	---	---
Years In U.S. Schools:					
Zero (2nd Semester Immigrants)	0	---	---	---	---
One	6	100	0	0	582
Two	2	---	---	---	---
Three	1	---	---	---	---
Four or more	14	0	14	86	775
No Information Provided	0	---	---	---	---

* Includes 2nd semester immigrants that were not tested, but assigned a proficiency rating of "Beginning" and a scale score of 343 (corresponds to a raw score of zero)

** Students rated "Advanced" have obtained the highest RPTE reading level and will no longer take the RPTE.

TEXAS READING PROFICIENCY TESTS IN ENGLISH SUMMARY REPORT

ALL STUDENTS

REPORT DATE: MAY 2003

DATE OF TESTING: SPRING 2003

GRADE: 03

DISTRICT: 101-819 AMIGOS POR VIDA-FRIENDS FOR LI

CAMPUS: 001 AMIGOS POR VIDA-FRIENDS FOR LI

ADMINISTRATION SUMMARY		Number	Percent
Total Answer Documents Submitted		40	100
Students Absent		0	0
Students Exempt: ARD		0	0
Other Students Not Tested		0	0
Not Tested: 2nd Semester Immigrants Non-English Readers		0	0
Number of Students Tested		40	100

--- = NO DATA REPORTED FOR FEWER THAN FIVE STUDENTS	NUMBER OF STUDENTS SCORED*	BEGINNING*	INTERMEDIATE	ADVANCED**	AVERAGE RPTE SCALE SCORE*
		Percent of Students at Each Proficiency Rating			
All Students	40	15	33	53	688
Male	20	20	40	40	675
Female	20	10	25	65	702
No Information Provided	0	---	---	---	---
Native American	0	---	---	---	---
Asian	0	---	---	---	---
African American	0	---	---	---	---
Hispanic	40	15	33	53	688
White	0	---	---	---	---
No Information Provided	0	---	---	---	---
Economically Disadvantaged:					
Yes	39	15	33	51	685
No	1	---	---	---	---
No Information Provided	0	---	---	---	---
Title I, Part A:					
Participants	40	15	33	53	688
Nonparticipants	0	---	---	---	---
No Information Provided	0	---	---	---	---
Migrant:					
Yes	1	---	---	---	---
No	39	13	33	54	691
No Information Provided	0	---	---	---	---
Bilingual:					
Participants	36	17	36	47	684
Nonparticipants	4	---	---	---	---
No Information Provided	0	---	---	---	---
ESL:					
Participants	4	---	---	---	---
Nonparticipants	35	14	37	49	686
No Information Provided	1	---	---	---	---
Special Education:					
Yes	2	---	---	---	---
No	38	16	32	53	689
No Information Provided	0	---	---	---	---
Gifted/Talented:					
Participants	0	---	---	---	---
Nonparticipants	40	15	33	53	688
No Information Provided	0	---	---	---	---
At-Risk:					
Yes	39	13	33	54	691
No	1	---	---	---	---
No Information Provided	0	---	---	---	---
Years in U.S. Schools:					
Zero (2nd Semester Immigrants)	1	---	---	---	---
One	0	---	---	---	---
Two	4	---	---	---	---
Three	3	---	---	---	---
Four or more	32	9	34	56	698
No Information Provided	0	---	---	---	---

* Includes 2nd semester immigrants that were not tested, but assigned a proficiency rating of "Beginning" and a scale score of 301 (corresponds to a raw score of zero)
 ** Students rated "Advanced" have obtained the highest RPTE reading level and will no longer take the RPTE.

AGREEMENT
Between
Amigos Por Vida, Friends for Life Housing and Education Corporation
and
DePelchin Children's Center

THE STATE OF TEXAS

COUNTY OF HARRIS

DRAFT

This agreement ("Agreement") is between the AMIGOS POR VIDA, FRIENDS FOR LIFE HOUSING AND EDUCATION CORPORATION, the charter holder for Amigos Por Vida-Friends for Life Public Charter School ("APV" or "School"), and DEPELCHIN CHILDREN'S CENTER, a Texas non-profit corporation ("DePelchin"), (collectively the "Parties") according to the terms and conditions as set forth below.

In exchange for the rights and responsibilities provided to each in this Agreement, the School and DePelchin agree to the following:

Article 1. Purpose

1.1 The purpose of this Agreement is to create a cooperative arrangement for the provision of an effective and efficient delivery of services consisting of family education presentations, adult support groups, pre-school social and verbal workshops, a teen support group, family enrichment events, community network events, ESL for adults, and personal development sessions to the students and parents of the School (the "Program"). DePelchin will furnish all of the materials and personnel to perform the services as provided in this Agreement except as otherwise provided herein. The School agrees to provide an office and classroom facility termed the Family Resource Center ("FRC") for the use of DePelchin to operate the Program as set forth in this Agreement.

Article 2. General Covenants and Provisions

2.1 The effective date of this Agreement is September 1, 2003. It shall remain in effect through August 31, 2004.

2.2 The School is an open enrollment charter school and part of the public school system of Texas. DePelchin is a private non-profit corporation organized under the laws of Texas.

2.3 The provisions of this Agreement are consistent with the educational purposes, goals and mission of the School and are consistent with the non-profit purpose of DePelchin. The Program serves a public purpose, is an appropriate function of the School, and adequate consideration flows to the School. The services provided by this Agreement are and will be in accordance with all applicable laws and regulations and in accordance with the policies and procedures of DePelchin and the School.

- 2.4 The Parties agree to operate the Program in compliance with the applicable Federal and State laws, implementing regulations, and executive orders including, but not limited to, Title VI of the Civil Rights Act of 1964, as amended; Title VII of the Civil Rights Act; Title IX of the Education Amendments of 1974; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Americans with Disabilities Act; The Family Educational Rights and Privacy Act of 1974; Texas Records Retention Laws for charter school programs; the Texas Education Code; and Title 19 of the Texas Administrative Code. The Parties further agree to operate the Program in compliance with applicable APV policies and procedures.

Article 3 Consideration

- 3.1 In consideration for the services provided by DePelchin under Article 4, APV shall provide the use of facilities for the FRC as provided under Article 5.

Article 4 Scope of Services

- 4.1 DePelchin shall provide a variety of services and resource materials to students enrolled in the School and families of APV students at no cost to the School and at no cost to the families of APV students.
- 4.2 DePelchin shall provide family consultation, personal development workshops for parents designed to promote personal growth, parent education classes for adults with concurrent classes for children using an age-specific curriculum that promotes self-esteem and leadership skills, ESL classes for parents, and volunteer training development at the FRC. These services will be made available to the 77081 ("Gulfton") area residents as well as APV students and parents.
- 4.3 DePelchin will sponsor community-wide family enrichment events, parenting education classes, and Parents Anonymous support groups at locations and sites in the Gulfton area in which APV parents and students may participate.
- 4.4 DePelchin shall work with the School to provide any additional services specifically for APV students and parents to meet targeted needs. The Parties agree to confer concerning a mutually agreeable schedule for these services.
- 4.5 DePelchin shall have the authority to make administrative decisions regarding daily operations of the Program consistent with applicable federal and state laws and regulations, DePelchin policy and procedures, APV policy and procedures, and this Agreement.
- 4.6 The Parties shall not discriminate against any person in the administration of the Program on the basis of race, religion, color, sex, national origin, or age. The Parties shall follow applicable state and federal laws regarding the participation of students in the Program.

- 4.7 Both Parties will ensure that their respective employees will work cooperatively with the other party's employees to facilitate the operation of the Program.

Article 5 Facilities and Equipment

- 5.1 The School shall provide one space consisting of _____ rooms on the second floor of Building 10 for the use of DePelchin for the FRC. The Parties agree that the floor plan of the space is mutually agreeable for purposes of the provision of services under this Agreement. DePelchin shall have use of the FRC and its patrons, including APV students and parents, shall have access to the FRC between 8:30 a.m. and 4:30 p.m. Monday through Friday except for national holidays recognized by the School.

The Parties agree that neither the FRC nor any other part of the School's facilities may be utilized by DePelchin at any other time without express written agreement specifying the terms and conditions of such usage.

- 5.2 The parents and students who utilize the FRC will access the FRC through the main office of the School. All patrons who access or utilize the FRC must sign in with the School in the main office. The patrons who access the FRC who are not currently enrolled students or parents of currently enrolled students at the School shall not have access to other parts of the School's facilities with the exception of the playground and any area necessary to obtain access to the FRC.
- 5.3 Children of parents who are visiting the FRC who are not students currently enrolled in the School may have access to the School's playground only during the time that the parents remain at the FRC and utilize the services of DePelchin. DePelchin shall ensure that these children are supervised during activities on the playground and agrees that APV shall not be responsible for nor incur any liability for any harm that occurs through use of these facilities.
- 5.4 APV shall have the right to exclude any person from its premises if, in the opinion of APV, that person presents a threat to the safety and well-being of its employees or the students or if the person creates a disruption in the activities or operation of the School.
- 5.5 DePelchin shall be responsible for maintaining the FRC space in a neat and orderly manner free of any dangerous or hazardous condition and agrees not to use the APV premises including in the FRC in any way that would create a dangerous or hazardous condition, would increase insurance premiums, or would void insurance on the building. DePelchin agrees not to create a nuisance or interfere with any other tenant's normal business operations or enjoyment and use of the property.
- 5.6 The Parties agree that the APV shall have access to the FRC to meet with DePelchin staff, conduct evaluations of the Program, to review documentation, or to obtain other pertinent information.

- 5.7 DePelchin agrees not to change the locks on any doors to or within the FRC without providing a copy of the key(s) to the CEO/Superintendent of the School or his or her designee.
- 5.8 DePelchin agrees to immediately report any problems with electricity, the air conditioning system, or other similar malfunction to the Operations Manager of APV. The Operations Manager will make arrangements with the lessor or lessor's management company to provide any necessary repairs. The Parties agree that all communication regarding the facilities will occur exclusively between APV and the lessor and that DePelchin shall not contact lessor directly.
- 5.9 Both Parties agree to comply with the applicable federal and state laws regarding standards of safety, health, and environmental requirements.
- 5.10 DePelchin shall provide the furniture and equipment it uses for the Program. DePelchin shall be responsible for its own phone service including the cost of both equipment and service.
- 5.11 Each party shall be responsible for the provision, maintenance, safety and all expenses associated with the operation of any and all Program equipment that belongs to the respective party and each party reserves the right to determine the manner in which its equipment shall be operated.

Article 6 Recordkeeping

- 6.1 Each party shall have access to the records of the other party to the extent that such access is necessary for the operation of the Program and to the extent permitted by law. DePelchin shall maintain a log of all APV students and parents who use its services in the Gulfton area and who participate in the Program. This log and any records related to APV students and parents shall be made available to APV to the extent permitted by law.
- 6.2 Each party shall endeavor to obtain consent from the APV parents to disclose to the other party information contained in education and other applicable records in conformity with state and federal laws and regulations.
- 6.3 DePelchin agrees to furnish facilities and personnel for accurate recordkeeping for the proper documentation of the Program services provided to APV students and parents.
- 6.4 All records and reports either generated, prepared, assembled, or maintained by DePelchin in relation to the Program shall be made available for review, inspection, and audit by the School and any appropriate auditors upon reasonable notice. Copies will be made available upon request. The Parties agree to maintain records for the Program in accordance with the schedules required under the Texas Records Retention laws for such records, if any.

Article 7 Employees and Volunteers

- 7.1 DePelchin is an independent contractor and shall be responsible for supervision and compensation of its employees and volunteers.
- 7.2 The School shall be responsible for supervision and compensation of its employees and volunteers.
- 7.3 The Parties understand and agree that the School may conduct a criminal history background check on each employee or volunteer of DePelchin if the employee or volunteer will have continuing duties related to the Program under this Agreement and the duties are or will be performed on School property or at another location where APV students and parents will participate in the Program under this Agreement.
- 7.4 The School reserves the right to refuse access to the School premises, including the FRC, by any DePelchin employee or volunteer who has a conviction of a felony, of a misdemeanor involving moral turpitude, or of a crime involving children.

Article 8 Safety

- 8.1 The Parties shall provide a safe and secure premises and environment for the Program.
- 8.2 Either party shall provide the other with written notice identifying any condition that endangers student safety. The party providing notice of the condition may terminate the Agreement if the party responsible for the safety condition fails to eliminate the condition as soon as reasonably possible, considering the severity of the condition and the work required to eliminate the condition.
- 8.3 In the event that a student or parent is involved in an accident on the APV premises or anytime an APV student or parent is injured while engaging in an activity sponsored by or related to the Program at another location, DePelchin will notify the School as soon as possible with full disclosure of all known facts related to the accident.

Article 9 Risk of Loss

- 9.1 DePelchin hereby releases APV, its officers, and agents from any and all claims and liabilities of any type whatsoever, including for damage to, loss of or destruction of any property of DePelchin or any other person arising from any breach or other failure to perform under this Agreement. The officers, directors, employees and students of the School shall not be personally liable to DePelchin for any obligation or liability arising out of this Agreement. The Parties shall not construe this provision as obligating DePelchin to indemnify APV its officers, agents, employees or students with respect to

any claim by a third party except to the extent that an act or omission of which DePelchin has a duty to perform caused the harm alleged.

- 9.2 APV hereby releases DePelchin, its officers, agents, and employees from any and all claims and liabilities of any type whatsoever, including for damage to, loss of or destruction of any property of the School or any other person, arising from any breach or other failure by the School to perform under this Agreement. The officers, directors, and employees of DePelchin shall not be personally liable to the APV for any obligation or liability arising out of this Agreement. The Parties shall not construe this provision as obligating the APV to indemnify DePelchin, its officers, agents, or employees, with respect to any claim by a third party. The Parties understand that as a public school, APV is prohibited from indemnifying another party.
- 9.3 DePelchin will provide Certification of Insurance evidencing protection for general liability.

Article 10 Term of the Agreement and Termination

- 10.1 This Agreement shall remain in effect from September 1, 2003 until August 31, 2004 with an option for renewal. Should either party elect to renew, that party will notify the other Party of its intent to renew by May 31, 2004.
- 10.2 If the Parties elect to renew the Agreement for a period beyond August 31, 2004, the renewal period will be for a period of one year. Should both Parties agree, the terms, provisions, and conditions of the Agreement shall remain the same for the renewal period.
- 10.3 Either party may terminate this Agreement with or without cause by providing the other party ninety (90) days notice unless the Parties agree in writing to a shorter period of time.
- 10.4 Upon the breach of any material provision of this Agreement, the aggrieved Party shall provide the other with written notice of intent to terminate the Agreement and shall have the right to terminate the Agreement unless the breach is timely cured. The notice of intent to terminate shall specifically identify the particular Agreement provision that the Party alleges to have been breached and shall describe the basis for concluding that there was a breach of Agreement. Except in situations involving student safety in which the responsible Party must remedy the conditions according to the terms of Article 8.2, if the breaching Party fails to cure the breach within thirty (30) days of receipt of the notice of intent to terminate the Agreement, the non-breaching Party may terminate the Agreement immediately thereafter.

Article 11 The Agreement

- 11.1 This Agreement supersedes all previous communications, representations or agreements, either oral or written, between the Parties in relation to the operation of the Program.

- 11.2 This Agreement will apply to and bind the representatives and successors in interest of the Parties to this Agreement. By signing this Agreement, the representatives executing the Agreement affirm that the appropriate Board of Directors of APV and the Board of Directors of DePelchin Children's Center have authorized this Agreement.
- 11.3 DePelchin agrees that it will not assign either its duties or rights under the Agreement, unless mutually agreed by both Parties.
- 11.6 Nothing contained in this Agreement shall be construed as constituting a joint venture or partnership between the School and DePelchin.
- 11.7 The Parties have read this Agreement and agree to abide by its terms. The Parties further agree that this Agreement constitutes the entire and exclusive agreement of the Parties. Any amendment to the Agreement must be in writing and signed by both Parties. No waiver, alteration or modification of any of the provisions of this Agreement shall be binding on any Party unless in writing and signed by the Party against whom enforcement of such waiver, alteration, or modification is sought.
- 11.8 This Agreement is governed by, construed by, and enforced in accordance with the laws of the State of Texas.
- 11.9 If any provision of this Agreement becomes or is held violative of any law or unenforceable, then the invalidity of that provision will not invalidate the remaining provisions. The Parties agree that all remaining provisions of this Agreement will remain in effect.
- 11.10 Citations of and references to any specific Federal or State statute, administrative regulation, or executive order in this Agreement include any amendment to or successor of that statute, regulation, or order.
- 11.11 It is understood and agreed that this Agreement may be executed in identical counterparts, each of which shall be deemed an original for all purposes.

EXECUTED THIS _____ DAY OF _____, 2003.

DEPELCHIN CHILDREN'S CENTER

**AMIGOS POR VIDA, FRIENDS FOR
LIFE HOUSING AND EDUCATION
CORPORATION**

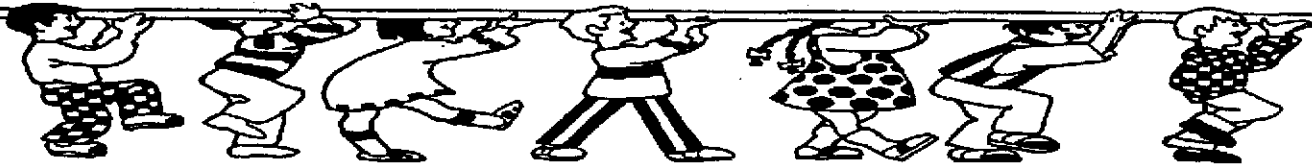
BY _____
Robert Hartman
Chief Operating Officer

BY _____
Rosalinda Mercado-Garza
CEO/ Superintenden

Amigos Por Vida - Friends for Life Open Enrollment Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671
Rosalinda (Rosey) Mercado-Garza, CEO/Superintendent



Dual Language Education Program 2003-2004

What are Dual Language Education Programs?

Dual language education programs have a variety of names: bilingual immersion, dual language immersion, two-way immersion, two-way bilingual, Spanish immersion (or whatever the target language is combined with the word immersion), developmental bilingual education (DBE – the name the U.S. Department of Education uses).

The major goals:

- High levels of bilingual proficiency
- Biliteracy – read and write at grade level in both languages
- Content area (mathematics, science, social studies) achievement at or above grade level

Dual language education integrates language minority and language majority students for academic instruction that is presented separately through two languages. For both groups of students, one of the languages is their native language and one is a second language (although for some students one could be a third or fourth language).

The definition of dual language education (DLE) encompasses the following four critical components:

1. The program essentially involves instruction through two languages, where the target language is used for a significant portion of the students' instructional day (target language is used here to distinguish the second, or non-English, language of the program).
2. The program involves periods of instruction during which only one language is used.
3. Both native English speakers and native speakers of the target language are participants.
4. The students are integrated for most content instruction. <http://www.emsd63.n-cook.k12.il.us/esl/dual.htm>

Currently, Amigos por Vida-Friends for Life Charter School has two separate instructional programs. Students are served in regular classes which receive instruction solely in English. While in the bilingual class teachers use the Maintenance Model which incorporates English into the learning at a beginning rate of 90% Spanish instruction and 10% English instruction. In the Maintenance Model the percentage of Spanish decreases at a rate of 10% per school year while English instruction increases by 10%.

The dual language education on the other hand will allow all students who attend Amigos por Vida-Friends for Life Charter School to be instructed by two highly qualified teachers. One teacher will instruct in Spanish 50% of the day while the other teacher will instruct in English the other half of the day. Students will have the opportunity to experience a balanced approach to learning a second language while maintaining their first. The 50/50 Model can enrich and enhance student learning. Our goal at Amigos por Vida Charter School is to have students who become bicultural, biliterate and bilingual.

Amigos por Vida-Friends for Life Charter School is training faculty/staff, visiting other dual language schools in Texas and planning to implement the program school-wide beginning in the school year 2003-2004. Informational meetings are scheduled to occur at the PTO meetings. At the next PTO meeting scheduled to meet at 6:00PM on Tuesday, April 29, 2003 the team who visited Ser-Niños Charter School will report their findings to the community. The team visiting the schools that use a Dual Language Program is comprised of an administrator, a bilingual teacher, a regular teacher and a parent.

Attachment 5
Special Needs/Programs Information Request

Amigos Por Vida – Friends for Life Public Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671
Rosalinda Mercado-Garza, CEO/Superintendent
Carlos Villagrana, Principal



Child Find

Child Find is the on-going process of locating students suspected of having disabilities who need special education services. This includes locating students who are not in school, those who are in school, but not receiving special education services, and those that are receiving some, but not all needed special education services.

Region 4 Education Service Center will coordinate efforts with Amigos Por Vida-Friends for Life Public Charter School to assist in the identification of students with disabilities for special education services according to procedures established by the Commissioner of Education and the Texas Education Agency.

Special Education includes instruction and related services provided by local school districts for students who have the following conditions according to federal criteria:

- Learning Disability
- Speech Impairment
- Orthopedic Impairment
- Other Health Impairment
- Mental Retardation
- Emotional Disturbance
- Autism
- Multiple Disabilities
- Traumatic Brain Injury
- Visual Impairment
- Auditory Impairment
- Deaf/Blind

Do you know a child ages 0-21 who shows signs of developmental delay, on-going learning problems, behavioral or medical problems that interfere with learning?

For more information call Amigos Por Vida-Friends for Life Public Charter School or Child Find at Education Service Center Region IV.

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Admission Policy

The school will admit students on a first-come, first-serve basis with one day advance notice. The School maintains a 22:1 ratio in grades pre-kindergarten through fourth. Fifth grade serves no more than 25 students throughout a school year. Therefore, when a grade level is oversubscribed, the School will determine acceptance based on a lottery system.

Anti-Discrimination Statement:

In admitting students to the school, Amigos Por Vida-Friends for Life Public Charter School will not discriminate against any student on the basis of sex; national origin; ethnicity; religion; disability; academic, artistic, or athletic ability; or the district the child would otherwise attend. The school reserves the right to exclude from admission any child who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the Texas Education Code.

Amigos Por Vida-Friends for Life Public Charter School STUDENT ENROLLMENT FORM

Anti-Discrimination Statement:

In admitting students to the school, Amigos Por Vida-Friends for Life Public Charter School will not discriminate against any student on the basis of sex; national origin; ethnicity; religion; disability; academic, artistic, or athletic ability; or the district the child would otherwise attend. The school reserves the right to exclude from admission any child who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the Texas Education Code.

Enrollment Documentation:

Refer to **Student Attendance Accounting Handbook** in the section entitled **Audit Requirements** that establishes minimum standards for all required documentation, sets the time limit for record retention, and discusses areas of attendance accounting that deserve particular attention.

Enrollment Procedures:

Refer to the **Student Attendance Accounting Handbook** in the section entitled **General Attendance Requirements** that discusses responsibility of district personnel, enrollment and withdrawal procedures, basic rules of attendance accounting for all attendance systems, ADA eligibility codes and general eligibility requirements, the school calendar, data submission, documentation required to prove FSP eligibility, tips for quality control of attendance data, and examples.

Student Information:

- **GRADE-LEVEL-CODE** indicates the current grade level of the student.
- **FIRST-NAME** identifies a person's legal first name.
- **MIDDLE-NAME** identifies a person's legal middle name.
- **LAST-NAME** identifies a person's legal last name.
- **GENERATION-CODE** identifies the generation suffix, if any, which the person attaches to his name.
- **SEX-CODE** identifies the gender of the person.
- **DATE-OF-BIRTH** indicates the month, day, and year of the person's birth.
- **ETHNICITY-CODE** identifies the person's ethnic origin.
- **STUDENT-ID** is the student's Social Security number or a state-approved alternative identification number.

School / Program Information:

School / Program fields are designed to identify if student had previously received program services in a previous school district so that services can be continued without interruption.

Refer to the **Student Attendance Accounting Handbook** address each of the special program areas under the FSP. Each section discusses responsibility of district personnel, enrollment and withdrawal procedures, special rules, documentation to prove special program eligibility, tips for quality control of special program attendance data, and examples.

SPECIAL EDUCATION: Student new to district; previously in special education refer to the **Student Attendance Accounting Handbook**.

BILINGUAL/ESL: Student new to district; previously in bilingual/ESL refer to the **Student Attendance Accounting Handbook**

PREKINDER: Student new to district; previously in prekinder refer to the **Student Attendance Accounting Handbook**

GIFTED AND TALENTED: Student new to district; previously in prekinder refer to the **Student Attendance Accounting Handbook**

Parent/Guardian Information:

Parent/Guardian information fields are designed to identify communication contacts regarding school announcements and student performance.

The absence of a parent, guardian, or the person with legal control of a child under a court order is not grounds for refusing admission to which a child is entitled under § 25.001

Enroller's Information:

Regardless of whether or not a child's parent, guardian, or other person with legal control of the child under a court order is enrolling a child, under Section 25.002(f) as amended in 2002-2003, a district is required to record the name, address and date of birth of the person enrolling a child.

Office Use Information:

Local district designed fields.

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 Rosalinda Mercado-Garza, CEO/Superintendent
 Carlos Villagrana, Principal



FOR OFFICE USE ONLY

DOCUMENTATION	INITIAL	DOCUMENTATION	INITIAL	DOCUMENTATION	INITIAL
BIRTH CERTIFICATE		IMMUNIZATION RECORDS		PRE-KINDER DOCUMENTATION	
SOCIAL SECURITY CARD		PROOF OF RESIDENCE		PREVIOUS SCHOOL RECORDS	

STUDENT INFORMATION PLEASE PRINT / USAR LETRA DE MOLDE

GRADE / GRADO	STUDENT NAME / NOMBRE DE ESTUDIANTE			
	LAST / APELLIDO	FIRST / PRIMER NOMBRE	INITIAL / EI INICIAL	GENERATION
RESIDENTIAL ADDRESS / LA DIRECCIÓN RESIDENCIAL		MAILING ADDRESS / LA DIRECCIÓN DE CORRESPONDENCIA		
		COMPLETE ONLY IF DIFFERENT FROM RESIDENTIAL ADDRESS / COMPLETE SOLO SI ES DIFERENTE DE LA DIRECCION RESIDENCIAL		
HOME PHONE / TELÉFONO	PHONE NUMBER PUBLISHED? / ¿TELEFONEA EL NÚMERO PUBLICADO?	GENDER / EL GÉNERO	DOB / FECHA DE NACIMIENTO	PLACE OF BIRTH / CIUDAD Y ESTADO DE NACIMIENTO
()	<input type="checkbox"/> YES / SI <input type="checkbox"/> NO	<input type="checkbox"/> MALE / MASCULINO <input type="checkbox"/> FEMALE / FEMENINO		
ETHNICITY / RAZA	<input type="checkbox"/> AMERICAN INDIAN OR ALASKAN NATIVE <input type="checkbox"/> ASIAN OR PACIFIC ISLANDER <input type="checkbox"/> AFRICAN AMERICAN, NOT OF HISPANIC ORIGIN		<input type="checkbox"/> HISPANIC <input type="checkbox"/> WHITE, NOT OF HISPANIC ORIGIN	

SCHOOL / PROGRAM INFORMATION

HAS STUDENT EVER ATTENDED AMIGOS POR VIDA- FRIENDS FOR LIFE? / ¿HA ASISTIDO EL ESTUDIANTE A AMIGOS POR VIDA-FRIENDS FOR LIFE?	DATE FIRST ENROLLED IN U.S. SCHOOLS? / ¿CUÁL ES LA FECHA ORIGINAL DE MATRICULACION EN LOS EE.UU.?	HAS STUDENT EVER PARTICIPATED IN THE MIGRANT PROGRAM? / ¿TOMÓ PARTE EN EL ESTUDIANTE EL PROGRAMA MIGRATORIO?	HAS STUDENT EVER PARTICIPATED IN THE IMMIGRANT PROGRAM? / ¿TOMÓ PARTE EN EL ESTUDIANTE EL PROGRAMA DE		
<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO / NO		<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO		
LIST LAST SCHOOLS ATTENDED / LISTE LAS ÚLTIMAS ESCUELAS ASISTIDAS	ADDRESS / LA DIRECCIÓN DE ESCUELA	YEAR / AÑO	CITY / CIUDAD	STATE / ESTADO	ZIP CODE / CODIGO
WAS STUDENT EVER ENROLLED IN SPECIAL PROGRAMS? / ¿HA ASISTIDO EL ESTUDIANTE A CLASES EN PROGRAMAS ESPECIALES?	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO	<input type="checkbox"/> YES / SÍ <input type="checkbox"/> NO
					SPECIAL EDUCATION / LA EDUCACIÓN ESPECIAL BILINGUAL- ESL / BILINGÜE - ESL GIFTED AND TALENTED / PROGRAMA TALENTOSO 504 PROGRAM / PROGRAMA DE 504 OTHER / OTRO

PARENT / GUARDIAN INFORMATION

WITH WHOM DOES THE STUDENT LIVE? / ¿CON QUIEN VIVE EL ESTUDIANTE?	<input type="checkbox"/> BOTH PARENTS / AMBOS PADRES <input type="checkbox"/> FATHER / PADRE <input type="checkbox"/> MOTHER / MADRE	<input type="checkbox"/> OTHER / OTRO • NAME AND RELATIONSHIP WITH STUDENT • EL NOMBRE Y LA RELACIÓN CON ESTUDIANTE
--	--	---

FATHER / GUARDIAN NAME EL NOMBRE DE PADRE O GUARDIÁN		DOES FATHER WORK ON FEDERAL PROPERTY AND FOR FEDERAL GOVT? ¿TRABAJA EL PADRE EN PROPIEDAD FEDERAL Y PARA EL GOBIERNO FEDERAL	
LAST NAME / APELLIDO	FIRST NAME / PRIMER NOMBRE	<input type="checkbox"/> YES / SI	<input type="checkbox"/> NO / NO
RESIDENTIAL ADDRESS / LA DIRECCIÓN RESIDENCIA		PLACE OF EMPLOYMENT LUGAR DE EMPLEO	ADDRESS OF EMPLOYMENT LA DIRECCIÓN DEL EMPLEO
PHONE / TELEFONO DE CASA	WORK PHONE / TELEFONO DE TRABAJO	CELL PHONE / EL NÚMERO DEL TELÉFONO DE LA CÉLULAR	E-MAIL ADDRESS / DIRECCIÓN DE ENVÍO ELECTRÓNICO
()	()	()	

MOTHER / GUARDIAN NAME EL NOMBRE DE MADRE O GUARDIÁN		DOES MOTHER WORK ON FEDERAL PROPERTY AND FOR FEDERAL GOVT? ¿TRABAJA LA MADRE EN PROPIEDAD FEDERAL Y PARA EL GOBIERNO FEDERAL	
LAST NAME / APELLIDO	FIRST NAME / PRIMER NOMBRE	<input type="checkbox"/> YES / SI	<input type="checkbox"/> NO / NO
RESIDENTIAL ADDRESS / LA DIRECCIÓN RESIDENCIA		PLACE OF EMPLOYMENT LUGAR DE EMPLEO	ADDRESS OF EMPLOYMENT LA DIRECCIÓN DEL EMPLEO
PHONE / TELEFONO DE CASA	WORK PHONE / TELEFONO DE TRABAJO	CELL PHONE / EL NÚMERO DEL TELÉFONO DE CÉLULAR	E-MAIL ADDRESS / DIRECCIÓN DE ENVÍO ELECTRÓNICO
()	()	()	

EMERGENCY CONTACT PERSON (OTHER THAN PARENT/GUARDIAN) LA PERSONA DEL CONTACTO DE LA EMERGENCIA (APARTE DE PADRE /GUARDIAN)	PHONE / TELÉFONO
	()

LIST OTHER PEOPLE LIVING IN HOUSEHOLD / NOMBRE LAS PERSONAS QUE VIVEN EN SU RESIDENCIA

NAME / NOMBRE	AGE / EDAD	GRADE / NIVEL	SCHOOL ATTENDING / ESCUELA

INFORMATION OF PERSON ENROLLING STUDENT / INFORMACIÓN DE LA PERSONA MATRICULANDO AL ESTUDIANTE

NAME OF PERSON ENROLLING THE STUDENT EL NOMBRE DE LA PERSONA MATRICULANDO AL ESTUDIANTE		RESIDENTIAL ADDRESS / LA DIRECCIÓN RESIDENCIAL
LAST NAME / APELLIDO	FIRST NAME / PRIMER NOMBRE	
DATE OF BIRTH / FECHA DE NACIMIENTO		
RELATIONSHIP TO STUDENT / LA RELACIÓN AL ESTUDIANTE		ENROLLEE'S SIGNATURE / FIRMA DE PERSONA QUE ESTA MATRICULANDO AL ESTUDIANTE

FOR OFFICE USE ONLY

ENTRY DATE	ENTRY CODE	HOMEROOM TEACHER NAME	HOMEROOM #	REGISTERING CLERK
DATE REQUESTED RECORDS	ENTERED INTO THE FSP SYSTEM?		TRANSFER DISTRICT (TD) NAME	TRANSFER CAMPUS (TC) NAME
	<input type="checkbox"/> YES <input type="checkbox"/> NO			
RECORDS CLERK'S NAME @ TC	OUT OF DISTRICT TRANSFER		PEIMS ID / SSN	LOCAL ID
	<input checked="" type="checkbox"/> YES			

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Instructional Arrangements

Mainstream. This instructional arrangement/setting is for providing special education and related services to a student in the regular classroom in accordance with the student's IEP. Qualified special education personnel will be involved in the implementation of the student's IEP through the provision of direct, indirect and/or support services to the student, and/or the student's regular classroom where necessary to enrich the regular classroom and enable student success. The student's IEP will specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP. Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/accommodations, special materials/equipment, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.

Speech therapy. This instructional arrangement/setting is for providing speech therapy services whether in a regular education classroom or in a setting other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.

Resource room/services. This instructional arrangement/setting is for providing special education and related services to a student in a setting other than regular education for less than 50% of the regular school day.

Self-contained (mild, moderate, or severe) regular campus. This instructional arrangement/setting is for providing special education and related services to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus.

The School has students with disabilities receiving special education services and related services in the instructional setting of mainstream. As a result, individual students with disabilities attending Amigos Por Vida-Friends for Life Public Charter School are served in their least restrictive environment. Nevertheless, licensed professionals on a weekly basis educate each student. For instance, the School's speech therapist visits students weekly and serves their needs based on the individualized education plan. Furthermore, students and parents alike are assured that the learner is being educated with students his/her own age and can build on several skills, as each child is educated in an inclusive environment.

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Placement Decision for Transfer Students

In determining the educational placement of a child with a disability, including a preschool child with a disability, the School ensures that the placement decision

- Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
- Is made in conformity with the LRE provisions of this subpart, including §§300.550-300.554;

The child's placement

- Is determined at least annually;
- Is based on the child's IEP; and
- Is as close as possible to the child's home;

Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and a child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

Attachment 6
Electronic Application Certification

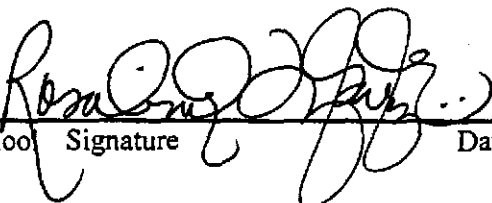
Part 4. Electronic Copy Certification and Written Resolution (Attachment 6)

Section XIII. Electronic Copy of Application

Please submit an electronic copy of the renewal application in addition to the five hard copies requested. The electronic copy should be on a 3.5 inch diskette and should be mailed along with the hard copies. The electronic copy must be identical to the hard copies. The signatures below are required to certify that the electronic and hard copies are identical.

By signing below, I hereby certify that the enclosed electronic and hard copies are identical.

Mary Esther Santos Riley		6-27-03
Printed Name of Chairperson of Charter Holder Board	Signature	Date

Rosalinda Mercado-Garza		6-27-03
Printed Name of Chief Executive Officer of the Charter School	Signature	Date

Section XIV. Written Resolution

Applications must be accompanied by a written resolution adopted by the governing body of the charter holder and signed by the members voting in favor. The resolution must authorize the commissioner to renew the open-enrollment charter as set forth in the renewal application, as finally negotiated between the charter holder and the commissioner, including any conditions. (Attachment 7, Written Resolution)

Note: Components for evaluating business and financial management generally consist of a review by the Financial Audits Division of annual financial audits and other relevant documents.

Attachment 7
Written Resolution Adopted by Governing Body of
Charter Holder

Resolution Adopted by
The Board of Directors of
Amigos Por Vida, Friends for Life Housing and Education Corporation
CHARTER AMENDMENT REQUEST

WHEREAS, the Board of Directors ("Board") of the Amigos Por Vida, Friends for Life Housing and Education Corporation ("Corporation") holds the charter for Amigos Por Vida - Friends for Life Public Charter School, (the "School") under that statutes of the State of Texas;

WHEREAS, the Contract for Charter, the Charter Application, the Texas Administrative Code §§ 100.1033 and 100.1101, and the Corporation's by-laws provide that the Board shall have and exercise authority to operate the public school program of the School;

WHEREAS, Chapter 12 of the Texas Education Code and Chapter 100 of the Texas Administrative Code permit a charter holder to submit an application for renewal of its charter;

WHEREAS, the Corporation desires to renew its charter with the State for operation of the School; and

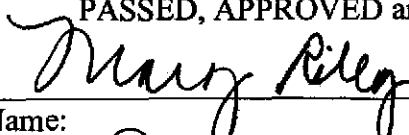
WHEREAS, the charter renewal application requires the Board to adopt and execute a resolution to accompany a request for charter renewal;

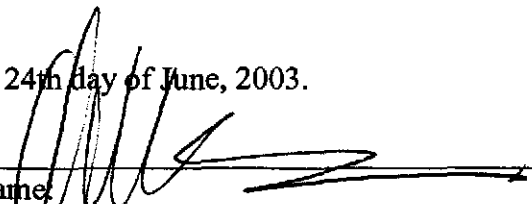
THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF DIRECTORS OF AMIGOS OR VIDA, FRIENDS FOR LIFE HOUSING AND EDUCATION CORPORATION, CHARTER HOLDER OF AMIGOS POR VIDA PUBLIC CHARTER SCHOOL THAT:

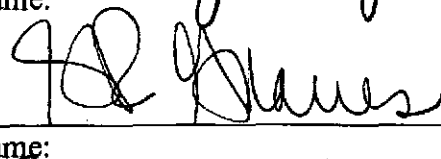
All of the above paragraphs are incorporated into and made a part of this resolution.

1. The Board of Directors of Amigos Por Vida, Friends for Life Housing and Education Corporation, charter holder for Amigos Por Vida, Friends for Life Public Charter School, adopts the charter renewal application being submitted contemporaneously with this Resolution and authorizes the Commissioner of Education of the State of Texas ("Commissioner") to renew the open-enrollment charter as set forth in the renewal application, as finally negotiated between the charter holder and the Commissioner, including any conditions.

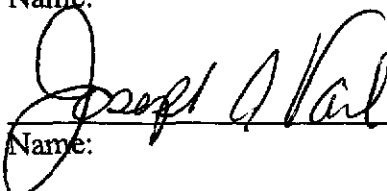
PASSED, APPROVED and ADOPTED on the 24th day of June, 2003.


Name: _____


Name: _____


Name: _____

Name: _____


Name: _____

Appendix A1:
Job Descriptions for CEO/Superintendent, Principal
and Operations Manager

Appendix A2:
Articles of Incorporation and Bylaws

Job Description

- Job Title:** Superintendent/ Chief Executive Officer (CEO)
- Education Required:** Minimum of a Masters Degree and 5 years experience in education
- Reports To:** Board of Directors of Amigos por Vida Charter School
- Terms of Employment:** Twelve months a year
- Salary:** To be arranged with the Board of Directors
- Evaluation:** Performance of this job will be evaluated in accordance with provisions of the Board of Director's policy on Evaluation of the Superintendent/CEO
- General Duties:**
- (A) overseeing the general management of the corporation and the school
 - (B) planning, operating, supervising, and evaluating the school's educational programs, services, and facilities
 - (B) assigning, supervising, and evaluating the performance of the school's staff
 - (C) making recommendations to the Board of Directors relating to the selection of salary ranges and promotions of school personnel
 - (D) recommending the termination, non-renewal, or suspension of an employee or officer of the school
 - (E) managing the school's day-to-day operations including making all administrative decisions necessary for proper functioning of the school
 - (F) preparing and submitting to the Board of Directors a proposed budget and implementing the educational programs and operation of the school in accordance with the approved budget
 - (G) recommending policies to be adopted by the Board of Directors, developing appropriate procedures to implement policies adopted by the Board of Directors, and overseeing the implementation of adopted policies

- (H) providing leadership for the attainment of student performance at the school based on the indicators adopted under Section 39.051 of the Texas Education Code or the Board of Directors
- (I) organizing the central administration of the school
- (J) preparing and submitting reports on data submissions required by law
- (K) attending and participating in all meetings of the Board of Directors and its committees, except executive sessions when own employment & salary is under consideration unless requested to participate
- (L) serving as ex officio non-voting member of committees
- (M) preparing and submitting to the Board of Directors recommendations relative to all matters requiring Board action, placing before the Board such necessary and helpful facts, information, and reports as are needed to ensure the making of informed decisions
- (N) exercising discretion in any matter not covered by Board policy, reporting such action to the Board of Directors as soon as practical
- (O) reporting to the Board of Directors such matters as deemed material to the understanding & proper management of the schools, or as the Board may request
- (P) selecting and hiring charter school employees and setting charter school employee salaries subject to Board approval
- (Q) making recommendations to the Board on all decisions relating to employee employment, renewal, non-renewal, promotion, demotion, suspension, and termination
- (P) delegating powers or duties to other employees with the knowledge that the delegation of power or duty does not relieve the Superintendent/CEO of final responsibility for the action taken under such delegation
- (R) assuming responsibility for financial reports of the school, conducting a periodic audit of the total school program, and advising the Board of Directors on recommendations for the educational advancement of the school
- (S) executing all contracts and agreements without prior board approval when such contract or agreement does not require an expenditure of

funds, a receipt of funds, or potential risk to the corporation or to the school

- (T) executing all contracts and agreements with prior board approval and authorization when such contract or agreement does require an expenditure or receipt of funds
- (U) recommending to the Board of Directors for its adoption all courses of study, curriculum guides, and major changes in texts and time schedules to be used in the schools
- (S) studying and revising, together with staff, all curriculum guides and courses of study, on a continuing basis, as necessary
- (T) prescribing rules for the classification and advancement of students
- (U) reporting to the Board of Directors all employee assignments and transfers as the interest of the school may dictate
- (V) defining the duties of all personnel, subject to Board of Directors approval
- (W) holding such meetings of teachers & other employees as necessary for the discussion of matters concerning the improvement & welfare of the school
- (X) approving vacation schedules for all employees
- (Y) exercising authority to suspend any employee for reasons outlined in the employee handbook and reporting such suspension to the Board of Directors at the next meeting thereafter for final action
- (Z) submitting to the Board of Directors a clear and detailed explanation of any proposed procedure which would involve either departure from established policy or the expenditure of substantial sums
- (AA) recommending to the Board of Directors sales of all property no longer required by the Board, and supervising the proper execution of such sales
- (BB) maintaining adequate records for the school, including a system of financial accounts; business and property records; and personnel, school population, and scholastic records, and acting as custodian of such records and of all contracts, securities, documents, title papers, books of records, and other papers belonging to the Board of Directors unless otherwise prescribed by law or the Corporation's bylaws

(CC) making recommendations as to the location and size of new school sites and of additions to existing sites as well as providing data on appropriations for sites & buildings and improvements, alterations, and changes in the buildings and equipment of the school

(DD) representing the school in its dealings with other schools, agencies, and community organization

(EE) keeping informed of modern educational thought and practices by advanced study, by visiting schools elsewhere, by attending educational conferences, and by other appropriate means, and keeps the Board of Directors informed of trends in education

(FF) representing the Board of Directors as liaison between the school and the community

(GG) establishing & maintaining a program of public relations to keep the public well-informed of the activities & needs of the school, effecting a wholesome and cooperative working relationship between the schools and the community

(HH) signing checks on behalf of the Amigos por Vida Charter School

(II) performing other duties as assigned by the Board of Directors

Amigos Por Vida—Friends for Life Public Charter School ("School")

- Job Title:** Operations Manager (formerly Business Manager)
- Education Required:** Successful experience and proven leadership skills in office management
- Reports To:** CEO/ Superintendent
- Terms of Employment:** Eleven months a year
- Salary:** To be arranged with the Board of Directors
- Evaluation:** Performance of this job will be evaluated in accordance with provisions of the Board of Director's policy on Evaluation of the Operations Manager
- Job Goal:** To act as a central office administrator responsible for the non-instructional aspects of the School. The Operations Manager t must perform his or her job in accordance with Board policies, must ensure that those he or she supervises operate in conformity with Board policy, and carry out the following duties and other duties assigned by the CEO/ Superintendent.

Supervision Responsibilities

The Operations Manager of the School will supervise:

1. Staff Assistant(s)
2. Custodial/Food Service
3. Other School-based Non-instructional Personnel

Performance Responsibilities

Leadership

1. Organize the supervision of students when classes are not scheduled in the absence of the principal or as assigned by the CEO/ Superintendent.
2. Assist in ensuring that students, caretakers, and other employees carry out the policies of the Board and the rules, regulations, and procedures as issued from time to time by the CEO/ Superintendent or other authorized administrative personnel.
3. Participate in regular staff meetings and other meetings as needed.
4. Exercise control of the budget allocated for operational and facilities purposes and report to the CEO/ Superintendent financial needs and expenditures.
5. Assist in safeguarding the health and general well-being of students, educators, and staff under his or her control.
6. Organize bussing for activities sponsored and conducted by student organizations.

7. Oversee preparation of grant forms required by Texas Education Agency and submit reports and data submissions required by law to CEO/ Superintendent for approval in conjunction with the principal.
8. Attend administrators' meetings called by the CEO/ Superintendent or the Board of Directors.
9. Attend some Board meetings and give formal reports as requested by the CEO/Superintendent.

Communications

1. Submit monthly report to CEO/ Superintendent on fire drills.
2. Assist in promoting good public relations with parents and community members.
3. Submit a written report to the CEO/ Superintendent on all accidents of School concern within a reasonable time after the occurrence.
4. Communicate on a weekly basis with Region IV ESC Financial Administrative Team.
5. Communicate on a daily basis with Sierra Vista Apartments about facility issues.

Curriculum

1. Order textbooks, materials or supplies as needed.
2. Submit textbooks adoptions forms to Texas Education Agency.

Finance

Responsible for preparing, monitoring, and reporting as applicable on the following:

1. Accounts payable/receivable.
2. Payroll.
3. Prepare sick and personal leave days.

Operations

1. Work with principal in conducting and preparing the report of up-to-date inventory of all educational-related equipment, supplies and texts and
2. Make recommendations to the CEO/ Superintendent, in conjunction with the principal, regarding expenditures, facilities, equipment, and supplies needed for the effective operation of the School.
3. Make copies of keys issued to the School personnel.
4. Assist in ensuring that all personnel are familiar with rules and regulations with respect to fire prevention and safety (i.e., fire drills).
5. Order first-aid kits as needed for properly supplying school personnel.
6. Oversee the security issues within the School.

The Board and the CEO/ Superintendent reserve the right to alter the duties and responsibilities of the operations manager. The principal also will perform other duties as assigned by the CEO/ Superintendent.

Amigos Por Vida—Friends for Life Public Charter School ("School")

Job Title:	Principal
Education Required:	Successful teaching experience and proven leadership skills
Reports To:	CEO/ Superintendent
Terms of Employment:	Twelve months a year
Salary:	To be arranged with the Board of Directors
Evaluation:	Performance of this job will be evaluated in accordance with provisions of the Board of Director's policy on Evaluation of the Principal
Job Goal:	To act as educational leader of the School. The principal must perform his or her job in accordance with Board policies, must ensure that those he or she supervises operate in conformity with Board policy, and carry out the following duties and other duties assigned by the CEO/ Superintendent.

Supervision Responsibilities

The Principal of the School will supervise:

1. Teachers
2. Teacher-aide(s)
3. Staff Assistant(s)
4. Custodial/Food Service
5. Other School-based Personnel

Performance Responsibilities

Leadership

1. Exercise leadership for the attainment of student performance and for improving the effectiveness of the educational program.
2. Organize the School's educational program by allocating duties to teachers, classifying students, and scheduling classes.
3. Organize the supervision of students when classes are not scheduled.
4. Oversee the discipline of the School.
5. Ensure that teachers, students, caretakers, and other employees carry out the policies of the Board and the rules, regulations, and procedures as issued from time to time by the CEO/ Superintendent or other authorized administrative personnel.
6. Organize regular staff meetings and other meetings as needed and keep a written record of those meetings.

7. Exercise control of the budget allocated for instructional purposes and report to the CEO/ Superintendent financial needs and expenditures
8. Safeguard the health and general well-being of students, educators, and staff under his or her control.
9. Approve the activities sponsored and conducted by student organizations.
10. Oversee preparation of forms required by Texas Education Agency and submit reports and data submissions required by law to CEO/ Superintendent for approval.
11. Attend administrators' meetings called by the CEO/ Superintendent or the Board of Directors.
12. Attend all Board meetings and give formal reports as requested by the CEO/Superintendent.

Communications

1. Submit monthly report to CEO/ Superintendent on all teacher absences
2. Submit monthly report to CEO/ Superintendent on required information pertaining to substitute teachers.
3. Report to CEO/ Superintendent any student whose attendance is considered to be irregular.
4. Submit annual report to the CEO/ Superintendent by May 15th on the staff assistant(s), teacher-aide(s), and caretaker.
5. Promote good public relations with parents and community members.
6. Submit a written report to the CEO/ Superintendent on all accidents of School concern within a reasonable time after the occurrence

Curriculum

1. Assist in the studying, writing, and revising of curriculum guides and courses of study as may be necessary
2. Assess curriculum implementation and course coverage.
3. Keep informed of modern educational thought and practices by self-study, attending conferences and in-service training, and other means
4. Ensure that the learning activities of each classroom are planned and organized with due regard for individual differences and the needs of students.
5. Ensure that the long-range plans of teachers correspond to the curriculum.
6. Encourage teacher in-service training and facilitate such training when necessary.
7. Provide instructional supervision as provided in Board policy or School rules, regulations, or procedures.
8. Evaluate teachers using the Professional Development Appraisal System (PDAS).

Operations

1. Maintain an up-to-date inventory of all educational-related equipment, supplies and texts and provide report to Operations Manager.
2. Make recommendations to the CEO/ Superintendent, in conjunction with the Operations Manager, regarding expenditures, facilities, equipment, and supplies needed for the effective operation of the School.

3. Maintain responsibility for all keys issued to the School personnel as well as keys on loan.
4. Ensure that all personnel are familiar with rules and regulations with respect to fire prevention and safety.
5. Ensure that first-aid kits are properly supplied.
6. Supervise the work of the caretaker and, where necessary, assign priorities of work to be done.
7. Oversee the security issues within the School.

The Board and the CEO/ Superintendent reserve the right to alter the duties and responsibilities of the principal. The principal also will perform other duties as assigned by the CEO/ Superintendent.

AMENDED AND RESTATED BYLAWS
OF
AMIGOS POR VIDA, FRIENDS FOR LIFE
HOUSING AND EDUCATION CORPORATION

A Texas Non-Profit Corporation

Date of Adoption

June 7th, 2002

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AMENDED AND RESTATED BYLAWS

OF

AMIGOS POR VIDA, FRIENDS FOR LIFE HOUSING AND EDUCATION CORPORATION

ARTICLE 1 ORGANIZATION AND PURPOSE

Section 1.1 Organization and Purpose. Amigos Por Vida, Friends for Life Housing and Education Corporation, a Texas non-profit corporation ("Corporation"), is an organization that is exempt from taxation under § 5.01(c)(3) of the Internal Revenue Code and is an eligible entity to operate an open enrollment charter school pursuant to § 12.101(a)(3) of the Texas Education Code. The Corporation is the charter holder for Amigos Por Vida – Friends for Life Open Enrollment Charter School, a Texas public charter school ("School"). The School provides education to children in pre-kindergarten through sixth grade in accordance with the terms of the Contract for Charter with the State Board of Education and the Texas Education Agency, and any amendments to that Contract for Charter or Charter Application.

ARTICLE 2 OFFICES

Section 2.1 Principal Office. The principal office and place of business of the Corporation shall be located in the City of Houston, Harris County, Texas.

Section 2.2 Other Offices. The Corporation may also have offices at such other places within the state of Texas as the Board of Directors may from time to time determine or the business of the Corporation may require.

Section 2.3 Registered Office and Agent. The registered office of the Corporation, which is required by the state of Texas to be maintained in the state of Texas, and the registered agent of the Corporation, shall be the registered office and registered agent named in the official records of the Texas Secretary of State and may be changed from time to time by the Board of Directors in the manner provided by law.

ARTICLE 3 BOARD OF DIRECTORS

Section 3.1 Power; Number; Term of Office. The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors, and, subject to the restrictions imposed by law or the Articles of Incorporation, the Board of Directors may exercise all the powers of the Corporation. The Board of Directors shall also serve as the Board of Governors of the School. The Board of Governors shall be responsible for adoption of policies for the operation of the School and manage the School in compliance with the Contract for Charter, the Charter Application as amended, and all applicable federal and state laws. The Board of Governors may delegate powers and duties consistent with state law and shall retain those powers and duties exclusively assigned to the governing body of a charter holder by state

law. Unless the Board of Governors has delegated specific powers and duties to an individual member of the Board, an individual member of the Board of Governors, acting in his or her individual capacity, shall have no authority over the School or employees of the School. Subject to any delegation of power by the Board, members of the Board of Governors have authority only when acting as a body corporate in meetings duly called in conformity with the Texas Open Meetings Act. Hereinafter, all references to the Board of Directors or to the term director in these bylaws are equally applicable to the Board of Governors or the term governor, unless otherwise specified.

The number of directors that shall constitute the whole Board of Directors shall be determined from time to time by the Board of Directors. Except in cases where all but one director vacates office and as provided in Section 3.10 of these bylaws, the number of directors shall be between three and seven directors. If the Board of Directors makes no specific determination, the number shall be five. Each director shall hold office for the term for which such director is elected, and until such director's successor shall have been elected and qualified or until such director's earlier death, resignation or removal. A director shall serve a term of three (3) years and may serve more than one term at the discretion of the Board of Directors.

Section 3.2 Election and Qualification. A person who is interested in the purposes of the Corporation and/or School may be recommended to serve as a member of the Board of Directors. Additionally, a member of the Board of Directors must be at least 18 years of age, must be able to read and write, must have no criminal history, and must satisfy any other requirements of federal or state law. All nominees must be approved by the majority of the directors present at a duly called meeting at which a quorum exists. The appointment of a director becomes effective at the meeting at which the member is elected.

Section 3.3 Quorum; Voting. The majority of directors fixed in accordance with Section 3.1 shall be necessary to constitute a quorum for the transaction of business of the Board of Directors and the majority vote of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors. Each director is entitled to one vote. Directors may not vote by proxy. If a quorum is not present at any meeting, the directors may adjourn the meeting.

Section 3.4 Place of Meetings; Order of Business. The directors may hold their meetings and may have an office and keep the books of the Corporation, except as otherwise provided by law, in such place or places, in the City of Houston, Harris County, Texas, as the Board of Directors may from time to time determine. Both regular and special meetings shall be held at the dates, times, and places determined by the President or by the Board of Directors in accordance with any applicable laws. At all meetings of the Board of Directors, business shall be transacted in such order as shall from time to time be determined by the President or by the Board of Directors.

Section 3.5 Regular Meetings. Regular meetings of the Board of Directors shall be held at such times and places as shall be designated from time to time by the President, by another officer, or by the Board of Directors of the Corporation. Regular meetings shall be held at least once a month.

Section 3.6 Special Meetings. Special meetings of the Board of Directors may be called by the President or at the request of any director. Meetings may be held at any time as prescribed by the notice.

Section 3.7 Notice. Notice of any meeting of the Board of Directors at which the Board of Directors conducts any of its business that is not related to the School must be given not less than 24 hours before the time scheduled for the meeting except in cases of emergency. Notice of any meeting at which the Board of Directors discusses, considers or transacts business related to the School and notice of any meeting of the Board of Governors must be in conformity with the requirements of the Texas Open Meetings Act.

Section 3.8 Attendance. It shall be the responsibility of each director to attend all regular and special meetings of the Board of Directors. Directors must attend personally and may not send representatives or substitutes. Any director having more than three (3) absences from regular Board meetings during any school year shall automatically be removed by the Board of Directors, and a vacancy shall be declared. The Board of Directors may reinstate the director if a majority of the directors vote for reinstatement.

Section 3.9 Removal. Any director may be removed at a regular or special meeting, with or without cause, by a vote of the majority of directors.

Section 3.10 Vacancies; Increases in the Number of Directors. Vacancies existing on the Board of Directors for any reason, including vacancies to be filled by reason of an increase in the number of directors, may be filled by the affirmative vote of a majority of the directors or by a sole remaining director; and any director so chosen shall hold office until such director's successor shall have been elected and qualified, or until such director's earlier death, resignation or removal.

Section 3.11 Action Without a Meeting; Telephone/Video Conference Meeting. Any action required or permitted to be taken at any meeting of the Board of Directors or any committee designated by the Board of Directors may be taken without a meeting if the purpose of the meeting and the business to be conducted does not relate to the School and is in accordance with any requirement of the Texas Non-Profit Corporation Act. Any meeting of the Board of Directors at which the Board discusses, considers or transacts business related to the School or any meeting of the Board of Governors may not be by teleconference or videoconference except in accordance with the Texas Open Meetings Act.

Subject to the restrictions above, members of the Board of Directors, or members of any committee designated by the Board of Directors, may participate in a meeting of such Board of Directors or committee, as the case may be, by means of a conference telephone connection or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in such a meeting shall constitute presence in person at such meeting, except where a person participates in the meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

Section 3.12 Minutes and Records. The Corporation shall keep minutes of any action taken at any regular or special meeting and maintain records as required by law.

Section 3.13 Expenses. By the majority vote of the directors present at a meeting in which a quorum exists, the Board may vote to reimburse a director for expenses incurred in carrying out functions as a director and as permitted by law.

ARTICLE 4 COMMITTEES

Section 4.1 Designation; Powers. The Board of Directors may designate one or more committees to have such powers and conduct such duties not inconsistent with the Contract for Charter, the Charter Application, as amended, any applicable law, or these bylaws. Any such designated committee shall have and may exercise such of the powers and authority of the Board of Directors in the management of the business and affairs of the Corporation as may be provided in such designation, except that no such committee shall have the power or authority of the Board of Directors in reference to amending the Contract for Charter or the Charter Application, as amended; amending the Articles of Incorporation; adopting an agreement of merger or consolidation; leasing or exchanging of all or substantially all of the Corporation's property and assets; dissolving the Corporation or revoking a dissolution of the Corporation; or amending, altering or repealing these bylaws or adopting new bylaws for the Corporation. In addition to and subject to the above, such committee or committees shall have such other powers and limitations of authority as may be determined from time to time by the Board of Directors and applicable law.

Section 4.2 Procedure; Meetings; Quorum. Any committee designated pursuant to this Article 4 shall keep minutes of its actions and report the same to the Board of Directors at its meeting next succeeding such action, and shall meet at such times and at such place or places as the committee may decide. Each committee must comply with the same notice and meeting provisions and applicable laws as the whole Board of Directors. At every meeting of any such committee, the presence of a majority of all the members thereof shall constitute a quorum, and the affirmative vote of a majority of the members present shall constitute an act by the committee.

Section 4.3 Substitution and Removal of Members; Vacancies. The Board of Directors may designate one or more directors as alternate members of any committee, who may replace any absent or disqualified member at any meeting of such committee. In the absence or disqualification of a member of a committee, the member or members present at any meeting and not disqualified from voting, whether or not constituting a quorum, may unanimously appoint another member of the Board of Directors to act at the meeting in the place of the absent or disqualified member. The Board of Directors shall have the power at any time to remove any member(s) of a committee and to appoint other directors in lieu of the person(s) so removed and shall also have the power to fill vacancies in a committee.

ARTICLE 5 OFFICERS

Section 5.1 Number, Titles and Term of Office. The officers of the Corporation shall be a President and Secretary, and such other officers as the Board of Directors may from time to time elect or appoint. Each officer shall hold office until such officer's successor shall be duly elected and shall qualify or until such officer's death or until such officer shall resign or shall have been removed. Any number of offices may be held by the same person, unless the Articles of Incorporation or any applicable law provides otherwise.

Section 5.2 Powers and Duties of the President. Subject to the control of the Board of Directors, the President shall have general executive charge of the Corporation with all such powers as may be reasonably incident to such responsibilities. The President shall preside at all meetings of the Board of Directors or may assign another director to preside in his or her absence. The President may also call special meetings of the Board of Directors, appoint directors to committees, prescribe duties of officers as necessary, and serve as ex-officio member of all Board committees. Upon prior adoption and delegation of the Board of Directors, the President may execute all diplomas, contracts, proposals, grants, leases, evidences of indebtedness, and other obligations in the name of the Corporation or the School. The President shall have such other powers and duties as designated in accordance with the Contract for Charter, the Charter Application, as amended, applicable law, these bylaws, and as from time to time may be assigned to the President by the Board of Directors.

Section 5.3 Powers and Duties of the Secretary. The Secretary shall maintain the minutes of all meetings of the Board of Directors and committees of the Board of Directors in accordance with applicable law; shall attend to the giving and serving of all notices; may sign with the other appointed officers all resolutions; shall have charge of such books and papers as the Board of Directors may direct, all of which shall at all reasonable times be open to inspection of any director upon application at the office of the Corporation during business hours; and shall make such records available to the public to the extent and in the manner prescribed in the Texas Open Records Act; shall have such other powers and duties as designated in the Contract for Charter, the Charter Application, as amended, and these bylaws and as from time to time may be assigned to the Secretary by the Board of Directors, or the President, and shall in general perform all acts incident to the office of Secretary, subject to the control of the Board of Directors or the President.

Section 5.4 Resignations; Vacancies; Removal. Any officer may resign at any time by giving written notice to the President or to all directors. Any such resignation shall take effect at the time stated in the written notice. Vacancies occurring in any officer position for any reason shall be filled by an affirmative vote of a majority of the directors present at a meeting at which a quorum exists. Any officer may be removed by a majority vote of the whole Board of Directors at any regular or special meeting.

Section 5.5 Delegation. For any reason that the Board of Directors may deem sufficient, the Board of Directors may, except where otherwise provided by the Contract for Charter, the Charter Application, as amended, applicable law or the bylaws, delegate the powers or duties of any officer to any other person, and may authorize any officer to delegate specified

duties of such office to any other person. Any such delegation or authorization by the Board shall be effected from time to time by resolution of the Board of Directors.

ARTICLE 6 MISCELLANEOUS PROVISIONS

Section 6.1 Fiscal Year. The Corporation and the School's fiscal year shall be the same as the fiscal year of the Texas Education Agency.

Section 6.2 Contracts. Notwithstanding Section 5.2, the Board of Directors may designate any director or agent of the Board, including, but not limited to the School principal and/or CEO, to execute a contract or other documents on behalf of the Board. Such delegation of signatory authority shall occur after the Board of Directors has approved the contract or authorized the document and has executed a resolution authorizing the director or agent to execute such contracts or documents.

Section 6.3 Checks. All checks, drafts, and orders for the payment of money may be signed by such officer or agent of the Board of Directors and in such a manner as may from time to time be determined by the Board and upon the execution of a resolution of the Board of Directors.

Section 6.4 Facsimile Signatures. Facsimile signatures of any officer, director, or agent of the Corporation may be used whenever and as authorized by the Board of Directors.

Section 6.5 Reliance upon Books, Reports and Records; Immunity. A member of the Board of Directors and the Board of Governors, or a member of any committee designated by the Board of Directors, shall, in the performance of such person's duties, be protected to the fullest extent permitted by law in relying upon the records of the Corporation or School and upon information, opinion, reports or statements presented to the Corporation or to the Board. The Board of Directors shall be immune from liability and suit to the extent provided by the Texas Education Code and other state and federal law.

Section 6.6 Application of Bylaws. In the event that any provisions of these bylaws is or may be in conflict with any law of the United States, of the state of Texas or of any other governmental body or power having jurisdiction over this Corporation or the School, or over the subject matter to which such provision of these bylaws applies, or may apply, such provision of these bylaws shall be inoperative to the extent only that the operation thereof unavoidably conflicts with such law, and shall in all other respects be in full force and effect.

Section 6.7 Insurance. The Corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, or agent of the Corporation or School or who is or was serving at the request of the Corporation as a director, officer, governor of the School, agent or similar functionary of another business or non-profit corporation, against any liability asserted against such person and incurred by such person in such a capacity or arising out of such person's status as such a person, whether or not the Corporation would have the power to indemnify such person against that liability under the provisions of this Article or the Texas Non-Profit Corporation Act and the Texas Education Code.

Section 6.8 Amendments. The Board of Directors shall have the power to adopt, amend, renew, and repeal from time to time the Contract for Charter, Charter Application, as amended, and these bylaws of the Corporation by a majority vote of the directors present at a meeting at which a quorum exists.

Houston#1431472.1



The State of Texas

SECRETARY OF STATE

IT IS HEREBY CERTIFIED that the attached is/are true and correct copies of the following described document(s) on file in this office:

AMIGOS POR VIDA, FRIENDS FOR LIFE
HOUSING AND EDUCATION CORPORATION
FILE NO. 1462209-01

ARTICLES OF INCORPORATION

SEPTEMBER 24, 1997



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, on May 5, 1999.

Elton Bomer
Secretary of State DAE

FILED
in the Office of the
Secretary of State of Texas
SEP 24 1997
Corporations Section

ARTICLE OF INCORPORATION
OF

AMIGOS POR VIDA, FRIENDS FOR LIFE
HOUSING AND EDUCATION CORPORATION

I, the undersigned natural person, of the age of eighteen (18) years or more, acting as the sole incorporator of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation (the "Corporation"):

ARTICLE I:

The name of the Corporation is AMIGOS POR VIDA, FRIENDS FOR LIFE HOUSING AND EDUCATION CORPORATION.

ARTICLE II.

The Corporation is a nonprofit corporation.

ARTICLE III.

The period of the Corporation's duration is perpetual.

ARTICLE IV.

The purpose or purposes for which the Corporation is organized are:

1. To initiate, promote and carry out housing development projects that will increase the available inventory of sanitary and safe residential housing at prices or rentals which are affordable for persons and families of very low and low income and families of moderate income ("very low- low- and moderate-income housing") through construction, rehabilitation or otherwise. In accomplishing this purpose, the corporation, among other things, will:
 - (a) Acquire sites for the construction of new multi-family very low-low- and moderate-income housing projects;
 - (b) Construct new multi-family, very low-, and low- and moderate-income housing projects;

- (c) Acquire and rehabilitate existing multi-family housing units (i) for rental by moderate-income families and persons and families of low- and moderate-income, (ii) for conversion to low- and moderate-income cooperative, (iii) for conversion to elderly and handicapped very low-, low- and moderate-income units; and
 - (d) In general, to do any and all things necessary in furtherance of the foregoing described purposes.
2. To initiate, promote, establish and operation of an open-enrollment charter school, pursuant to Chapter 12, Subchapter D. of the Texas Education Code, and 25 U.S.C. Section 501 (c) (3), and Section 501 (c) (4) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended to carry out education programs and activities designed to:
- (a) Reduce the minority school drop-out rate at both the primary and secondary levels;
 - (b) Create among minority youth an awareness of the value of education; and
 - (c) In general, to do any and all things necessary in furtherance of the foregoing described purposes.

ARTICLE V.

The street address of the initial registered office of the Corporation is 2475 Underwood, Suite 268, Houston, Texas 77030, and the name of its initial registered agent at such address is William D. Queenan, Jr.,

ARTICLE VI.

The number of directors constituting the initial board of directors is three (3) and the names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Address</u>
Earnestine Lewis	28316 East Hardy Spring, Texas 77373
Charles Benavidez	4655 Wild Indigo, #311 Houston, Texas 77027
William D. Queenan, Jr.,	3100 Walnut Bend, #201 Houston, Texas 77042

ARTICLE VII.

The name and address of its sole incorporator is

<u>Name</u>	<u>Address</u>
William D. Queenan, Jr.,	3100 Walnut Bend, # 201 Houston, Texas 77042

ARTICLE VIII.

The Corporation shall have no members. It shall be managed by a board of directors, whose number and qualifications shall be fixed by the by-laws, but in no case shall the number of directors be less than three (3).

ARTICLE IX.

Notwithstanding any other provisions of these Articles of Incorporation or the laws of the State of Texas, the Corporation shall not:

- 1) Permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for personal services rendered to or for the Corporation affecting one or more of its purposes and reasonable expenses incurred in connection with the Corporation's affairs may be reimbursed);
- 2) Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise;
- 3) Directly or indirectly participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office; or
- 4) Attempt to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drives.

ARTICLE X.

the Corporation is a private foundation within the meaning of Section 509 (a) of the Code, the Corporation:

- 1) Shall distribute its income for each taxable year at such time and in a manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code;

REPRODUCED FROM ORIGINAL

ARTICLE XII.

Reference to the "Code" in these Articles of Incorporation are references to the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax laws.

IN WITNESS WHEREOF I have hereunto set my hand this 14th day of August , 1997.

William E. Queenan, Jr.
William E. Queenan, Jr.,

STATE OF TEXAS)
COUNTY OF HARRIS)

Before me, a notary public, on this day personally appeared WILLIAM D. QUEENAN, JR., known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 14th day of August, A.D., 1997.



Shirley Vazquez
Notary Public in and for
The State of Texas

My Commission Expires:
December 8, 1997

05/05/98 10:55AM

Appendix B
Letter to Instructional Faculty and Staff

Amigos Por Vida - Friends for Life Open Enrollment Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671
Rosalinda (Rosey) Mercado-Garza, CEO/Superintendent



April 9, 2003

Dear Instructional Staff,

Subject: Teacher and Paraprofessional Expectations Beginning 2003-2004

During the 2002-2003 school year Amigos por Vida-Friends for Life Charter School instructional staff was introduced to the upcoming expectations for teachers and paraprofessionals (instructional aides) in regards to meeting the highly qualified status per the No Child Left Behind (NCLB) Act of January 2001. The administrative team at Amigos por Vida-Friends for Life Charter School (School) created a comparable salary schedule to motivate staff to begin taking courses that would assist in the start of the certification process or to begin to take college courses. Several teachers have taken on the challenge and begun working on their certification process. From the beginning of this current school year a majority of the instructional aides met the highly qualified status per the NCLB Act.

No Child Left Behind (2003) states on their website that a highly qualified teacher "holds a bachelors degree and has demonstrated mastery by passing a rigorous test in reading, writing, math and other areas of the curriculum." Amigos por Vida-Friends for Life Charter School feels that the rigorous test is equivalent to mastering the Texas Academic Skills Program (TASP) test. The TASP test is crucial to move forward with an alternative certification program or a university-based deficiency plan. In addition, Amigos por Vida-Friends for Life Charter School requests that a teacher be officially enrolled in a deficiency plan or alternative certification program.

Texas Education Agency (2003) states on their website that a highly qualified instructional aide who was "hired after January 8, 2002, must meet the following qualifications when working in a Title I program:

- ♦ hold a high school diploma or recognized equivalent (This is not a new requirement; it was true under the old law as well.) AND
- ♦ completed at least 2 years of study at an institution of higher education; or
- ♦ obtained an associate's (or higher) degree; or
- ♦ met a rigorous standard of quality and can demonstrate through a formal state or local assessment:
 1. knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
 2. knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate."

Because Amigos por Vida does not have a rigorous test that can show reading and mathematics readiness, Amigos por Vida requires that paraprofessionals plan to obtain or have an associates degree or have a minimum of two years of higher education.

The School understands that time is needed to complete the courses. Therefore, teachers and instructional aides will be given until the beginning of 2005-2006 school year to complete their certification or college

coursework. The School expects teachers and instructional aides to take a minimum of 12 credit hours yearly. Teachers and instructional aides also need to submit a schedule of courses that they are taking to the CEO/Superintendent. Furthermore, a teacher and instructional aide must maintain an overall grade-point average of 2.75.

Traditionally, Amigos por Vida staff submits a letter in May to state whether or not one will be returning to Amigos por Vida for the upcoming school year. This year Amigos por Vida staff will need to submit documentation that provides data stating whether you as a teacher are *officially* accepted into an alternative certification program or university-based deficiency plan by **Friday, May 16, 2003**. Paraprofessionals need to have their *official* letter of acceptance into a college or university by the same date.

Moreover, due to the implementation of the dual language program teachers and instructional aides who are interested in returning to Amigos por Vida will need to interview. The interviewing will occur for many reasons. Some of which are described in the following statements:

- ◆ Teachers who are certified will be offered a one year contract as opposed to the current "at-will" status.
- ◆ Bilingual certified and ESL endorsed teachers will be offered a stipend.
- ◆ Next year's teacher salary schedule will only include one salary scale. The instructional assistant's salary will also be reviewed to include only one salary scale, as well.
- ◆ Because teachers will need to be paired by Spanish and English language acquisition skills, interested candidates will need to submit in their letter of intent the grade levels they plan to apply for and in what language (i.e., 1st or 2nd grade/Spanish).
- ◆ Paraprofessionals' roles will be different next year. Some paraprofessionals will assist a team of two teachers while others may serve students on an individual basis based on the academic need of the student.

The interviews will occur on Saturday, May 17, 2003. A team of three people will conduct the interviews. The team will consist of Judy Zachary, Dr. Gena Jerkins and myself. Staff interested in applying for a paraprofessional and/or teaching position will need to submit a letter of intent. Our goal is to find staff members who are committed to the learning process, contributes to meet the school goals and objectives and is consistent with his/her efforts. The interviews will only be held for Amigos por Vida staff. No outside candidates will be allowed to interview on that day.

The documents that the team will review are:

- ◆ the record of trainings attended outside the school,
- ◆ student performance data (i.e., benchmarks, criterion referenced tests, norm referenced tests),
- ◆ PDAS evaluations, and
- ◆ certification documentation, if applicable.

The School's first concern and priority is the education of our students. We appreciate the efforts you've made thus far; however, consistent with the mission of our school, we will help you meet the requirements previously adopted by the board. We will not be able to offer employment to any teacher or paraprofessional who has not met the requirements outlined in this letter.

Cordially,


Rosalinda Mercado-Garza
CEO/Superintendent

Appendix C
Student Code of Conduct

Amigos Por Vida – Friends for Life Public Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671

Rosalinda Mercado-Garza, CEO/Superintendent

Carlos Villagrana, Principal



Student Code of Conduct

Foreword

The Amigos por Vida-Friends for Life Charter School (AMIGOS POR VIDA) has established as one of its primary goals the provision of a high-quality educational program for each student in a safe school environment free of disruptions that interfere with the educational process. The purpose of this *Code of Student Conduct* is to inform all students and parents of AMIGOS POR VIDA's expectations regarding behavior and conduct. The *Code*, reviewed and approved by the AMIGOS POR VIDA Board of Education, is based on the policies of the Board of Education and Standard Practice Memoranda (SPMs). SPMs communicate district administrative procedures and practices.

This *Code* was developed to protect the rights of all students by:

- providing a district-wide discipline management plan
- specifying the behavior that is expected of all students
- describing the broad range of student misconduct and providing appropriate disciplinary consequences or options for the various kinds of misconduct
- outlining student rights relating to school

Students and parents are expected to become familiar with the provisions of the district-wide *Code of Student Conduct* and the rules and regulations adopted and implemented by our school based upon the Discipline Management Plan. Students are also expected to abide by the policies set forth in the *Code* so that they can truly get the most out of their years in elementary school.

Major changes to the *Code* this year include the following:

- clarification of policy changes in regard to possession and use of cellular phones and pagers
- clarification of policy in regards to possession and dimensions of knives
- revisions to procedures regarding the operation of the inappropriate use of computers are clarified
- removal of the provisions regarding ethnic and racial slurs from the list of Level III offenses
- revisions to Level II offense on verbal abuse to include the prohibition of bullying of others, including but not limited to slurs, name-calling, or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, or sexual orientation
- prohibition against harassment based on race, color, religion, national origin, disability, or physical/personal appearance
- prohibition against seclusion for students with disabilities and guidelines for use of restraints and "time-outs"

Students and parents should be aware that the Amigos por Vida-Friends for Life Charter School does not discriminate on the basis of race, color, national origin, sex, disability, or sexual orientation. This policy includes a prohibition on racial harassment and a hostile environment, as this type of harassment denies students the right to an education free of discrimination on the basis of race, color, or national origin. Students may utilize the district's complaint procedures (see p. 18) to address any issues related to these areas without fear of retaliation. In addition, AMIGOS POR VIDA will not tolerate sexual harassment at any level. Any complaint of discrimination of any type will be fully investigated, and the district will take appropriate action.

Responsibilities in Behavior Intervention

The effective enforcement of the *Code of Student Conduct* and the Discipline Management Plan is essential in keeping a school and/or school-related activities free of disruption and is dependent on the exercise of the responsibilities by the following:

STUDENTS

- adhere to school, district, and classroom rules and regulations for behavior and good conduct.

PARENTS

- support school, district, and classroom rules for student behavior and ensure that their children conduct themselves according to district standards.
- provide the school with their current address and, when available, current telephone numbers.
- ensure student attendance at school. By state law, student attendance is the responsibility of parents and guardians.
- provide the appropriate school personnel with any student information that will affect the student's ability to learn and the student's behavior.
- read, acknowledge, and understand these rules and the rules applicable to their children's conduct while they are at school.

TEACHERS

- establish classroom-management procedures that concentrate on good student conduct and support school and district policies and procedures.

ADMINISTRATORS

- develop with all members of the school community an effective Discipline Management Plan that promotes and maintains the support of good student behavior.

BOARD OF EDUCATION

- approve a behavior code that identifies standards of conduct for students and enact policies and procedures necessary for implementing and enforcing a structured and disciplined learning environment

Student Responsibilities

The student's responsibilities for achieving a positive learning environment at school and/or school related activities include the following:

- Attending all classes each day and being on time
- Preparing for each class with appropriate materials and completed assignments
- Dressing according to the dress code adopted by each individual school
- Knowing that the use, possession, and/or sale of illegal or unauthorized drugs, alcohol, and weapons are unlawful and prohibited and that students may be subject to random searches in accordance with Board Policy and state and federal law in order to assure a safe school environment
- Showing respect toward others
- Conducting oneself in a responsible manner
- Paying required fees and fines
- Knowing and obeying all school rules in the *Code of Student Conduct* and the Discipline Management Plan
- Cooperating with staff members in the investigation of disciplinary matters
- Seeking changes in school policies and regulations in an orderly and responsible manner, through appropriate channels
- Reporting threats to the safety of students and staff members as well as misconduct on the part of any other students or staff members to the building principal, a teacher, or another adult
- Using AMIGOS POR VIDA technology systems for school business purposes only and using school computers and related equipment appropriately
- Abiding by the technology security procedures developed by AMIGOS POR VIDA, such as never leaving a terminal or workstation unattended or unsecured while logged on to a host computer or network
- Reporting all observed or suspected technology security problems immediately to a teacher

In general, all students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. The Amigos por Vida-Friends for Life Charter School shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and district personnel.

Students shall exercise their rights and responsibilities in compliance with rules established for the orderly conduct of the district's educational mission. The district's rules of conduct and discipline and the Discipline Management Plan are established to achieve and maintain order in the school. Students who violate the rights of others or district or school rules shall be subject to disciplinary action in accordance with established district policies and procedures.

All students are expected to maintain the highest level of discipline and decorum at all school functions. Failure to comply with administrative directives promoting order and respect will result in the student's being removed from participation in school activities, including commencement exercises.

Student Rights and Responsibilities, Board Policies, and Standard Practice Memoranda

The Board Policies and Standard Practice Memoranda of the Amigos por Vida-Friends for Life Charter School contain the rights and responsibilities of students that are embodied in this *Code of Student Conduct*. A brief description of several of the more important student rights and responsibilities is included in this section. The proper balance of student rights and privileges (•) with student responsibilities and obligations (+) is essential to the orderly conduct of the district's educational mission.

Instructional Programs

- The Amigos por Vida-Friends for Life Charter School shall be responsible for providing a well-balanced curriculum and for delivering effective instruction to all students enrolled.
- + Students have the responsibility to strive for academic growth by participating in the appropriate educational program to their utmost ability.

Attendance of Students

- Regular attendance and punctuality shall be required of every student.
- + Students have the responsibility to take advantage of their educational opportunity by attending all classes daily and on time unless circumstances prevent them from doing so.

Continuing Education

- Student absences while suspended shall be considered as excused absences.
- + Students have the responsibility to make up all work missed while suspended within five school days after their return to school from suspension in order to receive credit for the work.

Evaluation, Grading, and Promotion/Retention of Students

- Students shall be evaluated on a continuous basis in the most effective manner to determine the extent of their progress.
- + Students have the responsibility to maintain reasonable standards of academic performance commensurate with their ability.

Complaints

- Students may present any complaint to the district, either personally or through a representative, through the appropriate complaint procedures.
- + Students have the responsibility to follow the established complaint procedures and to accept the decision that results from the complaint process.

Student Dress Code and Personal Grooming

- Each individual school shall adopt specific standards concerning dress and personal grooming.
- + All students have the responsibility to become familiar with the school's standards and the responsibility to adhere to them.

Student Publications

- Students are entitled to express, in writing, their opinions and may distribute handwritten, duplicated, or printed materials on school premises or at school-sponsored activities at other locations in accordance with certain conditions and procedures established in Board Policy.

- + Students have the responsibility to become familiar with and follow the conditions and procedures in Board Policy.

Students and School Property

- Students are expected to show proper respect for both persons and property.

- + Students are responsible for their own actions directed toward school property and for damages to property.

Search of Property and Students

- Students are entitled to the guarantees of the Fourth Amendment, and they are subject to reasonable searches and seizures.

- + Students have the responsibility not to carry on their person or to have on school property or at school-sponsored events such items as drugs, weapons, alcohol, paging devices, or other contraband materials in violation of school policy or state law.

- School officials are empowered to conduct reasonable searches of students and school property when there is reasonable cause to believe that students may be in possession of drugs, weapons, alcohol, or other materials ("contraband") in violation of school policy or state law. Students who bring contraband onto school grounds may be searched in order to secure the school environment so learning can take place and to protect other students from any potentially harmful effects stemming from the contraband. School property such as lockers and desks shall remain under the control of school officials and shall be subject to search.

- Students do not have a reasonable expectation of privacy in the use of school lockers or school desks.

- The administration may utilize dogs and metal detectors as provided by AMIGOS POR VIDA policies and applicable laws. Metal detectors and trained dogs may be used at random locations and times by AMIGOS POR VIDA personnel as determined by AMIGOS POR VIDA administrative and law enforcement personnel.

Student Government

- Students shall be afforded the right through appropriately established guidelines to formulate procedures for student government.

- + Student government officers and representatives have the responsibility to participate in student government and to be aware of needs of the school and concerns of the student body and to work within the established process in addressing their needs and concerns.

Right to Information and Privacy of Records

- Students are assured the right to information and privacy of their records in accordance with the Texas Public Information Act and the Family Educational Rights and Privacy Act of 1974.

- + Parents or eligible students have the responsibility to release information to those individuals or agencies that are working actively and constructively for the benefit of the student, including, for example, teachers, administrators, school nurses, etc.

Student Misconduct

The *Code of Student Conduct* provides a description of a broad range of behavior considered to be student misconduct. The behavior described should be viewed as representative of the misconduct that most frequently causes a disruption to the orderly educational process. The acts of misconduct listed in Levels I, II, III, IV, and V are not inclusive. The student who commits an act of misconduct that may be classified into any of the five levels will be subject to disciplinary action by the classroom teacher, assistant principal, and/or principal.

When and Where These Rules Apply

The policies and administrative procedures concerning student conduct apply to actions of students on school property and school buses and, in some cases, for conduct occurring off of school property or within 300 feet of school property. Additionally, the rules apply to actions of students at all school-sponsored or school-related activities or events, such as field trips, sporting events, stadium assemblies, fairs, or evening school-related activities. Students should be aware that the commission of any felony offense, whether at school or away from school, may result in placement of the student in an AMIGOS POR VIDA disciplinary alternative education program or in expulsion. (See Referral to Disciplinary Alternative Education Program, pp. 14 and 15; and Expulsion, pp. 16 and 17.) Finally, students should be aware that administrators who are made aware of criminal activity whether on or off of campus will make a report to appropriate law enforcement agencies and that, in addition to these administrative rules, students may be subject to criminal charges for violations of the law.

General Discipline Guidelines for Assessing Penalties

When administering discipline, district personnel shall adhere to the following general guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case and may include such factors as:
 - a. seriousness of the offense;
 - b. student's age
 - c. frequency of misconduct
 - d. student's attitude
 - e. potential effect of the misconduct on the school environment
 - f. state law requirements for certain disciplinary consequences
3. Serious offenses are those that substantially disrupt or materially interfere with the orderly process in the classroom, AMIGOS POR VIDA transportation, the school, or any school-related activity and may include persistent misbehavior or Level II or higher misconduct. Persistent shall be defined as more than one instance of Level II or higher misconduct. An administrator may find, on the basis of the facts and circumstances of the case, that a Level III offense constitutes a serious offense. Finally, a finding that a student has engaged in any offense listed as an offense under Level IV or Level V constitutes a finding that the student has engaged in serious misbehavior.

Levels of Offenses

Acts of misconduct are categorized into the following five levels of offenses:

Level I—Violation of Classroom Rules:

- Offenses which generally occur in the classroom and can be corrected by the teacher.

Level II—Administrative Intervention:

- Offenses that are more serious in nature or a continuance of Level I misconduct.

Level III—Suspension and/or Optional Removal to a Disciplinary Alternative Education Program:

- Offenses that seriously disrupt the educational process in the classroom, in the school, and/or at school-related activities, or a continuance of repeated Level I, II, or III misconduct. A finding that a student has engaged in a Level III offense may constitute a serious offense.

Level IV—Required Placement in a Disciplinary Alternative Education Program:

- Criminal offenses as defined in Level IV. This may include any felony, whether school-related or not, unless it is one for which expulsion is required. A finding that a student has engaged in an offense listed under Level IV constitutes a finding that the student has engaged in serious misbehavior.

Level V—Expulsion for Serious Offenses:

- Offenses that include those for which a student may or shall be expelled under state law. They include continued serious or persistent misbehavior that violates the district's *Code of Student Conduct* by a student while placed in a disciplinary alternative education program. A finding that a student engaged in an offense listed under Level V constitutes a finding that the student has engaged in serious misbehavior.

Staff members will use their professional judgment to determine the most effective way to correct student misconduct. Disciplinary actions apply equally to all students, except as provided under Board Policy and Standard Practice Memoranda related to disabled students. (See pp. 22-25)

General Procedures for Resolving School Problems

School problems can best be resolved at the campus level, where problems start.

In order to resolve problems, parents, guardians, and/or students can meet with a teacher at appropriate times to discuss existing problems. If the parents, guardians, or students are dissatisfied with the teacher's decision or explanation, they can meet with the building administrator to review the area of concern. If further assistance is needed, then parents, guardians, or students can meet with the district superintendent.

Parents, guardians, and students who wish to appeal placement in a disciplinary alternative education program that extends beyond the next grading period, or who wish to appeal an expulsion, should refer to the section of the *Code* relating to procedures for appropriate guidance.

Levels of Student Misconduct and Disciplinary Options

Level I: Violation of Classroom or Transportation Rules

Each teacher or staff member establishes the rules for the classroom and for school-related activities. Much behavior can be managed by the classroom teacher. The teacher may use any of the disciplinary options listed below in maintaining classroom discipline.

Level I Acts of Misconduct May Include Such Behavior as:

- Violations of rules or procedures established by the teacher
- Cheating or copying the work of other students
- Refusal to participate in classroom activities
- Unexcused tardiness to class
- Failure to bring required classroom materials or assigned work to class
- General misbehavior, such as eating in class, horseplay, making excessive noise, or violating campus dress codes
- Any other act that disrupts the classroom or interrupts the operation of the class
- Failure to deliver or return written communications between home and school
- Disruptive or non-compliant behavior on a school bus
- Failure to protect individual computer-account passwords from disclosure

Disciplinary Options/Responses:

- Oral correction
- Teacher-student conference
- Parent contact: note or telephone call to parent
- Student-counselor conference
- Detention (maintained by teacher) before or after school
- Other appropriate in-class disciplinary actions
- Restriction of school bus privileges by the bus operator
- Removal of classroom computer privileges

Procedures:

1. Any staff member who observes a student violating class rules may correct the student.
2. A record of the offenses and disciplinary actions should be maintained by the teacher or staff member on the appropriate form.
3. The teacher should discuss the misbehavior with the parent, an administrator, or support personnel.
4. Level I behavior violations and Discipline Options/Responses are not limited to those provided. Serious or repeated violations may result in a more severe response or referral to Level II.

Level II: Administrator Intervention

Some infractions will result in a referral to an administrator. The disciplinary response depends on the offense, previous actions, and the seriousness of the misbehavior. Level II acts of misconduct include those student acts that interfere with the orderly educational process in the classroom or in the school. A teacher who observes a student engaged in Level II or higher misconduct will fill out a discipline/referral form for the principal or other appropriate administrator. The principal will forward a report to the parents within 24 hours. Level II Acts of Misconduct include such behavior as:

- Repeated violation of classroom or transportation rules under Level I
- Leaving the classroom or school grounds without the permission of school personnel
- Possession of matches or other flammable materials
- Inappropriate display of affection
- Any verbal abuse or bullying of others, including but not limited to slurs, name-calling, or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, or sexual orientation. Bullying is defined as any act or speech that subjects persons to indignity, humiliation, intimidation, physical abuse or threat of physical abuse, social or other isolation, shame, or disgrace.

- Posting or distributing unauthorized materials on school grounds
- Failure to abide by rules and regulations at extracurricular activities or at cocurricular activities such as field trips
- Loitering in unauthorized areas
- Changing school records or documents or signing parent's name on school documents
- Use or operation of paging devices, including beepers, cellular telephones, electronic pagers, or any other type of electronic communication system on school campuses or at functions during school hours in a manner that disrupts the educational process. In addition to disciplinary action, the unauthorized operation of paging devices will result in confiscation. The principal or other administrator will notify the parent and pager company of the serial number and of intent to dispose of the device after 30 days. A \$15 administrative fee payable to AMIGOS POR VIDA will be charged if the device is claimed within the 30 days. Paging devices not claimed will be sent to Property Management for disposal.

In addition to disciplinary action, possession of paging devices will result in confiscation. The principal or other administrator will notify the parent and pager company of the serial number and of intent to dispose of the device after 30 days. A \$15 administrative fee payable to AMIGOS POR VIDA will be charged if the device is claimed within the 30 days. Paging devices not claimed will be sent to Property Management for disposal.

- Cafeteria disturbance
- Violation of a school's mandatory school-uniform policy
- Disruptive behavior on a school bus
- Any other acts that interfere with the orderly educational process in the classroom or the school
- Accessing materials and sites on the Internet that are deemed to be inappropriate by AMIGOS POR VIDA
- Sending or forwarding inappropriate e-mail, including e-mail containing offensive language, untruthful statements, junk e-mail, chain letters, or jokes

Disciplinary Options/Responses:

- Parental contact by phone and written notification to parent or guardian within 24 hours
- Required administrator/student/parental conference
- Detention
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Removal of school transportation privileges
- "Behavior," "behavioral," and/or "conduct" contracts
- Teacher removal of the student from the classroom (following procedures as outlined on pp. 17)
- Suspension of transportation privileges
- Any other appropriate disciplinary actions determined by the administration

Procedures:

1. Referral to administrator by way of written report not to exceed one page in length
2. Administrator confers with student and/or teacher to establish appropriate action
3. Written notification is sent to parent within 24 hours of report. Notification is sent to the teacher indicating action taken.
4. Discipline Referral Form is retained by the administrator.
5. Level II behavior violations and Discipline Options/ Responses are not limited to those provided.
6. Repeated violations shall result in a more severe response and/or referral to Level III.

Certain physical acts against a student by school personnel (such as choking, kicking, punching, pinching, hitting with an inappropriate object, etc.) are not authorized and will be considered as a violation of the corporal-punishment policies.

Level III: Removal to a Respective Public School Entity

Level III acts include conduct for which an administrator may remove the student, place the student into in-school suspension, or if the administrator finds the Level III conduct to be serious or persistent as defined in this code, refer the student to another public school entity. The principal or other appropriate administrator makes the disciplinary determination on the basis of the severity of the misconduct.

Suspension/Removal to another public school entity

Suspension is limited to three days per occurrence and is authorized for conduct listed below. Additionally, the principal or other appropriate administrator may suspend a student for up to three days pending placement in an in-school suspension. A decision to remove a student is final and may not be appealed. A student may be suspended, placed into in-school suspension, or if serious or persistent behavior occurs, removed from the regular classroom and placed into the respective public school for engaging in the following conduct at school or at a school-related event:

- Chronic or repeated disciplinary infractions of Level I and/or Level II offenses
- Fighting
- Gambling
- Misdemeanor stealing/theft of property, including computers and related equipment, in an amount under \$750
- More than one instance of cutting class or other forms of truancy
- Possession of a knife
- Persistent disruptive behavior on a school bus
- Smoking, using, or possessing tobacco or tobacco products
- Interfering with school authorities
- Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities. This includes such acts as boycotts, sit-ins, trespassing, and walkouts.
- Failure to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel
- Failure to adhere to terms of behavior contracts
- Indecent/unsolicited sexual proposal/sexual harassment
- Selling or soliciting for sale any merchandise on school campus without the authorization of the building principal
- Display of disrespect toward school personnel or campus visitors
- Participation in activities by groups such as gangs and cults
- Wearing dress or attire signifying gang affiliations
- Profanity, vulgar language, or obscene gestures
- Possession or use of fireworks, "poppers," smoke or stink bombs, or any other pyrotechnic device that may be used to disrupt the educational process
- Possession of laser pens or laser pointers
- Possession of live ammunition or bullets
- Any ethnic or racial slurs that seriously disrupt the educational process
- Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process
- Misdemeanor criminal mischief (i.e., vandalism) resulting in the destruction or defacing of any property, including computers and related equipment, in an amount greater than \$20 but less than \$1,500. This includes rendering computers or related equipment inoperable or damaging them by erasing data with magnets; intentionally introducing viruses, worms, or trojans; or tampering with programs or other data without authority.
- "Hacking" or other use of computers to gain unauthorized access to district or other data bases, including student, faculty, or district data files, without permission. In addition to any criminal penalties, students may have their computer privileges suspended.

- Use of school computers, facsimile equipment, or other electronic devices to transmit, receive, view, or display obscene, vulgar, sexually explicit, or racist media or to display information that advocates unlawful activities or provides guidance on the construction or production of weapons, illegal devices, or controlled substances
- Use of the school computer network with the intent to incite violence or aggressive and/or disruptive action on the part of the student body, use of slanderous language, or use of language that promotes racial disorder or sexual harassment and is disruptive to the school environment
- Use of the school computer network for soliciting or purchasing commercial materials and/or services of any kind
- Sending or forwarding inappropriate e-mails containing offensive language
- Logging on to a computer, sending e-mail, or accessing the Internet or district's intranet using a name or password other than the student's own
- Posting unauthorized Web pages, graphic images, or offensive language or comments on a school/district server, Web page, or guest book
- Use of the school computer network to engage in participation in hate groups
- Misdemeanor extortion, which is defined as obtaining money or information from another by coercion or intimidation of a value less than \$1,500
- Possession or use of any prescription or nonprescription drug, medicine, vitamins, or other chemical in violation of the Guidelines for Dispensing Medications at School
- Refusal to cooperate in, or interference with, a random metal-detector safety search
- Any other acts of serious misconduct that disrupt the school environment in the classroom and/or school
- Hazing, which means any intentional, knowing, or reckless act directed against a student by one person alone or acting with others that endangers the mental or physical health or the safety of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization or general classification of students whose members are or include other students
- Assisting (directly or indirectly) with the promotion of any behavior prohibited by this Code of Student Conduct

Disciplinary Options/Responses:

- Required administrator/student/parental conference
- Restitution or restoration, as applicable, for vandalism to property
- Exclusion from extracurricular activities such as field trips and commencement exercises/award ceremonies
- Placement of the student into in-school suspension
- Suspension for up to three school days per occurrence
- Removal of transportation services for up to one year
- Restriction or removal of computer-use privileges for up to one year
- Teacher removal of the student from the classroom (following procedures as outlined on pp. 17)
- Referral to a district disciplinary alternative education program
- Any other appropriate disciplinary actions determined by the administration

Procedures:

1. Referral to administrator by way of discipline card, with report sent to the parent within 24 hours
2. Administrator confers with student and parent about the misconduct. The student is given an opportunity to explain the incident. The administrator determines misconduct.
3. Administrator decides whether to suspend student or refer him or her to ANOTHER PUBLIC SCHOOL ENTITY. Written notice of the offenses and the action taken are given to the parent and teacher. If the student is referred to ANOTHER PUBLIC SCHOOL ENTITY, the parent shall be given a letter stating the reasons for the removal and setting the term. Students under the age of 6 may not be placed in a ANOTHER PUBLIC SCHOOL ENTITY.
4. If the referral to a ANOTHER PUBLIC SCHOOL ENTITY extends beyond the end of the next grading period or the end of the school year, the rules contained in the procedures section of this Code on page 14 for a long-term removal to a ANOTHER PUBLIC SCHOOL ENTITY will be followed.
5. Repeated violations shall result in a more severe response and/or referral to Level IV.

Level IV: Required Removal to a Disciplinary Alternative Education Program

A student shall be removed from the classroom and placed in or referred to ANOTHER PUBLIC SCHOOL ENTITY by the campus administrator when the student engages in any conduct punishable as a felony. This may include a felony on or off of school property, regardless of whether the felony occurs before, during, or after school hours, unless expulsion is authorized or required for the offense. Additionally, a student shall be removed from the classroom to ANOTHER PUBLIC SCHOOL ENTITY by the campus administrator when the student commits a felony, or commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property.

Level IV Acts of Misconduct Include Such Behavior as:

- Felony conduct. There are three types of felony conduct for which a student shall be referred to a ANOTHER PUBLIC SCHOOL ENTITY. The circumstances include:
 - Engaging in any conduct punishable as a felony on campus at a school-related function or activity or within 300 feet of the school property line
 - Receiving deferred prosecution or a finding by a court or jury of delinquent conduct under the Family Code, or the reasonable belief of the principal that the student has committed a felony under Title 5 of the Penal Code, which includes criminal homicide; murder; capital murder; manslaughter; criminally negligent homicide; false imprisonment; kidnapping; aggravated kidnapping; indecency with a child; sexual assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; terroristic threat; aiding suicide; or tampering with a consumer product, regardless of where the offense occurs.
 - Engaging in any conduct punishable as a felony that occurs more than 300 feet from the campus and is not related to a school-based activity or function if the principal reasonably believes that the student has engaged in felony conduct other than those defined above under Title 5, Penal Code, and if the principal also determines that the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process
- Engaging in assault, which is defined as intentionally, knowingly, or recklessly causing bodily injury to another and which may include causing bodily injury by recklessly or intentionally pointing a laser pointer or laser pen at another student or a staff member (Section 22.01(a)(1) and Section 1.07(a)(8) Penal Code)
- Engaging in conduct involving a public school that contains the elements of the offense of false alarm or report (Section 42.06, Penal Code) or terroristic threat (Section 22.07, Penal Code) Terroristic threat is defined as threatening to commit violence or harm to any person or property with intent to cause an emergency response or which places any person in fear of imminent serious bodily injury; or interrupting the occupation or use of a building, room, place of assembly, or place to which the public has access by threats of violence or other means; or causing impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service (Section 22.07, Penal Code)
- Selling, giving, delivering to another person, possessing, using, or being under the influence of marijuana, a controlled drug, or other controlled substances (Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et. seq.), unless punishable as a felony
- Selling, giving, delivering to another person, possessing, using, or being under the influence of a dangerous drug (Chapter 483, Health and Safety Code), unless punishable as a felony
- Possession of drug paraphernalia
- Possessing, using, or being under the influence of alcohol
- Selling, giving, or delivering an alcoholic beverage to another person
- Committing a serious act or offense while under the influence of alcohol
- Engaging in conduct that contains the elements of an offense relating to sniffing glue or spray paint, including possession, use, delivery to a minor, or possession of paraphernalia used with abusable glue or spray paint (Sections 485.031 through 485.035, Health and Safety Code)
- Engaging in conduct that contains the elements of an offense relating to use, possession, delivery to a minor, or possession of paraphernalia used with volatile chemicals (Chapter 484, Health and Safety Code)

- Engaging in conduct that contains elements of the offense of public lewdness or indecent exposure, defined to include offenses against chastity, common decency, morals, and the like (Sections 21.07 and 21.08 Penal Code)
- Felony stealing/theft of computer equipment or any other property in an amount greater than \$750
- Burglary of an AMIGOS POR VIDA facility
- Defacing of school property with graffiti or other means that results in a loss or destruction to property in an amount less than \$20,000 (Section 28.08 Penal Code)
- Regardless of whether on or off of campus or at a school function, if a student engages in the offense of retaliation under Section 36.06, Penal Code, against any school employee by engaging in conduct such as intentionally or knowingly threatening to harm another by an unlawful act in retaliation for that person's performance of his or her official duties, unless the student engages in conduct punishable as a felony in retaliation against a person, in which case the student may be expelled under Level V
- Knowingly making a false report against a staff member that is later determined to be unsubstantiated at the conclusion of any investigation initiated as a result of the report
- Participation in an illegal organization such as a fraternity, sorority, secret society, gang, cult, or other criminal combination prohibited by law that is defined as an organization composed at least in part of students and that seeks to perpetuate itself by recruiting members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims of the organization. (Texas Educ. Code Sec. 37.121)
- Repeated possession of ammunition or bullets
- Possession of BB guns, pellet guns, or air rifles
- Possession of replicas of guns that are sufficiently similar in appearance to a real gun such that, if pointed or shown to another person, a reasonable person may believe the student to be in possession of a firearm

The terms of a placement in ANOTHER PUBLIC SCHOOL ENTITY under this required placement section prohibit the student from attending or participating in any school activities. Special Education students may be placed in a ANOTHER PUBLIC SCHOOL ENTITY strictly in accordance with the procedures for discipline of Special Education students contained on page 22. Special Education students may not be placed in a ANOTHER PUBLIC SCHOOL ENTITY unless the Admission, Review, and Dismissal (ARD) Committee determines that it is educationally appropriate and that the student has engaged in conduct for which referral to a ANOTHER PUBLIC SCHOOL ENTITY is authorized.

Procedures:

1. Referral to administrator by way of written report not to exceed one page in length, with report sent to the parent within 24 hours. If appropriate, there will be an investigation by the AMIGOS POR VIDA Police Department. If the student is transported by the police, the parent should ordinarily be notified within one hour.
2. Administrator confers with student and parent about the student's misconduct. The student is given an opportunity to explain his or her version of the incident. The administrator determines the resulting disciplinary action.
3. Administrator determines whether to place the student in ANOTHER PUBLIC SCHOOL ENTITY. When the student is placed in ANOTHER PUBLIC SCHOOL ENTITY, the parent shall be given a letter stating the reasons for the removal of the student. Students under the age of 6 may not be removed from class and placed in ANOTHER PUBLIC SCHOOL ENTITY.
4. Before a student may be placed in a ANOTHER PUBLIC SCHOOL ENTITY for a period that extends beyond the end of the school year, the principal must determine that:
 - the student's presence in the regular classroom program or at the home school presents a danger of physical harm to the student or other individuals; or
 - the student has engaged in serious or persistent misbehavior that violates the district's *Code of Student Conduct*

A finding that a student has engaged in any conduct listed under Level IV or Level V constitutes a finding that the student has engaged in serious misbehavior. An administrator may also find, on the basis of the facts and circumstances of the case, that a Level III offense constitutes a serious offense.

Level V: Expulsion for Serious Offenses

Level V acts of misconduct include serious misbehavior and/or illegal acts that threaten to impair the educational efficiency of the school and/or that most seriously disrupt the orderly educational process in the classroom and/or the school. Under state law, students may be expelled for any violation listed under this section. Expulsion may occur if the Level V act of misbehavior occurs on school property or at a school-sponsored or school-related activity on or off of school property. Expulsion means removal of a student from school for more than three consecutive school days but not longer than one calendar year.

Level V Acts of Misconduct Include the Following Acts That May Result in Optional or Required Expulsion: OPTIONAL EXPULSION

A student may be expelled from the Amigos por Vida-Friends for Life Public Charter School and placed in the ~~Harris County Juvenile Justice Alternative Education Program~~ or, if not expelled, may be referred to a ^{ANOTHER} PUBLIC SCHOOL ENTITY under Level IV for engaging in the following misconduct while on school property or while attending a school-sponsored or school-related activity on or off of school property:

(1) Selling, giving, delivering to another person, possessing, using, or being under the influence of marijuana, a controlled drug, or other controlled substances (Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et. seq.)

(2) Selling, giving, delivering to another person, possessing, using, or being under the influence of a dangerous drug (Chapter 483, Health and Safety Code)

(3) Selling, giving, delivering to another person, possessing, using, or being under the influence of an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code

(4) Engaging in conduct that contains the elements of an offense relating to sniffing glue or spray paint, including possession, use, delivery to a minor, or possession of paraphernalia used with abusable glue or spray paint (Sections 485.031 through 485.035, Health and Safety Code)

(5) Continued serious or persistent misbehavior that violates this *Code of Student Conduct* while placed in a Chapter 37 ANOTHER PUBLIC SCHOOL ENTITY. Serious offenses are those that substantially disrupt or materially interfere with the orderly process in the classroom, AMIGOS POR VIDA transportation, the school, or any school-related activity and may include persistent misbehavior or Level II or higher misconduct. Persistent shall be defined as more than one instance of Level II and higher misconduct. An administrator may find, on the basis of the facts and circumstances of the case, that a Level III offense constitutes a serious offense. Finally, a finding that a student has engaged in any offense listed as an offense under Level IV or Level V constitutes a finding that the student has engaged in serious misbehavior.

(6) Possessing a knife, which includes razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut and that are reasonably determined under the circumstances to have been possessed by the student for use as a weapon

(7) Engaging in assault, which is defined as intentionally, knowingly, or recklessly causing bodily injury to a staff member or volunteer (Section 22.01(a)(1), Penal Code)

(8) Engaging in conduct involving a public school that contains the elements of the offense of false alarm or report (Section 42.06, Penal Code) or terroristic threat (Section 22.07, Penal Code)

Regardless of whether the offense takes place at a school-related activity, on school property, or away from school, the student may be expelled if:

(1) The student engages in assault (Section 22.01(a)(1), Penal Code) against a school-district employee or a volunteer as a result of the person's employment or association with the district

(2) The student engages in conduct that contains the elements of criminal mischief (i.e., vandalism) and the destruction of property of an amount greater than \$1,500 or is punishable as a felony. (Section 28.03, Penal Code)

REQUIRED EXPULSION

A student shall be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property:

- Uses, exhibits, or possesses** a firearm, which is defined as any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use (Section 46.01(3), Penal Code)
- Uses, exhibits, or possesses** an illegal knife, which is defined under state law (Section 46.01(6), Penal Code) as a knife with a blade over five and a half inches and which includes things such as hand instruments designed to cut or stab by being thrown (martial-arts stars), a dagger, a bowie knife, a sword, or a spear
- Uses, exhibits, or possesses** a club, which is an instrument that is specially designed to inflict serious bodily injury or death when a person is struck with the instrument and includes a blackjack, nightstick, mace, or tomahawk (Section 46.01 (1), Penal Code)
- Uses, exhibits, or possesses** a weapon listed as a prohibited weapon under Section 46.05, Penal Code. Prohibited weapons are an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, brass knuckles, armor-piercing ammunition, a chemical-dispensing device, or a zip gun.
- Engages in conduct that contains the elements of the offense of:

(A) aggravated assault, which includes causing serious bodily injury to another during the commission of an assault or using or exhibiting a deadly weapon during the commission of an assault (Section 22.02, Penal Code) and which may include damage to a person's eye caused by pointing a laser pen or laser device at another

(B) sexual assault (Section 22.011, Penal Code)

(C) aggravated sexual assault, which includes causing or threatening to cause serious bodily injury to another during the commission of a sexual assault or using or exhibiting a deadly weapon during the commission of a sexual assault (Section 22.021, Penal Code)

(D) arson (Section 28.02, Penal Code)

(E) murder (Section 19.02, Penal Code)

(F) capital murder (Section 19.03, Penal Code) or criminal attempt to commit murder or capital murder (Section 15.01, Penal Code)

(G) indecency with a child (Section 21.11, Penal Code)

(H) aggravated kidnapping (Section 20.04, Penal Code)

(I) if punishable as a felony, possessing**, using, selling, giving, delivering, or being under the influence of marijuana, a controlled substance, or a dangerous drug or committing a serious act or offense while being under the influence of an alcoholic beverage, but only if the conduct is punishable as a felony

- Brings to school a firearm, as defined by 18 U.S.C. Section 921, that includes any weapon, including a starter pistol, which will or 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 silencer; or any destructive device. Students violating this section shall be expelled for at least one year except that:
 - (1) The superintendent may modify the length of the expulsion in the case of an individual student.

(2) Federal law requires the expulsion of any student who brings a firearm to school for a minimum term of one year. State law does not allow students under the age of 10 to be expelled, but it requires that AMIGOS POR VIDA educate in ANOTHER PUBLIC SCHOOL ENTITY students between the ages of 6 and 10 who commit expellable offenses. State law does not allow students under the age of 6 to be placed in a ANOTHER PUBLIC SCHOOL ENTITY. Students under the age of 10 who bring firearms to school shall be expelled for a term of one year, and the term of the expulsion shall be modified in order to allow for their education in an AMIGOS POR VIDA ANOTHER PUBLIC SCHOOL ENTITY for a period of one year. Students under the age of 6 shall be expelled, and the term of the expulsion shall be modified by the superintendent/designee in order to comply with state and federal laws.

- Additionally, a student shall be expelled for engaging in any conduct containing the elements of an offense for which expulsion is required while retaliating against a district employee as a result of the employee's employment with the district, whether it occurs on or off of school property or at a school-related function.

****Possession** means actual care, custody, control, or management. A student shall be considered to be in possession of any substance or object prohibited or regulated by this Code of Student Conduct if the substance or object is: (1) on the student's person or in the student's personal property, such as the student's clothing, purse, book bag, or briefcase; (2) in any private vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) in any school property used by the student, such as a locker or desk.

Disciplinary Options:

- Notification and investigation by AMIGOS POR VIDA Police Department. If a decision is made by the police department to transport the student, the administrator should normally contact the parents within one hour.
- Required administrator/parent/student conferences
- Exclusion from extracurricular activities including field trips and commencement exercises/award ceremonies
- Restitution or restoration as applicable
- Referral to respective public school district
- Referral to juvenile court for legal action
- Suspension for up to three consecutive days per occurrence
- Referral to another school district that has an alternative education program
- Expulsion (more than three consecutive school days per occurrence, but not longer than one year)
- Except in the case of firearms, students younger than 10 years may not be expelled for conduct described in this section and must be provided educational services in ANOTHER PUBLIC SCHOOL ENTITY.

Procedures:***

1. The administrator contacts the AMIGOS POR VIDA police to investigate the school infraction and/or illegal act and confers with the student after consulting with law enforcement. If the student is arrested, the parents should be notified within one hour. Any expulsion must include an official police or law-enforcement investigation. However, it is not necessary to await the results of the investigation before proceeding to an expulsion hearing.
2. The investigating building administrator notifies student and parents or guardians in writing of the reasons for the proposed expulsion. (See pp. 15 and 16.)
3. A school administrator who is an impartial hearing officer will conduct a full hearing before a decision to expel a student is made, unless the parent or guardian waives the hearing.
4. A parent may appeal the expulsion decision as provided in this Code in the section on expulsion procedures. (See pp. 15 and 16.)
5. The district shall inform the student's teacher(s) of the conduct of a student who has engaged in any violation listed in this section. The teacher shall keep this information confidential. Any teacher who intentionally violates this confidentiality is subject to having his or her certification suspended or revoked.

6. Within two business days after the date a hearing is held in which a student is expelled, the principal shall send a copy of the order placing the student in a **ANOTHER PUBLIC SCHOOL ENTITY** or expelling the student along with any information required by Section 52.04, Family Code, including a copy of the police report, to the parent and to School Administration, which shall forward the information to the authorized officer of the juvenile court.
7. Students expelled from **AMIGOS POR VIDA** are entitled to receive educational services but are not entitled to participate in any regular or extracurricular district programs during the period of the expulsion. **AMIGOS POR VIDA** has the option of either referring the student to **ANOTHER PUBLIC SCHOOL ENTITY**.
8. Expelled students who are charged but found not delinquent (not guilty) by a juvenile court shall be readmitted to the district. Students who are adjudicated of (who plead to) a lesser offense, or whom the Harris County District Attorney decides not to prosecute, may be readmitted at the discretion of the district. If readmitted, the district may place the student in **ANOTHER PUBLIC SCHOOL ENTITY**. Students who are not readmitted have the option to continue their educational services at respective public school district.

***All parties shall consult the Procedures section of this *Code* or Board Policy for complete procedures for expulsion and appeal of expulsion. (See pp. 15 and 16.) Students under the age of 10 years who commit Level V offenses must be referred to **ANOTHER PUBLIC SCHOOL ENTITY** and may not be expelled.

Zero Tolerance/Pursuit of Criminal Charges

The **AMIGOS POR VIDA-FRIENDS FOR LIFE HOUSING & EDUCATION CORPORATION** Board of Education, in accordance with its major system priorities, believes the school environment should be safe for all students and free of disruptions that interfere with the education process. In response to this belief, the board has developed a policy of zero tolerance. This policy shall apply to elementary students.

All students who unlawfully possess a firearm, illegal knife as defined by state law, explosive, or any other dangerous object or weapon on school district property, on school buses, and/or in attendance at district-related activities shall be recommended for expulsion or removal. The Board of Education further declares that the *Code of Student Conduct* will be strictly applied.

In every case where students in elementary engage in conduct that contains the elements of an offense in violation of the Penal Code or the Education Code, the school district will pursue arrest, charges, and removal to **ANOTHER PUBLIC SCHOOL ENTITY**, juvenile detention facility, or county jail.

Reports to Local Law Enforcement

The principal has an obligation under the law to notify the **AMIGOS POR VIDA** police department and the local police department if the principal has reasonable grounds to believe that any of the following offenses has occurred in school, on school property, or at a school-sponsored or school-related activity on or off school property:

- murder; capital murder
- aggravated kidnapping
- aggravated assault
- injury to a child or an elderly individual
- sexual assault; aggravated sexual assault
- arson
- robbery; aggravated robbery; burglary
- manufacture or delivery of a controlled substance manufacture, delivery, or possession of a miscellaneous illegal substance or delivery of marijuana within 1,000 feet of a school or playground
- deadly conduct, as described by Section 22.05, Penal Code, which includes recklessly engaging in conduct that places another person in imminent danger of serious bodily injury or knowingly discharging a firearm in the direction of an individual, home, or occupied vehicle

- Terroristic threat, which generally involves the threat of a violent act that places a person in fear of serious bodily injury or is designed to incite panic; cause disruption to the use of a public building or space; interrupt the use of public communications, transportation, the water, gas, or power supply or another public service; or cause an emergency response as more specifically described by Section 22.07, Penal Code
- Use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by Chapter 481, Health and Safety Code
- Possession of a club, explosive weapon, firearm, firearm silencer, handgun, illegal knife, knife, brass knuckles, machine gun, short-barrel firearm, switchblade knife, armor-piercing ammunition, hoax bomb, chemical dispensing device, or zip gun, as listed in Sections 46.01(1)–(14) or Section 46.01(16) of the Penal Code
- Organized criminal activity, which includes commission of murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, burglary of a motor vehicle, unauthorized use of a motor vehicle, a gambling offense, or other criminal activity if it is done with the intent to establish or maintain or participate in a collaboration of three or more persons or participate in the profits of such a combination in carrying on criminal activity as further defined under Section 71.02 of the Penal Code

The principal or other administrator who notifies local law enforcement of these offenses shall notify each instructional or support-staff member who has regular contact with the student who has committed the offenses.

Court Involvement

If a student is found to have committed an offense under Level IV or V of this *Code* and the student is placed in ANOTHER PUBLIC SCHOOL ENTITY, the county juvenile authorities must be notified. Within two business days, the principal must send a copy of the order placing the student in ANOTHER PUBLIC SCHOOL ENTITY to the district administrator in charge of the OTHER PUBLIC SCHOOL ENTITY, who shall notify the county. The county may decide whether the student is in need of supervision, whether the student has engaged in delinquent conduct, or whether the student should be referred to an appropriate state agency.

Emergency Placement

A principal or a principal's designee may order the immediate placement of a student in ANOTHER PUBLIC SCHOOL ENTITY when it is determined the student's behavior is so unruly, disruptive, or abusive that it:

- seriously interferes with a teacher's ability to communicate effectively with the students in a class; or
- seriously interferes with the ability of the student's classmates to learn; or
- seriously interferes with the operation of school or a school-sponsored activity.

A principal or a principal's designee may order the immediate expulsion of a student from the school when the principal reasonably believes that the action is necessary to protect persons or property from imminent harm. The principal or his or her designee shall schedule a hearing within three days and hold the hearing within seven days unless agreement with the parent or guardian or circumstances require a delay, in which case the hearing shall be scheduled within a reasonable time. Students with disabilities may be subject to the "stay-put" requirements of 34 C.F.R. 300.514. The procedures relating to the discipline of students with should be followed. (See pp. 22-25.)

Corporal Punishment

The Board of Education approved the revision of Board Policies and Standard Practice Memoranda—Corporal Punishment. As a matter of policy, corporal punishment is prohibited as a disciplinary method within the Amigos por Vida-Friends for Life Charter School.

Procedures for Expulsion and the Appeal of Expulsion

Decisions to expel a student shall not be made until there has been a full hearing, unless such hearing is specifically waived by the student and his or her parents or guardian in writing. An accurate record of any hearing will be maintained. Records of expulsions shall be filed in the principal's office of the school where the misconduct occurred, with evidence attached. Pending the expulsion hearing, the student may be suspended for up to three days and must then be placed in a disciplinary alternative education program or in in-school suspension pending the hearing. The hearing must be scheduled within three days. Additionally, the hearing should be held within seven school days from the date of the offense. The date for the hearing may be deferred beyond seven school days with the mutual agreement of the parties; however, the student may not be placed in an unsupervised setting beyond suspension for three days while awaiting the hearing. The school official conducting the hearing shall make a decision concerning the case within seven school days from the hearing date and inform the student and his or her parents or guardians of their right and of the process to appeal the decision to the next-higher administrative level. No student may enroll in any other school within the district until eligible for readmission to his or her school of record. A student may be expelled for up to a full academic year. If an expulsion is proposed by the principal or his or her designee or assistant principal, the following procedures shall apply:

(a) The student and his or her parent or guardian must be notified in writing of the reason(s) for the proposed expulsion, and a prompt hearing at the school must be arranged unless waived by the student and his or her parents in writing. The reasons for the proposed expulsion that clearly detail the nature of the offense must be furnished so they may prepare a defense. The student and his or her parent or guardian must also be furnished a copy of the expulsion procedures. They shall be advised that they may present witnesses and documentary evidence to defend against the allegations. The administration may be represented by any person involved in discipline at the school level or by the school attorney, whoever is deemed appropriate.

(b) The student is entitled to a fair and impartial hearing. The principal may conduct the hearing if he/she is impartial and disinterested and his or her acts, judgment, or decisions are not an issue in the hearing. If not, the principal shall select an impartial designee to conduct the hearing.

(c) A student is entitled to be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district. The student's representative may be an attorney. If a parent or guardian is unable to attend, he/she may designate an adult to represent the student. The district may require evidence of the appointment by the parent or guardian of any such representative. The hearing will be recorded either by tape recording or court reporter. If the school makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends. The school may proceed with expulsion, even though the student withdraws from the district.

(d) If the evidence presented at the hearing warrants an expulsion in the judgment of the school official conducting the hearing, the hearing official may issue the appropriate expulsion order. A copy of the order should be sent to the student and his or her parents or guardians and to the Alternative District administrator in charge of the Harris County Juvenile Justice Alternative Education Program (HCJJAEP), who shall forward a copy to the county. If the decision is to expel the student, the administration shall inform the student and the parents or guardians in writing of the decision within seven school days of the hearing date and apprise the student and the parents or guardians of the right to appeal the decision to the district superintendent. The decision of the school official conducting the hearing must be supported by the evidence and based exclusively on evidence presented at the hearing. Consistent with the Memorandum of Understanding between AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL and the HCJJAEP, students who are expelled after the first six weeks of school must be expelled for the remainder of the fall semester and the entire spring semester. If the student is expelled after the fourth six weeks, the student must be expelled and must attend the HCJJAEP for the remainder of the spring semester and the entire fall semester of the following school year.

(e) Any student or his or her parent or guardian who wishes to appeal an expulsion decision shall notify the appropriate district superintendent within three school days of receipt of the decision of the principal or his or her designee. The district superintendent will arrange a time for the appeal hearing. Such notification to the district superintendent shall include or be followed immediately by a letter from the school official who conducted the hearing. The school official who conducted the hearing will provide a complete record of the hearing with a description of the student's conduct, including all offenses and dates. The tape recording or court reporting of the hearing shall accompany and become a part of the record. The district superintendent shall notify the student and the parent, guardian, or representative of the time and place of the hearing. The hearing shall be held within seven calendar days of the date the student and parent or guardian notify the district superintendent of his or her intention to appeal, unless an extension is given.

(f) At the hearing on appeal, the district superintendent shall conduct a hearing attended by school officials, the student, and the parent or guardian. The appeal is based on the record developed before the principal or his or her designee. Both the administration and the student will be allowed to make a short oral presentation based on the record. The time allowed for the oral presentation is left to the discretion of the hearing officer. The district superintendent may affirm the action of the principal or his or her designee, overrule it, or issue any other appropriate order. A copy of the order shall be sent to the student and his or her parents or guardian and to the alternative-district administrator in charge of the HCJJAEP. The district superintendent shall inform the student and parent or guardian in writing of the decision within seven school days of the hearing date and apprise the student and parent or guardian of the right of appeal to the Board of Education.

(g) The student or parent or guardian may appeal the decision of the district superintendent to the Board of Education by notifying the Board Services Office in writing of his or her intention to appeal. The notice must be filed within five school days of the receipt of the district superintendent's decision. Appeals to the Board of Education are also appeals on the record; no new evidence may be introduced for any purpose. The appeal before the board will be limited to a 10-minute oral presentation by both the appropriate administrative representative and by the student or parent or guardian. The hearing will be in closed session, unless an open hearing is requested by the student or parent or guardian. Decisions of the Board of Education may be appealed to state district court in Harris County.

At whatever appellate level in which an expulsion order becomes final, a copy of the final written order expelling the student shall be delivered to the student and the student's parent or guardian by the alternative-district administrator in charge of the HCJJAEP, who shall forward a copy to the Chief Juvenile Probation Officer of Harris County.

When necessary to ensure effective communication, any notice required to be sent to the parent or guardian of a student shall be written in the language spoken by the parent or guardian. If the language spoken by the parent or guardian is other than English or Spanish, such notice shall be written in such other language necessary for communication.

The Amigos por Vida-Friends for Life Charter School will honor expulsion orders from other school districts and shall not admit a student expelled from another district until the student completes the period of expulsion.

Procedures for Teacher Removal of Students

The Texas Education Code provides teachers with three ways to maintain discipline by removing unruly or disruptive students from the classroom. Each alternative for removal of students carries different disciplinary and administrative consequences. This section sets forth the three different alternatives.

Reasons for Teacher Removal of Students

Alternative I

- A teacher may send a student to the principal's office to maintain effective discipline in the classroom as stated under Levels I and II. (See pp. 6 and 7.)

Disciplinary Options Under Alternative I

- If the student is removed to maintain effective discipline as stated under Alternative I, the principal is free to employ any disciplinary management technique or option authorized by the *Code* as determined by the level of the offense and the seriousness of the misconduct. The student removed under this provision may be returned to the teacher's class. This alternative corresponds to Levels I and II and to the Optional Removal to a DAEP under Level III.

Alternative II

- A teacher may remove a student from class who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Documentation should ordinarily be through a written factual account of the behavior that is occurring in the classroom.
- A teacher may remove a student from class whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

Disciplinary Options Under Alternative II

- If the student is removed by the teacher under Alternative II and the teacher has appropriately documented the reasons for the removal, the student may not be returned to the teacher's class without the teacher's consent. Subject to the review procedures outlined in this section, the disciplinary options available to the principal include:
 - placement in another appropriate classroom
 - placement in in-school suspension
 - placement in a disciplinary alternative education program

Review for Students Removed Under Alternative II

(a) Not later than the third class day after the day on which a student is removed under this section, the school principal shall schedule a conference with the principal or his or her designee, a parent or guardian of the student, the teacher removing the student from the class, and the student.

(b) While waiting for the conference, the student may not be returned to the regular classroom without the teacher's consent. Pending the conference, the principal may place the student in in-school suspension in another class, or in a DAEP.

(c) At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.

(d) Following the conference and whether or not each requested person is in attendance after valid attempts to obtain the person's attendance, the principal may place the student in another class, in in-school suspension, or in a DAEP or may return the student to the class of the teacher who removed the student unless the teacher objects to the student's return. If the teacher objects, the principal may refer the student to the Campus Placement Review Committee for a determination as to placement.

(e) The teacher may not be coerced to accept the student without a determination by the Campus Placement Review Committee.

(f) The Placement Review Committee will make a determination as to whether the student may be returned to the removing teacher's class. The student may not be returned to the teacher's class without the teacher's consent unless the committee determines that such placement is the best or only placement available. In the case of Special Education students, the decision on placement may be made only by a duly constituted Admission, Review, and Dismissal committee.

Placement Review Committee Under Alternative II

Each school shall have a placement review committee composed of three members. The committee will determine placement of a student when a teacher has removed the student under Alternative II and refuses to allow the return of the student to the teacher's class. The committee will make a final determination of the student's placement when a student is removed under this section.

- The campus faculty shall choose two teachers to serve as members and one teacher to serve as an alternate member.
- The principal shall choose one member from the professional staff of the campus.
- The teacher refusing to readmit the student may not serve on the committee.

Alternative III

- teacher is required to remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion any student who engages in Level IV or Level V misconduct.

Disciplinary Options Under Alternative III

- If the student is removed under Alternative III for engaging in Level IV or Level V misconduct, then the student may or shall be removed to a DAEP or expelled as appropriate or as required by state law. Procedures for removal to a DAEP or for expulsion shall be followed. (See pp. 14 and 16.)

Student Complaints

The purpose of the complaint policy is to secure, at the lowest possible administrative level, prompt and equitable resolution of student or parent complaints. Except as provided below, all student or parent complaints shall be presented in accordance with the policy outlined in this section.

PROCEDURE FOR STUDENT COMPLAINTS

The student may be represented by an adult at any level of the complaint. For purposes of this policy, "days" means calendar days. Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

Level One:

A student or parent who has a complaint shall request a conference with the principal within 30 days of the time the student or parent knew or should have known of the event or series of events causing the complaint. The principal shall schedule and hold a conference with the student or parent within seven days of the request. The principal shall have seven days to respond following the conference with the parent or student.

Level Two:

If the outcome of the conference with the principal is not to the student's or parent's satisfaction, or the time for the response has expired, the student or parent may request a conference with the district superintendent or a designee. The request must be filed within seven days following receipt of a response or, if no response is received, within seven days of the response deadline. The district superintendent or designee shall hold the conference within 10 days after receiving the request.

Prior to or at the time of the conference, the student or parent shall submit a written complaint that includes the student's or parent's signed statement of the complaint, any evidence in its support, the solution sought, and the date of the conference with the principal. The conference shall be recorded by a court reporter paid by AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL. The district superintendent or designee shall have seven days following the conference within which to respond.

Level Three:

If the outcome of the conference with the district superintendent or designee is not to the student's or parent's satisfaction or if the time for a response has expired, the student or parent may submit to the district superintendent or designee a request to place the matter on the agenda of a future Board of Education meeting. The request shall be in writing and must be filed within seven days of the response deadline.

AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL shall inform the student or parent of the date, time, and place of the meeting. The presiding officer shall establish a reasonable time limit for complaint presentations. AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL shall make an audiotape record of the Level Three proceedings before the board. The board shall hear the complaint and shall then make and communicate its decision orally or in writing at any time up to and including the next regular board meeting.

If the complaint involves concerns or charges regarding an employee, it shall be heard by the board in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public or unless a public hearing is required by the Texas Open Meetings Act.

Students Rights and Responsibilities: Sexual Harassment/Sexual Abuse

Sexual Harassment by Students

Students shall not engage in sexual harassment toward another student or a district employee. A substantiated charge of sexual harassment against a student shall result in disciplinary action.

Sexual harassment by a student includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors.

Sexual Harassment/Abuse by Employees

District employees are prohibited from sexually harassing or sexually abusing students. Romantic relationships between students and employees are prohibited.

Reports to Lawful Authorities

Any district employee who receives information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall make the reports to appropriate authorities, as required by law.

AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL shall notify the parents of all students involved in sexual harassment by a student or students when the allegations are not minor. The district shall notify parents of all incidents of sexual harassment or sexual abuse by an employee. Notice shall include providing the parent a copy of Board Policy FNCJ (Exhibit).

Investigations

All reports of sexual harassment that are not minor shall be referred to the Title IX coordinator. Oral complaints shall be reduced to writing to assist in the district's investigation. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

Protection from Retaliation

The district shall not retaliate against a student who in good faith reports perceived sexual harassment or sexual abuse.

PROCEDURE FOR SEXUAL HARASSMENT COMPLAINTS

For purposes of the following complaint process, "days" shall mean calendar days.

Level One:

A student or parent who has a complaint alleging sexual harassment by another student or other students or sexual harassment or sexual abuse by an employee may request a conference with the principal, a designee, or the Title IX coordinator for students. The student may be accompanied by a parent or other advisor at the initial conference and throughout the complaint process. The initial conference with the student ordinarily shall be held with a person who is the same sex as the student. The conference shall be scheduled and held as soon as possible, but in any event within seven days of receipt of the complaint. At the conference, the persons bringing the complaint shall be informed of the right to file a complaint with the Office of Civil Rights.

The principal or designee or the Title IX coordinator shall coordinate an appropriate investigation, which ordinarily shall be completed within seven days of receipt of the complaint. The student or parent shall be informed if extenuating circumstances delay the investigation.

Nothing in the complaint process shall have the effect of requiring a student alleging sexual harassment or sexual abuse to report the matter to the person who is the subject of the complaint.

Level Two:

If the resolution of the complaint at Level One is not to the student's or parent's satisfaction, the student or parent has seven days to request a conference with the Superintendent or a designee, who shall schedule and hold a conference. Prior to or at the conference, the student or parent shall submit a written complaint that includes a statement of the complaint, any evidence in its support, the resolution sought, the student's and/or parent's signature, and the date of the conference with the principal, designee, or Title IX coordinator.

Level Three:

If the resolution of the complaint at Level Two is not to the student's or parent's satisfaction, the student may present the complaint to the Board of Education at its next regular meeting. The complaint shall be included as an item on the agenda posted with notice of the meeting. Announcing a decision in the student's or parent's presence constitutes communication of the decision.

Closed Meeting:

The board shall hear complaints alleging sexual harassment by students or sexual harassment or sexual abuse by employees in closed meeting, unless otherwise required by the Open Meetings Act.

Other Types of Harassment

The district encourages all students and staff to foster a climate of mutual respect for others in order to enhance the district's educational purpose and the program designed to achieve that purpose. Each student is expected to respect the rights and privileges of other students, teachers, and district staff. Students shall not engage in harassment motivated by race, color, religion, national origin, or disability and directed toward another student. A substantiated charge of harassment against a student shall result in disciplinary action.

The term "harassment" includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, or disability that creates an intimidating, hostile, or offensive educational environment.

Students who believe they have been harassed by fellow students or district employees are encouraged to promptly report such incidents to the campus principal. If the campus principal is the subject of a complaint, the student shall report the complaint directly to the superintendent or designated administrator.

Any allegations of harassment of students shall be investigated and addressed promptly. Oral complaints shall be reduced to writing to assist in the district's investigation. To the greatest extent possible, complaints shall be treated as confidential. However, limited disclosure may be necessary to complete a thorough investigation. A parent or student may appeal the decision of the principal regarding the outcome of the investigation into the allegations.

Allegations and investigation of claims of sexual harassment are addressed above in the section entitled "Sexual Harassment."

Transportation Service Safety Guidelines

Students should be aware that all of the rules contained in this *Code* are applicable to their conduct and actions while riding AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL-provided transportation. Aside from compliance with the rules contained in Levels I through V, students are expected to observe the following rules:

- Students shall follow the directions of the school-bus driver the first time they are given.
- Students should be at the assigned bus stop five minutes before the scheduled departure time.
- Students shall wait in a safe place, clear of traffic and away from where the school bus stops.
- Students shall wait in an orderly line and avoid horseplay.
- Students shall cross the road or street in front of the bus only after the bus has come to a complete stop and upon the direction of the bus driver.
- A student must go directly to an available seat upon entering the bus, must remain seated, and must keep all aisles and exits clear.
- Students are expected to exhibit appropriate classroom conduct at all times when riding transportation.
- A student may carry only objects on the bus that can be held on his or her lap.
- Students shall refrain from throwing or passing objects on or from the bus.
- Food, drinks, animals, hazardous substances, and nuisance items are not permitted on the bus.
- Students are required to follow all safety instructions and to respect the rights of others.
- Students are not permitted to leave or board the bus at any location other than the assigned stops at home or school.
- Extending the head, arms, or other objects out of the windows of the bus as well as hitching a ride via the rear bumper or other parts of the bus are strictly prohibited.

Summary of Related Board Policies

This *Code of Student Conduct* is drawn from Board Policies and Standard Practice Memoranda. Students are subject to the Board Policies and Standard Practice Memoranda now in effect and those that may be adopted or amended after the publication of this *Code*. Those who desire more information concerning the policies and administrative procedures upon which this *Code* is based should refer to them. Copies are available in the school and district office. The sections that relate to student conduct are as follows:

- ◆ **ATTENDANCE.** Board Policy and Standard Practice Memoranda state that regular attendance and punctuality shall be required of every student. Board Policies state the district's attendance policy for students for course credit. In addition, Texas Education Code 25.087 pertains to excused absences.
- ◆ **COMPLAINTS.** Board Policy states that students may present any complaint to the district, either personally or through a representative, through appropriate complaint procedures.
- ◆ **STUDENT DRESS AND PERSONAL GROOMING.** Board Policy describes the district's policy with regard to student dress and personal grooming; it calls for the establishment of standards in each school. Additionally, each school may establish a mandatory uniform policy in conformance with state law and district policy.
- ◆ **ILLEGAL DRUGS AND ALCOHOL.** Board Policy and state law prohibit any student from selling or possessing an illegal drug or alcohol on school grounds.
- ◆ **STUDENT PUBLICATIONS.** Board Policy describes the district's policies regarding student participation in the publication of school newspapers, yearbooks, literary magazines, and other school-sponsored publications; it also covers the publication and distribution of publications that are not school-sponsored.
- ◆ **SMOKING.** Board Policy states that students are prohibited from possessing, smoking, or using tobacco products on school property and at any school-related or school-sanctioned activity on or off of school property.
- ◆ **SCHOOL PROPERTY.** Board Policy notes that the student's responsibility for school property is the same as his or her responsibility for other public property; it holds the student accountable for malicious damage, the defacing of property, and vandalism.
- ◆ **STUDENT GOVERNMENT.** Board Policy gives students the right to formulate procedures for student government.
- ◆ **INFORMATION AND PRIVACY RECORDS.** Board Policy spells out district policies with regard to the right to information and privacy of student records. In addition, the Texas Public Information Act, Article 6251.17a, and the Family Educational Rights and Privacy Act of 1974, Public Law 93-480, describe the student's rights in this regard. Additionally, certain Special Education records will be destroyed after seven years upon proper notification.
- ◆ **DISCIPLINE.** Board Policy states that the principal shall have full authority to maintain adequate discipline in the school and that teachers shall have the responsibility for the discipline of students. Further, it states that students shall be dealt with reasonably, fairly, and consistently, but serious or persistent misconduct shall not be tolerated. By board action, this *Code of Student Conduct* carries the force of policy in discipline matters.
- ◆ **SUSPENSION/EXPULSION.** Board Policy details policies regarding suspensions and expulsions.
- ◆ **OTHER DISCIPLINARY ACTIONS.** Board Policy details district policies with regard to other disciplinary actions.
- ◆ **HEARINGS.** Standard Practice Memoranda establish the guidelines for the format of hearings.
- ◆ **DISRUPTIVE ACTIONS AND INTERFERENCES.** Board Policy calls for the removal from school, on disciplinary reassignment, any student who, while at school or at school-sponsored activities, incites, encourages, promotes, or participates in a riot, a sit-in, a walkout, a blockage of entrances, or a trespass violation or otherwise interferes with normal educational processes.
- ◆ **SEARCH AND SEIZURE.** Board Policy details policies regarding search and seizure on campuses.
- ◆ **CORPORAL PUNISHMENT.** Board Policy details district prohibition of corporal punishment
- ◆ **STUDENT ACTIVITIES AND AWARDS.** Board Policy notes that students shall be encouraged to participate in school-sponsored clubs, organizations, and activities that represent their particular interests.

Discipline of Students Receiving Special Education Services

(Under the Individuals With Disabilities Education Act)

Students with disabilities are expected to exhibit appropriate conduct and may be subject to the requirements of this *Code of Student Conduct*. Nothing in these rules prevents police from arresting and prosecuting a Special Education student for commission of a criminal act. Upon request or subpoena, copies of Special Education and disciplinary records are required to be provided to appropriate law enforcement or judicial authorities investigating or prosecuting reported criminal conduct. The parent or guardian shall be notified of such transmittal.

A student with disabilities is one who has been determined by an Admission, Review, and Dismissal/Individual Education Plan (ARD/IEP) Committee as having a noncategorical early- childhood condition, mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, and who, because of those impairments, needs Special Education and related services.

In some instances, the ARD/IEP Committee of a student with disabilities may have developed a behavior intervention plan that must be followed in administering discipline in situations addressed by the behavior intervention plan. If the ARD/IEP Committee developed a behavior intervention plan for a student with disabilities, that plan will be contained on the ARD/IEP Supplement: Behavior Intervention Plan form.

Additionally, it may become necessary for the ARD/IEP Committee to determine whether the alleged conduct in question was related to the student's disability (manifestation determination). If the ARD/IEP Committee determines there is a connection, it must also determine what educational action is appropriate to minimize the misbehavior. In the implementation of the zero-tolerance policy previously discussed in this booklet, the ARD/IEP Committee must review the behavior intervention plan and/or determine whether there is a relationship between the conduct and the disability prior to changing the student's placement for disciplinary reasons.

Suspension or Removal to a Disciplinary Alter-native Education Program (DAEP) for Under 10 Days

Students with disabilities may be suspended in the same manner as nondisabled students for a period not to exceed three school days per occurrence so long as the total number of days of cumulative suspensions does not constitute a change in placement. Additionally, students with disabilities may be referred to a DAEP for a period of up to 10 days. An ARD/IEP meeting is not required for suspensions or removals to a DAEP totaling less than 10 cumulative days during any school year.

Except as described in the next paragraphs, procedures regarding the suspension and the length of suspension shall be the same as those for nondisabled students so long as the suspensions do not constitute a change in placement and the discipline imposed would be applied to nondisabled students. In determining whether a series of short-term removals that total more than 10 days for separate incidents of misconduct constitutes a change in placement, school personnel must analyze the length of each removal, the proximity of the removals to each other, and the total amount of time the child is removed. If the removal will result in a change in placement, a manifestation determination must be held prior to the removal. All reasonable efforts must be made to notify the parents about the behavior, the suspension, and the decision, and the parents shall be provided a copy of their procedural safeguards along with any notice of a disciplinary removal, suspension, or expulsion that is proposed or has been implemented.

If a student is removed for disciplinary reasons for more than 10 days (cumulative) in a school year, beginning with the eleventh day of disciplinary removals, educational services must be provided regardless of whether the removal constitutes a change of placement. If the removal does not constitute a change of placement, the administrator, in consultation with the student's special education teacher, determines the services to be provided. The services to be provided must enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals stated in the student's Individual Education Plan.

Also beginning with the eleventh day of removal in a school year, an Admission, Review, and Dismissal (ARD) Committee must address behavioral issues. Within 10 business days of first removing the student for more than 10 school days in a school year, the ARD Committee must meet to develop a plan to conduct a functional behavioral assessment if one was not conducted before the behavior occurred that resulted in the removal. After the functional behavioral assessment is completed, the ARD Committee must review the Behavior Intervention Plan and its implementation and modify the plan as necessary to address the behavior.

If a student has been removed for up to 10 school days in a school year and is subjected to any additional removals beyond 10 days in a school year that does not result in a change in placement, the ARD Committee members, including the parent, must informally review the Behavior Intervention Plan and its implementation to determine whether modifications are necessary. If one or more of the members of the ARD Committee believe modifications are needed, an ARD meeting must be held to modify the plan and its implementation as deemed necessary.

If the ARD/IEP Committee has met to consider the behavior intervention plan in accordance with these rules, and discipline is proposed that will result in removal of the student for more than 10 days for the school year, then the procedures for long-term removals or for changes in placement must be followed. In addition to any additional assessment needed by the committee and development or modification of the behavior intervention plan, the school is required to conduct a manifestation determination. After this is done, the new IEP and behavior intervention plan should be implemented in accordance with these rules. If the discipline with the new plan will result in removal of the child from his or her educational setting for a new period greater than 10 days, then the process should be repeated utilizing the revised IEP and behavior intervention plan.

Expulsion or Removal to a Disciplinary Alternative Education Program (DAEP) for Weapons, Drug Offenses, or Disciplinary Action That Will Remove a Special Education Student From His or Her Educational Placement for More Than 10 Consecutive School Days or Change the Student's Educational Placement

Students with disabilities may be subject to removal to a DAEP or to expulsion for any Level IV or Level V acts of misconduct that would subject a regular-education student to removal to a DAEP or to expulsion.

The principal's recommendation for expulsion or for placement of a student with disabilities in a disciplinary alternative setting for more than 10 consecutive school days shall be referred to the students with disabilities ARD/IEP Committee, which shall meet immediately, if possible, or no later than 10 business days after the student is referred to the disciplinary alternative setting and before any hearing on expulsion.

If expulsion or referral to a DAEP that will remove the student from his or her educational placement for more than 10 school days is contemplated, then the ARD/IEP Committee must first determine whether the alleged behavior in question was related to the disability or to an inappropriate placement (manifestation determination). In making this determination, the ARD/IEP Committee shall include a professional who is qualified to interpret the results of any evaluations that may be presented. This may include such professionals as an educational diagnostician or an associate or licensed psychologist employed by the district. The ARD/IEP Committee must also include a regular education teacher and will consider the behavior subject to discipline, as well as evaluation and diagnostic results, including information supplied by the parent, observations of the student, and the student's IEP and placement. Any ARD/IEP Committee that is considering expulsion or long-term removal to a DAEP of a student with disabilities must include a licensed psychologist or licensed specialist in school psychology as a member of the committee. The ARD/IEP Committee shall then consider the behavior in relation to the student's IEP and placement, whether the placement was appropriate, and whether the Special Education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the child's IEP and placement, as well as determine whether any such failure to provide the services may have contributed to the behavior in question.

Additionally, in order to determine that the behavior subject to discipline is not a manifestation of the child's disability, the ARD/IEP Committee must determine (1) that the child's disability did not impair the ability of the child to understand the consequences of the behavior, and (2) that the child's disability did not impair the child's ability to control the behavior.

Finally, an ARD/IEP Committee shall formulate an assessment plan to address the behavior and develop a behavior intervention plan if there is none. If the student already has a behavior intervention plan, the ARD/IEP Committee shall review the plan and modify it as necessary to address the behavior.

If the ARD/IEP Committee determines that there is no behavior-disability-placement link, procedures regarding expulsion or referral to a DAEP, the length of expulsion or referral to a DAEP, and the appeal of an expulsion or referral to a DAEP shall be the same as those for regular-education students. The removal of a student with disabilities to a disciplinary alternative setting for more than 10 days may be implemented through ARD/IEP Committee action. The ARD/IEP Committee that determines that there is no behavior-disability-placement link shall determine the instructional and related services to be provided to the student with disabilities during the time of the expulsion or during the referral to the DAEP. The Individual Education Plan developed for implementation in the DAEP shall be developed so as to allow the student to make progress on the goals and objectives of his or her IEP and shall include provisions for any related services the student may need while placed in the DAEP as developed by the ARD Committee. Additionally, the services and modifications provided must address the student's behavior. If there is no link, the principal will follow the same procedures used with regular-education students in determining whether a student with disabilities committed the prohibited conduct and in formulating a recommendation that a student with disabilities be placed in a DAEP for 10 or more consecutive school days.

All expelled students shall be referred to the Harris County Juvenile Justice Alternative Education Program (HCJJAEP) unless the decision is made to educate the expelled student in one of the district's disciplinary alternative education programs. The ARD/IEP Committee shall consider the services that are available to expelled students through the HCJJAEP in formulating the postexpulsion IEP.

The ARD/IEP Committee will adjust the IEP or placement as appropriate and may consider placement in a disciplinary alternative setting, if appropriate, on the basis of the level of offense and the individual needs of the student. If the ARD/IEP Committee determines that the student's disruptive behavior is related to the disabling condition or inappropriate placement, the student with disabilities shall not be expelled, and no further disciplinary action may be taken.

Any student who commits a crime is subject to arrest and prosecution. In the case of students with disabilities who bring weapons to school or who knowingly possess, use, or solicit the sale of a controlled substance, federal law permits a change in placement to a DAEP for up to 45 days, regardless of whether the conduct is linked to the disabling condition. The educational services shall be selected so as to allow the student to continue to make progress on the goals and objectives of the student's current IEP and shall include services and modifications to address the behavior of the student.

All decisions of the ARD/IEP Committee are appealable through the Special Education due-process appeal procedures as stated in the TEA publication "Special Education: Explanation of Procedural Safeguard"s in the absence of an exception. The student shall remain in the last agreed-upon placement ("stay put") during a due-process appeal, unless the parties agree upon a different placement or a change in placement is ordered by a hearing officer or court of competent jurisdiction.

Limitation on Days of Removal of Students With Disabilities

When a student with disabilities has been suspended, removed to a DAEP, and/or removed for any reason for a combined total of 10 school days in any one school year, an ARD/IEP Committee must be convened to review current evaluations, assessments, and IEP, in accordance with the procedures outlined above, unless such removal is warranted in the student's IEP. The ARD/IEP Committee must determine appropriate actions and adjustment with the goal of keeping the student in school. For example, a decision to remove a student with disabilities for disciplinary reasons into a DAEP for more than 10 days is a change in placement that can be made only by the ARD/IEP Committee.

Protections for Students Not Yet Eligible for Special Education Services

A student may be entitled to some of the protections afforded students with disabilities if the school had knowledge that the student was a student with a disability prior to the student's misconduct. The school may be deemed to have knowledge of the student's disability if the parents had expressed a concern in writing (or orally in some cases) that the child was in need of Special Education and related services; the behavior or performance of the child demonstrated the need for such services; or the parent, teacher, or another employee of the school expressed a concern about the behavior or performance of the child to the Special Education teacher or other personnel of the school.

If none of the above conditions is met, then the school may be deemed not to have knowledge, and the student may be disciplined in the same manner as any other student.

If an evaluation is requested during the time disciplinary action is taken, the evaluation must be conducted in an expedited manner. Pending the outcome of the evaluation, the student remains in the disciplinary placement determined by the principal. If the result of the expedited evaluation is that the student qualifies for Special Education, then the school shall schedule an ARD meeting within 10 business days of the completion of the evaluation to develop an IEP and placement for the student.

Use of Restraints and Seclusion for Students with Disabilities

District staff or volunteers may use restraint only in an emergency to restrict the free movement of all or a portion of a student's body to prohibit self injury by the student or injury to others. Restraint shall be limited to the use of reasonable physical force. Personnel using restraint procedures must be trained in the procedures used for restraint consistent with professionally accepted practices and standards, consistent with relevant health and safety standards, and in compliance with requirements of the Texas Education Agency regarding restraint of students with disabilities. A student with a disability may be separated from other students for a limited period of time (a "time-out") by district staff or volunteers in order to give the student the opportunity to regain self-control. The area in which "time-out" occurs will not be locked and the student will not be physically prevented from leaving. Procedures for use of "time-out" will be in compliance with any applicable requirements of the Texas Education Agency.

Discipline of Students Served Under Section 504 of the Rehabilitation Act

Students served under IDEA (Individuals With Disabilities Education Act) include students who have one of 13 specific categories of disabilities and who because of their disabilities are in need of Special Education and related services in order to receive a free, appropriate public education. Section 504 of the Rehabilitation Act of 1973 covers a broader range of individuals. A student with disabilities under Section 504 is defined as a student who (a) has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment that substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, or performing manual tasks.

Discipline of Section 504 students mirrors the procedural framework involved with Special Education students. However, it is a separate procedure established under separate laws. As with Special Education students, if there is a behavior plan that specifies disciplinary options or responses to student misconduct, then those options or responses should be implemented in accordance with the plan.

For more serious misconduct, which may require expulsion or other exclusion that constitutes a significant change in placement, the Section 504 Committee must conduct a manifestation determination to determine whether the student's conduct was caused by his or her disabling condition. The Section 504 Committee is composed of a group of persons knowledgeable about the student. Such a determination should be based on current data.

If it is determined by the Section 504 Committee that the misconduct is not caused by the student's disabling condition, the student may be excluded from school in the same manner as similarly situated nondisabled students are excluded, but educational services may not be terminated completely during the expulsion period. The Section 504 Committee will determine the extent of educational services to be provided during the expulsion period. Educational services should be provided to the extent necessary to prevent regression in the area of the student's disabling condition.

If it is determined by the Section 504 Committee that the misconduct is caused by the student's disabling condition, the student may not be expelled. The Section 504 Committee must then determine whether the student's current educational placement is appropriate.

Under federal law, students with disabilities who possess illegal drugs or alcohol may be held to the same standard of performance behavior to which nondisabled students are held.

Rules concerning use or possession of illegal drugs and alcohol will be enforced evenly with respect to all students, whether they have disabilities or not.

Students With Disabilities: Summary of Related Board Policies

This *Code of Student Conduct* regarding discipline of students with disabilities is drawn from Board Policies and Standard Practice Memoranda. Students with disabilities are subject to the Board Policies and Standard Practice Memoranda now in effect and those which may be adopted or amended after publication of this edition. Those who desire more information concerning the policies and administrative procedures regarding discipline of students with disabilities should refer to them. Copies are available in all schools and district offices. In order to resolve problems, parents, guardians, and/or students can meet with a teacher at appropriate times to discuss existing problems. If the parents, guardians, or students are dissatisfied with the teacher's decision or explanation, they can meet with the building administrator to review the area of concern. The parents, guardians, or students can meet with the district superintendent if they are dissatisfied with the administrator's decision. As a practical matter, school problems can best be resolved at the campus level, where problems start.

The procedures stated in this manual do not alter the rights and remedies available to students with disabilities as stated in the Parent and Student Rights Booklet or available to Section 504 students as stated on the Notification of Rights form. The sections that relate to discipline of students with disabilities are as follows:

DISCIPLINARY ACTION FOR STUDENTS WITH DISABILITIES. Board Policy defines who is considered as having disabilities, addresses the effect of a discipline management plan in a student with disabilities' IEP, and specifies the total number of days in a school year a disabled student may be suspended, removed to an disciplinary alternative educational program, or subjected to emergency removal before the ARD/IEP Committee must meet to review the student's program.

SUSPENSION. Board Policy explains the circumstances in which a student with disabilities can be suspended.

EXPULSION. Board Policy explains the circumstances in which students with disabilities can be expelled and the ARD/IEP Committee's role in this process.

APPEAL. Board Policy explains the routes of appeal open to students with disabilities who want to challenge a finding of guilt, the appropriateness of the disciplinary action, or decisions by the ARD/IEP Committee in the discipline process.

Additional Rights of Students With Disabilities

The Amigos por Vida-Friends for Life Charter School does not discriminate on the basis of disability and complies with all provisions of Section 504 of the Rehabilitation Act and Title II of the Americans With Disabilities Act.

The Section 504 Coordinator for AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL is:

Jean Scott
5500 El Camino del Rey, Houston, Texas 77081
713-349-9945

Any questions or concerns regarding Title II of the Americans With Disabilities Act (ADA) should be addressed to the ADA Coordinator. The Coordinators for the Amigos por Vida-Friends for Life Charter School is:

For employees/students:
Rosey Mercado-Garza
5500 El Camino del Rey, Houston, Texas 77081
713-349-9945

Any questions or concerns regarding discrimination on the basis of sex under Title IX of the Education Amendments of 1972, as amended, should be addressed to:

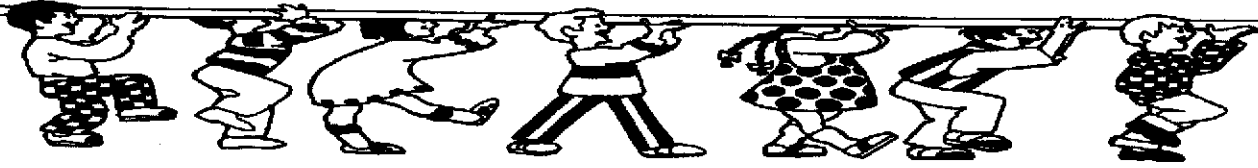
Rosey Mercado-Garza
Principal/Interim CEO
Amigos por Vida-Friends for Life Public Charter School
5500 El Camino del Rey, Houston, Texas 77081
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Amigos Por Vida – Friends for Life Public Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671

Rosalinda Mercado-Garza, CEO/Superintendent
Carlos Villagrana, Principal



Código de Conducta del Estudiante

Prólogo

El Amigos por Vida-Friends for Life Charter School ha establecido como uno de sus objetivos fundamentales el proporcionar un programa educativo de alta calidad para todos los estudiantes. Este proceso deberá llevarse a cabo en un ambiente escolar seguro y libre de interrupciones en el proceso de aprendizaje. El propósito de este Código de Conducta es informar a los padres y alumnos acerca de las expectativas de conducta formuladas por AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL para sus estudiantes. El Código, revisado y aprobado por la Mesa Directiva de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL, se basa en las normas de dicha Mesa Directiva y los memorandos de prácticas oficiales.

El Código ha sido creado para proteger los derechos de todos los estudiantes mediante:

- * Un programa disciplinario uniforme para todo el Distrito.
- * Una explicación clara y concisa del comportamiento que se espera de todos los estudiantes.
- * La descripción de un amplio rango de problemas de conducta que incluye las consecuencias y opciones disciplinarias asociadas con cada infracción.
- * Un resumen de los derechos de los estudiantes en relación con la escuela.

El Distrito espera que estudiantes y padres se familiaricen con las provisiones de este Código y con el programa de disciplina propio de la escuela. El cumplimiento de dichas reglas ayudará a los estudiantes a sacar el máximo provecho de sus estudios.

Algunos cambios importantes en el Código son los siguientes:

- * Clarificación de cambios en las normas sobre la posesión y uso de teléfonos celulares y buscapersonas (pagers o beepers).
- * Clarificación de cambios en las normas sobre la posesión de cuchillos y sus dimensiones.
- * Revisión de los procedimientos para revisar, modificar y extender el período de permanencia del alumno en un programa educativo alternativo de disciplina.
- * Revisión de los procedimientos para clarificar qué constituye uso inapropiado de las computadoras.
- * Eliminación de las normas referentes a insultos o comentarios despectivos con contenidos étnicos o raciales de la lista de ofensas de tercer nivel.
- * Revisión de las ofensas de segundo nivel sobre abuso verbal para incluir la prohibición de intimidar a otros incluyendo entre otras cosas: insultos o comentarios despectivos basados en la raza, el color, la religión, la nacionalidad, el sexo, la discapacidad o la apariencia física, o la orientación sexual de cualquier persona.
- * Prohibición contra el confinamiento de estudiantes con discapacidades y normas para aplicar métodos de inmovilización y aislamiento (time-outs).

Los padres y los estudiantes deben entender que Amigos por Vida-Friends for Life Charter School no discrimina en base a raza, color, origen nacional, sexo o discapacidad u orientación sexual. Esta directiva además prohíbe el acoso racial y la presencia de un ambiente hostil, ya que éstos privan a los estudiantes del derecho a una educación sin discriminación en base a raza, color y origen nacional. Los estudiantes pueden utilizar los procedimientos del Distrito para quejas sin temor a represalias u otras medidas punitivas. Además, el Distrito no tolerará ningún grado de acoso sexual. El Distrito investigará toda queja de discriminación y tomará las medidas apropiadas.

Niveles de Responsabilidad

Para evitar interrupciones en el proceso de aprendizaje y mantener un ambiente académico en nuestras escuelas, es absolutamente esencial atenerse a las reglas del Código de Conducta y del programa de disciplina de cada escuela. Esto depende en gran parte del nivel de desempeño de cada una de las siguientes personas:

LOS ESTUDIANTES

* deben someterse a las reglas de conducta del Distrito, de la escuela y del salón de clase.

LOS PADRES

* deben apoyar las reglas de conducta del Distrito, de la escuela y del salón de clase y asegurarse que el comportamiento de sus hijos se acoje a las normas del Distrito.

* deben proporcionar a la escuela su dirección actual y número de teléfono.

* deben asegurar la asistencia de sus hijos a la escuela. Bajo la ley estatal, la asistencia de los alumnos a la escuela es responsabilidad de los padres.

* deben proporcionar al personal de la escuela toda información que afecte el comportamiento del estudiante y su habilidad para aprender.

* deben leer, entender y confirmar el recibo de estas normas, así como las normas aplicables a la conducta de sus hijos mientras están en la escuela.

LOS MAESTROS

* deben establecer procedimientos disciplinarios en su salón de clase que fomenten el comportamiento apropiado de los estudiantes y que reflejen las directivas y procedimientos del Distrito.

LOS ADMINISTRADORES

* junto con los miembros de la comunidad educativa, deben crear un programa local de disciplina que

* promueva y mantenga normas de buena conducta.

LA MESA DIRECTIVA

* debe aprobar un código de conducta que identifique las normas de comportamiento de los estudiantes y debe establecer las normas y procedimientos oficiales necesarios para mantener un ambiente de aprendizaje estructurado y disciplinado.

Responsabilidades de los estudiantes

Las responsabilidades de los estudiantes incluyen:

- * Asistir diariamente a todas sus clases y ser puntuales.
- * Llegar a cada clase preparados, con las tareas y materiales apropiados.
- * Vestirse según las normas establecidas para cada escuela.
- * Estar conscientes de que el uso o la posesión de drogas no autorizadas o ilícitas, y el uso o la posesión de alcohol y armas es contra la ley y está prohibido, entender que pueden ser sometidos a registros sin previo aviso, conforme a las normas de la Mesa Directiva y las leyes estatales y federales.
- * Mostrar respeto hacia otras personas.
- * Comportarse de manera responsable.
- * Pagar cuotas y multas establecidas.
- * Conocer y atenerse a todas las reglas del Código de Conducta y del programa de disciplina de la escuela.
- * Colaborar con el personal responsable en la investigación de asuntos disciplinarios.
- * Solicitar cambios en las directivas y reglamentos escolares de manera ordenada y responsable, utilizando procedimientos apropiados.
- * Denunciar amenazas contra la seguridad de los estudiantes y miembros de personal, así como conducta inapropiada de otros estudiantes o miembros de personal, al director de la escuela, a un maestro u a otro adulto.
- * Utilizar los sistemas de tecnología de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL únicamente para asuntos relacionados con la escuela y emplear apropiadamente las computadoras y otros equipos de la escuela.
- * Atenerse a los procedimientos de seguridad de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL relacionados con la tecnología, tales como por ejemplo, nunca dejar una computadora o estación de trabajo descuidadas mientras está conectado a otra computadora o a otra red.
- * Denunciar inmediatamente a un maestro todo problema de seguridad observado o sospechado.

Todos los estudiantes tienen derechos básicos de ciudadanía reconocidos y protegidos por la ley para las personas de su edad y madurez. El Amigos por Vida-Friends for Life Charter School fomentará un clima de respeto a los derechos de todas las personas. Cada alumno debe respetar los derechos y los privilegios de los otros alumnos, maestros y empleados del Distrito.

Los estudiantes ejercerán sus derechos y responsabilidades según las reglas de conducta estipuladas en la misión educativa del Distrito. Las reglas de conducta del Distrito y los programas locales de disciplina de cada escuela fueron establecidos para lograr y mantener el orden en las escuelas. Los estudiantes que violen los derechos de otras personas o cualquier reglamento escolar serán sometidos a medidas disciplinarias, según las directivas y los procedimientos establecidos por el Distrito.

Los estudiantes deben mantener el mayor nivel de disciplina y decoro en todas las funciones escolares. Los que no cumplan con las directivas administrativas serán excluidos de todas las funciones escolares, incluyendo las ceremonias de graduación.

Derechos y responsabilidades de los estudiantes, normas de la Mesa Directiva y memorándums de prácticas oficiales del Distrito

Las normas de la Mesa Directiva y memorandos de prácticas oficiales del Amigos por Vida-Friends for Life Charter School contienen los derechos y las responsabilidades de los estudiantes incluidos en este Código de Conducta. Esta sección describe los más importantes. La misión educativa del Distrito respecto a la conducta estudiantil exige un equilibrio entre los derechos y privilegios de los estudiantes (+) y las responsabilidades y obligaciones (-) respectivas.

Programas de estudio

- El Amigos por Vida-Friends for Life Charter School tiene la responsabilidad de ofrecer un plan de estudios balanceado y proveer una enseñanza eficaz a todos los alumnos inscritos en sus programas.
- + Los estudiantes tienen la responsabilidad de progresar académicamente, utilizando sus capacidades al máximo en los programas de estudio.

Asistencia escolar

- Todos los estudiantes deben tener la oportunidad de asistir con regularidad y puntualidad a todas sus clases.
- + Los estudiantes tienen la responsabilidad de asistir a sus clases diaria y puntualmente a menos que circunstancias especiales se lo impidan.

Educación continua

- Las ausencias que ocurren en el curso de una suspensión se consideran ausencias justificadas.
- + Los estudiantes tienen la responsabilidad de completar todas las lecciones y tareas durante el período de suspensión dentro de un plazo de cinco días de su regreso a la escuela.

Evaluación, calificación, promoción/retención de alumnos

- Los estudiantes serán continuamente evaluados en la manera más eficaz posible para determinar su progreso.
- + Los estudiantes tienen la responsabilidad de mantener un nivel razonable de desempeño académico, según sus propias habilidades.

Quejas

- Los estudiantes pueden presentar cualquier queja al Distrito, en persona o a través de un representante, mediante los procedimientos establecidos.
- + Los estudiantes tienen la responsabilidad de seguir los procedimientos establecidos y aceptar la decisión resultante de tal proceso.

Reglas relacionadas con el vestuario y el cuidado personal

- Cada escuela publicará normas específicas sobre el vestuario y el cuidado personal.
- + Cada alumno tiene la responsabilidad de familiarizarse con las normas de la escuela y de atenerse a las mismas.

Publicaciones estudiantiles

- Los estudiantes tienen el derecho de expresar sus opiniones por escrito y pueden distribuir materiales escritos a mano, impresos o duplicados, en el local de la escuela o durante las actividades patrocinadas por la escuela, siempre y cuando se acojan a las condiciones y procedimientos establecidos por la Mesa

Directiva.

- + Los estudiantes tienen la responsabilidad de familiarizarse con las condiciones y procedimientos de la Mesa Directiva y atenerse a ellos. Ver la sección de este código relacionada a las publicaciones estudiantiles.

Propiedades de los estudiantes y de la escuela

- Los estudiantes muestran (y reciben) respeto por sus personas y propiedades materiales.
- + Los estudiantes son responsables de sus actos hacia la propiedad material de la escuela así como de cualquier daño hecho a la propiedad.

Registro de propiedad y estudiantes

- Los estudiantes tienen derecho a las garantías estipuladas en la cuarta enmienda de la Constitución y pueden ser sometidos a un registro y confiscación razonables de objetos ilícitos en la escuela.
- + Los estudiantes asumen la responsabilidad de no llevar en su persona, a la escuela o a cualquier evento patrocinado por la escuela, artículos ilícitos tales como narcóticos, armas, alcohol, beepers, o cualquier otro material de contrabando que infringe las directivas de la escuela y de la ley estatal.
- Los estudiantes tienen derecho a un ambiente escolar seguro y propicio para el aprendizaje y a estar protegidos de los efectos perjudiciales que pueden provocar los estudiantes que traen objetos de contrabando a las instalaciones escolares. Los oficiales de la escuela tienen la autoridad de realizar registros razonables de los estudiantes y los materiales pertenecientes a la escuela, si hay suficientes motivos para creer que los estudiantes podrían tener en su posesión drogas, armas, alcohol u otros objetos ("contrabando") que infringen las directivas de la escuela o la ley estatal.
- Los estudiantes podrán esperar cierta, no completa, privacidad en el uso de sus armarios o escritorios en la escuela.
- Los estudiantes deben saber que la administración puede utilizar perros policías y detectores de metales, según las directivas de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL y las leyes vigentes. Los detectores de metales y los perros policías podrán ser utilizados en cualquier lugar y horario por el personal de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL, según determinado por el personal administrativo y las autoridades policiales.

Gobierno estudiantil

- Los estudiantes tienen el derecho de formular procedimientos para establecer un gobierno estudiantil siguiendo las normas y guías establecidas.
- + Los oficiales y los representantes del gobierno estudiantil tienen la responsabilidad de participar en el mismo, mantenerse informados sobre las necesidades de la escuela y las preocupaciones de los estudiantes y deben trabajar dentro del proceso establecido para enfrentar las necesidades y resolver los problemas planteados.

Acceso a información y confidencialidad de archivos

- Los estudiantes tienen garantizado el derecho de acceso a la información y confidencialidad de sus archivos, de acuerdo al Acta de Información Pública del Estado de Texas (Texas Public Information Act) y el Acta de 1974 sobre la Privacidad y los Derechos Educativos de la Familia (Family Educational Rights and Privacy Act of 1974).
- + Los padres o los estudiantes mayores de edad tienen la responsabilidad de proveer información a individuos y agencias que trabajan activamente para el beneficio de los estudiantes, como por ejemplo, maestros, administradores, enfermeras, etc.

Infracciones de conducta

El Código de Conducta del Estudiante describe toda una serie de comportamientos negativos que causan la mayoría de las interrupciones en el proceso de aprendizaje. Las acciones indicadas en los niveles I, II, III, IV, y V no son inclusivas. Los estudiantes que cometen una infracción que puede clasificarse en cualquiera de los cinco niveles serán sometidos a medidas disciplinarias administradas por el maestro, subdirector y/o director de la escuela.

Cuándo y dónde se aplican estas reglas

Las directivas y los procedimientos administrativos sobre la conducta se dirigen a toda acción de los estudiantes dentro de las instalaciones escolares, los autobuses escolares, y, en algunos casos fuera de las instalaciones escolares, hasta una distancia de 300 piés. Las mismas reglas se aplican durante cualquier actividad y evento patrocinado o relacionado con la escuela, tal como excursiones, eventos deportivos, asambleas, ferias y eventos nocturnos. Los estudiantes deben entender que cualquier acto en el interior o exterior de la escuela que sea un delito grave puede resultar en la asignación del estudiante en otro distrito escolar respetivo o la expulsión del estudiante (ver sección sobre programas alternativos y expulsión). Finalmente, los estudiantes deben entender que los administradores reportarán cualquier actividad criminal dentro o fuera de la escuela a las agencias del orden público apropiadas y que los estudiantes responsables pueden estar sometidos a las denuncias criminales correspondientes, además de las medidas disciplinarias del Distrito.

Criterios generales sobre la imposición de consecuencias y castigos

Al imponer castigos, el personal del Distrito debe seguir las siguientes normas:

1. Se impondrán castigos con el propósito de proteger a los estudiantes, al personal de la escuela o a la propiedad escolar y para mantener orden y disciplina en las escuelas.
2. Los estudiantes serán tratados con justicia e imparcialidad. Cada medida disciplinaria será administrada después de una evaluación detallada de las circunstancias de cada caso particular, como por ejemplo:
 - a. la gravedad de la infracción;
 - b. la edad del estudiante;
 - c. la frecuencia de tal comportamiento;
 - d. la actitud del estudiante;
 - e. el impacto potencial de tal comportamiento sobre el ambiente escolar;
 - f. los requisitos estatales en relación a ciertas medidas disciplinarias.
3. Se consideran ofensas graves aquellas que perturban sustancialmente interfieren concretamente con el orden en el salón de clases, el transporte de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL, la escuela, toda actividad relacionada con la escuela y puede incluir faltas de conducta persistentes de Nivel II o mayores. Un administrador puede considerar, basándose en las circunstancias del caso, que una ofensa de Nivel III constituye una ofensa grave de conducta. Finalmente, si se descubre que el estudiante cometió una ofensa considerada de Nivel IV o Nivel V, se determina que el estudiante ha cometido una ofensa grave de conducta.

Niveles de infracciones

Las infracciones de conducta están clasificadas en los siguientes niveles:

Nivel I-Infracciones de reglas del salón de clase

* Infracciones que generalmente ocurren en el salón de clase y pueden ser corregidas por el maestro.

Nivel II-Intervención administrativa

* Infracciones más graves o infracciones de Nivel I que ocurren con persistencia.

Nivel III-Suspensión/asignación opcional a un programa alternativo

* Infracciones que interrumpen de manera grave el proceso educativo del salón de clase, de la escuela o de actividades relacionadas con la escuela, o infracciones de Nivel I, II y III que ocurren con persistencia. Si se determina que un estudiante está involucrado en una infracción de Nivel III, puede concluirse que ha cometido una ofensa grave.

Nivel IV-Asignación obligatoria a un programa alternativo

* Ofensas criminales más graves tales como definidas en Nivel IV. Estas pueden incluir cualquier delito grave relacionado o no relacionado con la escuela, a menos que tal acto requiera expulsión. Si se determina que un estudiante está involucrado en una infracción de Nivel IV se considera que está involucrado en serias faltas de conducta.

Nivel V-Expulsión por infracciones graves.

* Este nivel contiene las infracciones que requieren expulsión bajo la ley estatal; en general, éstas representan un tipo de comportamiento continuo y persistente que infringe las normas de conducta del Distrito por parte de un estudiante que ha sido ya asignado en otro distrito escolar respectivo. Si se determina que un estudiante está involucrado en una infracción de Nivel V se considera que está involucrado en serias faltas de conducta.

El personal implicado utilizará su juicio profesional al determinar las consecuencias más eficaces para las infracciones específicas. Estas consecuencias son impuestas igualmente a todos los estudiantes, excepto por las normas de la Mesa Directiva y memorandos de prácticas oficiales del Distrito para los estudiantes de educación especial.

Procedimientos generales para resolver problemas escolares

Los problemas escolares se resuelven mejor en la escuela donde ocurren.

Padres, tutores legales y/o alumnos podrán encontrarse con un maestro a un horario apropiado para discutir el problema. Si están insatisfechos con la explicación o con la decisión del maestro, podrán encontrarse con el administrador del edificio. Si aún están insatisfechos con la decisión del administrador, podrán entonces discutir el problema con el superintendente de su zona escolar.

Los padres, tutores legales y estudiantes que quieren apelar contra la asignación en otro distrito escolar respectivo que se extiende más allá del siguiente período de calificación o que quieren apelar contra una expulsión deberán referirse a la sección apropiada de este Código.

Niveles de infracciones y opciones disciplinarias

Nivel I: Infracciones de reglas del salón de clase y del transporte escolar

Cada maestro o miembro del personal tiene la responsabilidad de formular reglas para el salón de clase y para las actividades relacionadas con la escuela. El maestro puede utilizar cualquiera de las opciones indicadas abajo para mantener disciplina en su clase.

Las infracciones de Nivel I incluyen:

- * Infracciones de reglas y/o procedimientos establecidos por el maestro.
- * Hacer trampa o copiar el trabajo de otros estudiantes.
- * Negarse a participar en las actividades de la clase.
- * Llegar tarde a clase sin excusa.
- * No traer materiales/tareas necesarias para la clase.
- * Otras infracciones generales tales como comer en clase, hacer juegos físicos rudos y ruidos excesivos o no seguir las reglas de vestuario de la escuela.
- * Cualquier otro acto que impida o interfiera con el funcionamiento de la clase.
- * No entregar a la clase y/o a la casa cualquier tipo de comunicación escrita entre la escuela y los padres.
- * Conducta negativa o no atenerse a las reglas en los autobuses escolares
- * Divulgar la contraseña de acceso a la computadora a otras personas o entidades.

Opciones disciplinarias:

- * Correcciones verbales.
- * Conferencias individuales entre maestros y estudiantes.
- * Contacto con los padres mediante una nota escrita o una llamada telefónica.
- * Conferencia entre estudiante y consejero.
- * Detención con un maestro en la escuela antes o después de las horas escolares.
- * Otras acciones disciplinarias apropiadas en la clase.
- * Limitación del privilegio de transporte en los autobuses escolares.
- * Pérdida del privilegio de usar computadoras en el salón de clase.

Procedimientos:

1. Cualquier miembro del personal que observa la infracción de una regla del salón de clase tiene autoridad para corregir al estudiante responsable.
2. El maestro o miembro del personal de la escuela debe mantener un registro de las infracciones y de las consecuencias disciplinarias usando un formulario apropiado.
3. El maestro debe discutir la infracción del alumno con los padres, administradores y/o personal de apoyo.
4. Las infracciones de Nivel I y las opciones disciplinarias no se limitan a las indicadas aquí. Las infracciones continuas y/o más graves resultarán en consecuencias más severas y pueden estar sometidas a las consecuencias del Nivel II.

Nivel II: Intervención administrativa

Algunas infracciones exigen la intervención del personal administrativo. Las consecuencias disciplinarias dependen de la infracción, la conducta previa del estudiante y la gravedad de la infracción. Las infracciones de este nivel generalmente son las que interfieren con el proceso de aprendizaje del salón de clase y/o la escuela. El maestro que observa una infracción de Nivel II u otra ofensa de nivel más alto entregará un informe escrito de tal acto al director de la escuela o al administrador apropiado. El director enviará un informe a los padres del estudiante en un plazo de 24 horas.

Las infracciones de Nivel II incluyen:

- * Infracciones continuas de las reglas del salón de clase o del transporte escolar indicadas bajo Nivel I.
- * Salidas del salón de clase o de la escuela sin la autorización del personal de la escuela.
- * Posesión de fósforos u otros materiales inflamables.
- * Exhibiciones inapropiadas de afecto.
- * Cualquier tipo de abuso verbal o insulto a otras personas, incluyendo pero no limitado al uso de sobrenombres, comentarios insultantes con otra persona acerca de la raza, el color, la religión, la nacionalidad, el sexo, la discapacidad, la apariencia física, u orientación sexual de la persona. Se define insulto como cualquier acción o palabra que somete a la persona a un tratamiento indigno, humillación, intimidación, abuso físico o amenaza de abuso físico, aislamiento social o de otra índole, vergüenza o desgracia.

- * Exponer o distribuir material no autorizado en cualquier lugar de la escuela.
- * No atenerse a los reglamentos en actividades patrocinadas por la escuela, como por ejemplo, excursiones.
- * Estar en áreas no autorizadas.
- * Alteración de archivos, documentos o firmar en nombre de los padres en documentos oficiales de la escuela.
- * Uso o manejo de aparatos de comunicación, incluyendo buscapersonas "beepers", teléfonos celulares o cualquier otro sistema de comunicación. Los alumnos no pueden utilizarlos de manera que interrumpen el proceso educativo mientras estén en los terrenos de la escuela o en funciones de la misma.

Además de las medidas disciplinarias correspondientes, los medios de comunicación electrónica serán confiscados cuando sean utilizados sin la debida autorización. El director de la escuela u otro administrador comunicará a los padres y a la compañía apropiada el número de serie del mismo y su intención de deshacerse de tal aparato en un plazo de 30 días. El Distrito cobrará una cuota administrativa de \$15 a los padres que quieren recuperar dicho instrumento dentro de este plazo de 30 días. Los aparatos no reclamados en este período serán entregados al departamento de Property Management para que disponga de ellos.

- * Disturbios en la cafetería.
- * Infracción de reglas sobre uniformes escolares.
- * Mala conducta en los autobuses escolares.
- * Cualquier otro acto que interfiere con el proceso de aprendizaje en el salón de clase o en la escuela.
- * Acceso a materiales o sitios en el Internet considerados por AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL como inapropiados.
- * Enviar o hacer seguir correo electrónico inapropiado, incluyendo el envío de correo electrónico que contiene lenguaje ofensivo, declaraciones falsas, propaganda publicitaria, cartas que circulan en cadena, chistes.
- * Conectar a otra computadora, enviar correo electrónico o acceder al Internet mediante el uso de un nombre o contraseña de acceso que no pertenezca al estudiante.
- * Crear e incorporar páginas electrónicas ("web pages"), imágenes gráficas, lenguaje o comentarios ofensivos en un "server" electrónico, página electrónica o "guest book" de la escuela o del distrito, sin autorización.

Opciones/consecuencias disciplinarias

- * Aviso a los padres mediante una nota escrita y una llamada telefónica en un plazo de 24 horas.
- * Conferencia obligatoria entre el administrador, el estudiante y los padres.
- * Detención.
- * Exclusión de actividades extracurriculares tales como excursiones, ceremonias de graduación o ceremonias de premios.
- * Supresión del privilegio de uso del transporte escolar.
- * Contratos con normas específicas de conducta y comportamiento.
- * El maestro saca al estudiante del salón de clase, conforme a las provisiones relacionadas de este código de conducta.
- * Suspensión del privilegio de transporte escolar.
- * Cualquier otra acción disciplinaria determinada por la administración.

Procedimientos:

1. El administrador interviene preparando un informe escrito que no exceda de una página.
2. El administrador tiene una conferencia con el estudiante y/o el maestro para tomar acción apropiada.
3. Los padres son informados por escrito en un plazo de 24 horas después de haberse redactado el informe. También se avisa al maestro de la acción iniciada.
4. El formulario de disciplina es archivado por el administrador.
5. Las infracciones y las opciones/consecuencias disciplinarias del Nivel II no se limitan a las indicadas.
6. Las infracciones continuas resultarán en consecuencias más graves y pueden ser sometidas a las consecuencias del Nivel III.

Ciertos actos físicos administrados por el personal de la escuela contra un estudiante (tales como y no limitados a estrangulamiento, pellizcos, puñetazos, patadas, golpes con objetos inapropiados, etc.) no son autorizados y representan una violación de las directivas sobre el castigo corporal.

Nivel III: Suspensión o asignación en otro distrito escolar respetivo

Las infracciones de Nivel III incluyen aquellos actos castigables con suspensión de la escuela o asignación en otro distrito escolar respetivo en la misma escuela o si el administrador determina que una que una ofensa de Nivel III es seria y persistente según lo establecido por este código, podrá entonces referirlo a otro distrito escolar respetivo. El director de la escuela o el administrador determinará la consecuencia apropiada basado en la severidad de la ofensa. El período de suspensión no podrá exceder tres días por cada incidente.

Suspensión/asignación opcional en otro distrito escolar respetivo

El período de suspensión se limita a tres días por incidente y se aplica a los tipos de comportamiento indicados más adelante. Además, el director de la escuela o un administrador pueden suspender a un alumno hasta un máximo de tres días antes de asignarlo a otro distrito escolar respetivo. Toda suspensión es final y no se puede apelar.

Las siguientes infracciones pueden castigarse mediante la suspensión dentro de la escuela.

Si la ofensa es seria y persistente, el estudiante es removido de su clase y asignado a otro distrito escolar respetivo por involucrarse en alguna de las siguientes actividades dentro de la escuela o en un evento relacionado con la escuela:

- * Infracciones continuas de Nivel I y/o II.
- * Peleas.
- * Juegos por dinero.
- * Delitos menores/robo, incluyendo computadoras y equipo relacionado con un valor inferior a \$750.00.
- * Más de una ausencia no autorizada.
- * Posesión de un cuchillo.
- * Persistente mala conducta en los autobuses escolares.
- * Fumar, usar o tener en su posesión tabaco o productos de tabaco.
- * Interferir con las autoridades de la escuela.
- * Cualquier tipo de acción agresiva, destructiva o de demostración en grupo que interrumpa de manera significativa o interfiera gravemente con las actividades escolares. Esto incluye tales actos como boicoteos, manifestaciones de protesta, intrusiones en áreas no autorizadas y huelgas.
- * No seguir las instrucciones razonables del personal de la escuela y/o desafiar la autoridad del personal escolar.
- * No atenerse a las normas de los contratos individuales de conducta.
- * Proposiciones indecentes o acoso sexual.
- * Vender o intentar vender cualquier tipo de mercancía sin la autorización del director del edificio.
- * Faltar el respeto al personal de la escuela o a visitantes de la escuela.
- * Participar en actividades de grupos tales como pandillas y cultos.
- * Usar ropas o formas de vestir que representan afiliación con pandillas
- * Profanidad, lenguaje vulgar y gestos obscenos.
- * Uso o posesión de fuegos artificiales, "poppers", bombas fétidas, bombas de humo o cualquier instrumento pirotécnico que puede ser utilizado para interrumpir el proceso de aprendizaje.
- * Posesión de plumas o punteros de láser.
- * Posesión de balas o municiones.
- * Actos de intimidación o amenazas que interfieren con la disposición de otro estudiante a participar en el proceso de aprendizaje.
- * Delitos menores (tales como vandalismo) que resultan en la destrucción o la desfiguración de cualquier propiedad, incluyendo computadoras y equipos relacionados, valorados en más de \$20 pero menos de \$1,500. Esto incluye causar la inoperabilidad de las computadoras y equipos relacionados, o dañarlos borrando datos mediante el uso de imanes, intencionalmente introducir virus, "worms" o "trojans", o cambiar programas u otros datos sin autorización.
- * Actos de piratería u otros usos de computadoras cuyo propósito es obtener acceso ilegal a la base de datos del Distrito y de otras entidades. Además de las penalidades legales asociadas a tales ofensas, los estudiantes involucrados podrían perder el privilegio de uso de computadoras en la escuela.
- * Uso de computadoras, equipo de fax u otros aparatos electrónicos escolares para transmitir, recibir, mirar o exhibir materiales obscenos, vulgares, sexualmente explícitos o racistas; o para propagar información relacionada con actividades ilegales o que proporciona instrucciones para la construcción o producción de armamentos, aparatos ilegales o sustancias controladas.

- * Uso de la red de computadoras de la escuela con la intención de provocar a los estudiantes a utilizar violencia, actos agresivos, lenguaje difamatorio o lenguaje que promueve racismo o acoso sexual y perturba el ambiente escolar.
- * Uso de la red de computadoras de la escuela para solicitar o comprar material de tipo comercial, o cualquier otro tipo de servicio.
- * Enviar o circular correo electrónico que sea inapropiado porque contiene materiales con lenguaje ofensivo.
- * Utilizar una computadora, enviar correo electrónico o conectar con el sitio de Internet o el Intranet del Distrito utilizando un nombre o clave que no sean los suyos.
- * Publicar sin autorización páginas electrónicas ("web pages"), imágenes gráficas, lenguaje o comentarios ofensivos en un servidor "server" electrónico, página electrónica o el libro de visitantes, "guest book" de la escuela o del distrito.
- * Uso de la red de computadoras de la escuela para tomar parte en cualquier actividad de grupos que propagan el odio y la intolerancia.
- * Extorsión clasificada como delito menor, lo que significa obtener información o dinero de otras personas a través de coerción o intimidación por un valor inferior a \$1,500.
- * Posesión o uso de cualquier tipo de droga recetada o no recetada, medicinas, vitaminas u otros productos químicos, en violación a las normas para utilizar medicinas en las escuelas.
- * Resistirse a cooperar o interferir con los registros al azar mediante los detectores de metal.
- * Modificar la propiedad escolar a través de grafiti o cualquier otro medio.
- * Cometer cualquier otro acto que afecte gravemente y de manera negativa el ambiente del salón de clase y/o la escuela.
- * Novatadas, o sea, cualquier acto intencional o imprudente iniciado por un estudiante, actuando por su cuenta o con otros para perjudicar el bienestar físico o mental y la seguridad de otro estudiante. Tales actos generalmente tienen el objetivo de afiliarse, iniciar o mantener afiliación en cualquier organización o clasificación que incluyen a otros estudiantes.
- * Participar (directamente o indirectamente) en la promoción de cualquier tipo de comportamiento prohibido en este Código de Conducta.

Opciones/consecuencias disciplinarias:

- * Conferencia obligatoria entre administrador/padres/estudiante.
- * Restitución o restauración, según sea aplicable, en los casos de vandalismo a la propiedad.
- * Exclusión de actividades extracurriculares tales como excursiones, ceremonias de graduación o ceremonias de premios.
- * Suspensión dentro de la misma escuela.
- * Suspensión por un máximo de tres días escolares por infracción.
- * Limitación o supresión del privilegio de usar las computadoras hasta por un período de un año.
- * Remoción del estudiante del salón de clase, conforme a la sección "Procedimientos para sacar a un estudiante del salón de clase" en este Código.
- * Asignación a otro distrito escolar respetivo.
- * Aplicación de cualquier otra medida disciplinaria que la administración considere apropiada.

Procedimientos:

1. El caso es asignado a un administrador por medio de una tarjeta de disciplina y se envía un informe a los padres del estudiante en un plazo de 24 horas.
2. El administrador tiene una conferencia con el estudiante y sus padres. El estudiante tiene la oportunidad de explicar el incidente. El administrador determinará si la acción del estudiante constituye una infracción.
3. El administrador determina la suspensión del estudiante o su asignación a otro distrito escolar respetivo. El maestro y los padres reciben notificación escrita de la determinación. Si se asigna al estudiante a otro distrito escolar respetivo, los padres serán informados por escrito sobre las razones y los términos de dicha asignación. Los alumnos menores de 6 años no pueden ser colocados en programas educativos alternativos. La carta que refiere al estudiante debe indicar los términos de la transferencia especificando el número de días que debe completar con éxito en el programa alternativo de disciplina.
4. Si la asignación del estudiante a otro distrito escolar respetivo se extiende más allá del siguiente período de calificación o más allá del año escolar, se aplicarán las reglas descritas en esta misma sección de "procedimientos para la asignación a otro distrito escolar respetivo por un largo período de tiempo".
5. Las infracciones repetidas resultarán en consecuencias más severas y/o asignación al Nivel IV.

Nivel IV: Asignación obligatoria a otro distrito escolar respetivo

Si el estudiante comete una infracción que corresponde a un delito grave, el administrador de la escuela sacará al estudiante del salón de clase y lo asignará a otro distrito escolar respetivo. Esta medida puede aplicarse a un delito grave que tiene lugar en las instalaciones escolares o en el exterior de éstas, durante, antes o después de los horarios escolares, a menos que la ofensa se pueda sancionar con o requiera expulsión. Además, el administrador asignará al estudiante a tal programa si éste comete un delito grave o cualquiera de los actos descritos a continuación durante cualquier evento o actividad patrocinado por la escuela, dentro o fuera de las instalaciones escolares, o lo comete dentro de las instalaciones escolares o a una distancia máxima de 300 pies de las mismas. Tal distancia será medida desde cualquier punto límite de dichas instalaciones.

Infracciones de Nivel IV:

* **Delitos graves.** Hay tres tipos de delitos graves que resultan en la asignación del estudiante a un programa alternativo. Éstos son:

* Cualquier tipo de conducta castigable como delito grave dentro de las instalaciones escolares durante el curso de una actividad o evento escolar, o a un máximo de 300 pies del límite de dichas instalaciones.

* El recibo de un enjuiciamiento diferido o determinación de conducta delincuente por una corte o por un jurado bajo el "Family Code" (Código Familiar), o la sospecha razonable del director de la escuela que el estudiante ha cometido un delito grave bajo el Título 5 del Código Penal, incluyendo: homicidio criminal; asesinato; asesinato que lleva la pena de muerte; homicidio impremeditado; homicidio por negligencia criminal; encarcelamiento ilegal; secuestro; secuestro con agravantes; comportamiento indecente con niños; asalto sexual; asalto sexual con agravantes; causar daños o heridas a un niño, a un anciano, o a un individuo discapacitado; abandonar o exponer a un niño a peligros; presentar alguna conducta que amenaza la vida de otro individuo; hacer amenazas terroristas; ayudar a un suicidio; o falsificar productos de consumo sin tenerse en cuenta el lugar donde se cometió la ofensa.

* Cualquier tipo de conducta, que se castigue como delito grave y se realice a una distancia de más de 300 pies de las instalaciones escolares, cuando tal conducta no está relacionada con ninguna actividad ni función escolar. Si el director de la escuela tiene alguna sospecha razonable de que el estudiante está implicado en un delito grave, que no incluye los citados anteriormente bajo el Título 5 del Código Penal este director puede determinar que la presencia continua del estudiante en el salón de clase perjudica la seguridad de los demás estudiantes o maestros, o el proceso de aprendizaje.

* Asalto definido como intencional, que deliberadamente o imprudentemente causa daños físicos a otra persona, y que deliberadamente o imprudentemente puede causar daños físicos cuando se apunta una pluma o puntero laser a otro estudiante o miembro de personal (Sección 22.01 (a) (1) y Sección 1.07 (a) (8), Código Penal).

* Cometer un falta de conducta en una escuela pública que contenga los elementos de una ofensa de falsa alarma o reporte (Sección 42.06 del Código Penal), o una amenaza de atentado terrorista (Sección 22.07 del Código Penal). Las amenazas terroristas, incluyen pero no están limitadas a amenazas de violencia o daño a cualquier persona o propiedad con la intención de provocar una intervención de emergencia o que causan en cualquier persona el temor de inminente daño físico; interrupción de ocupación y uso de un edificio, salón, lugar de asamblea, lugar accesible al público, mediante amenazas violentas u otros medios; o actos que perjudican o interfieren con los sistemas públicos de comunicación, transporte, abastecimiento de agua, gas, electricidad o cualquier otro servicio público, conforme a la Sección 22.07 del Código Penal.

* Vender, dar, entregar a otra persona, poseer, usar o estar bajo la influencia de marihuana o cualquier otra droga o sustancia controlada. (Capít. 481, Health and Safety Code, o 21 U.S.C. Sección 801 et. seq.), a no ser que dicha ofensa sea castigable como delito grave.

* Vender, dar o entregar bebidas alcohólicas a otra persona (Cap. 483, Health and Safety Code), a menos que dicha ofensa sea castigable como delito grave.

* Poseer parafernalia relacionada con drogas.

* Poseer, usar o estar bajo la influencia de bebidas alcohólicas.

* Cometer una ofensa grave bajo la influencia del alcohol.

* Desplegar conductas que contienen elementos de una infracción en relación a la posesión y uso de colas o pinturas, y la entrega de éstos a menores de edad o posesión de cualquier parafernalia asociada con éstos. (Secciones 485.031 - 485.035, Health and Safety Code).

* Desplegar conductas que contienen elementos de una infracción en relación al uso, posesión o entrega a menores de edad o posesión de parafernalia utilizada con productos químicos volátiles. (Capítulo 484, Health and Safety Code).

* Desplegar conductas relacionadas con ofensas de obscenidad en público o exposición obscena, incluyendo ofensas contra la castidad, decencia, moralidad, etc. (Sección 21.07 y 21.08, Código Penal).

* Robar equipos de computadoras u otra propiedad, por un valor superior a \$750 es considerado como delito grave.

* Robar mediante entrada ilícita a las instalaciones escolares de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL.

* Desfigurar las propiedades de la escuela mediante graffiti u otro tipo de vandalismo que resulte en destrucción o pérdida monetaria por una suma menor a \$20,000. (Código Penal, Sección 28.08)

* Presentar comportamiento dentro o fuera de la escuela, o en cualquier función escolar, que sea considerado delito de represalia bajo la Sección 36.06 del Código Penal, contra cualquier empleado de la escuela mediante actos que incluyen pero no se limitan a amenazas intencionales de lastimar a una persona como represalia por el cumplimiento de los deberes oficiales de dicha persona, a menos que el estudiante cometa una ofensa de represalia contra otra persona que sea castigable como delito grave y que permite la expulsión del estudiante bajo las normas del Nivel IV.

* Dar informes falsos sobre cualquier miembro del personal, los cuales después no sean corroborados por la investigación iniciada como resultado de estos informes.

* Participación en organizaciones ilícitas tales como fraternidades, hermandades de mujeres, sociedades secretas, pandillas, cultos u otra combinación criminal prohibida por la ley, definida como organización compuesta en parte de estudiantes y que intenta perpetuarse mediante el reclutamiento de estudiantes matriculados en la escuela según determinado por los miembros de la organización y no en base a la libre voluntad del estudiante, quien a su vez, debe atenerse a las reglas de la escuela para cumplir las metas de la organización (Código Educativo de Texas, Sección 37.121).

* Poseer munición o balas de manera continua.

* Poseer armas tipos "BB guns", "pellet gun", o escopetas de aire comprimido.

* Poseer réplicas de armas bastante parecidas a las armas

auténticas, de tal manera que si se apuntan o se muestran a otra persona, una persona razonable puede asumir que el estudiante está en posesión de un arma de fuego.

Los términos de asignación a otro distrito escolar respetivo bajo esta sección prohíben al estudiante asistir o participar en cualquier actividad escolar. Los estudiantes de educación especial pueden ser asignados a tal programa únicamente y estrictamente bajo las directivas disciplinarias para estudiantes de educación especial indicadas en este Código. Los estudiantes de educación especial no pueden ser asignados a otro distrito escolar respetivo, a menos que el Comité ARD lo estime apropiado desde el punto de vista educacional y el estudiante haya cometido una infracción para la cual se autoriza esta asignación.

Procedimientos:

1. Asignación del caso a un administrador por medio de un informe escrito que no pase de una página; envío de un informe a los padres del estudiante en un plazo de 24 horas. Si se estima apropiado, el Departamento de Policía de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL realizará una investigación. Si el estudiante es transportado por la policía, los padres generalmente son avisados en el plazo de una hora.

2. El administrador tiene una conferencia con el estudiante y sus padres sobre el comportamiento en cuestión. El estudiante tiene la oportunidad de ofrecer su versión del incidente. El administrador determinará la consecuencia disciplinaria.

3. El administrador determina si se asigna al estudiante a otro distrito escolar respetivo. Los padres serán informados por escrito sobre las razones y los términos de tal asignación. Los estudiantes menores de 6 años no pueden ser sacados del salón de clase y colocados a otro distrito escolar respetivo.

4. Si la asignación del estudiante a otro distrito escolar respetivo se extiende más allá del siguiente período de calificación, los padres o los tutores legales del estudiante tienen el derecho de ser avisados y de participar en una audiencia ante el superintendente de la zona escolar o la persona designada por la Mesa Directiva.

5. Antes de asignar a un estudiante a otro distrito escolar respetivo, el director de la escuela debe determinar que:

* la presencia del estudiante en el salón de clase o la escuela constituye una amenaza física al mismo estudiante o a otros individuos.

* el estudiante ha cometido ofensas graves o persistentes en violación al Código de Conducta del Distrito. Cuando se descubre que el estudiante cometió una ofensa considerada como de Nivel IV o Nivel V, se determina que el estudiante ha cometido una ofensa grave de conducta. Un administrador puede considerar, basándose en las circunstancias del caso, que una ofensa de Nivel III constituye una ofensa grave de conducta.

6. En un plazo de dos días laborables después de la audiencia en la cual se determina la asignación de un estudiante a otro distrito escolar respetivo bajo esta sección, el director de la escuela debe enviar una copia de la orden de asignación a los padres y al Departamento de Administración Escolar del Distrito, quien a su vez entregará los datos al oficial autorizado del tribunal de menores.

Nivel V: Expulsión por ofensas graves

Este nivel incluye las infracciones graves y/o los actos ilícitos que amenazan perjudicar la eficacia educacional de la escuela y/o que interfieren de manera muy grave en la organización del proceso educativo ordenado en el salón de clase y/o escuela. Bajo la ley estatal, cualquier violación incluida en esta sección puede resultar en la expulsión del estudiante. La expulsión puede ser impuesta si la infracción tiene lugar dentro de la propiedad de la escuela o en una actividad relacionada con la escuela o patrocinada por ésta, dentro o fuera de las instalaciones escolares. Expulsión significa que un alumno es sacado de la escuela por más de tres días escolares consecutivos, pero no más de un año.

Las siguientes ofensas de Nivel V pueden resultar en expulsión opcional u obligatoria:

EXPULSION OPCIONAL

Un estudiante puede ser expulsado del Amigos por Vida-Friends for Life Charter School asignado a otro distrito escolar respetivo bajo Nivel IV por haber tomado parte en las siguientes actividades dentro de las instalaciones escolares o mientras asistía a una actividad patrocinada por o relacionada con la escuela:

(1) Vender, dar, entregar a otra persona, usar o estar bajo la influencia de cualquier cantidad de marihuana u otra droga o sustancia controlada (Capítulo 481, Health and Safety Code, o 21 U.S.C., Sección 801 et seq.).

(2) Vender, dar, entregar a otra persona, usar o estar bajo la influencia de cualquier cantidad de droga peligrosa (Capítulo 483, Health and Safety Code).

(3) Vender, dar, entregar a otra persona, usar o estar bajo la influencia de cualquier cantidad de bebida alcohólica, según es definido en la Sección 1.04, Alcoholic Beverage Code.

(4) Presentar una conducta relacionada con la inhalación de colas o pinturas, incluyendo posesión, uso, entrega a menores de edad o posesión de parafernalia asociada con el abuso de colas o pinturas (Secciones 485.031 a 485.035, Health and Safety Code).

(5) Exhibir un comportamiento negativo grave y persistente que infringe este Código mientras el estudiante está asignado a un programa educacional alternativo bajo Capítulo 37. Se consideran ofensas graves aquellas que perturban sustancialmente o interfieren concretamente con el orden en el salón de clases, el transporte de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL, la escuela, o cualquier actividad relacionada con la escuela y puede incluir faltas de conducta persistentes de Nivel II o mayores. Se define como persistente aquellas faltas de Nivel II o mayores que se cometan más de una vez. Un administrador puede considerar, basándose en las circunstancias del caso, que una ofensa de Nivel III constituye una ofensa grave de conducta. Finalmente, si se descubre que el estudiante cometió una ofensa considerada con Nivel IV o Nivel V, se determina que el estudiante ha cometido una ofensa grave de conducta.

(6) Tener un cuchillo ilegal, definido en este Código como un cuchillo con una hoja de más de 3 pulgadas pero menos de 5 1/2 pulgadas, incluyendo hojas de afeitar, cuchillos muy afilados utilizados para cortar cartón, cuchillos X-ACTO, u otros objetos diseñados para cortar, cuando se determina razonablemente bajo las circunstancias que están en la posesión del estudiante con la intención de utilizarlos como arma.

(7) Participar en actos de asalto, lo cual se define como conscientemente, intencionalmente o imprudentemente causar daños físicos a un miembro del personal o un voluntario (Sección 22.01(a) (1), Código Penal).

(8) Cometer una falta de conducta en la escuela pública que contenga elementos de la ofensa de falsa alarma o reporte (Sección 42.06 del Código Penal) o amenaza de atentado terrorista (Sección 22.07 del Código Penal)

El estudiante puede ser expulsado, sin importar si la infracción tiene lugar en una actividad relacionada con la escuela, en las

instalaciones escolares, o fuera de la escuela, si:

(1) El estudiante participa en un acto de asalto (Sección 22.01 (a) (1), Código Penal) contra un empleado del distrito escolar o un voluntario, como resultado del empleo o asociación de dicha persona con el distrito.

(2) El estudiante se involucra en conducta que tiene elementos de daños voluntarios y maliciosos castigables por la ley (ejemplo, vandalismo) y de destrucción de propiedad por una cantidad superior a los \$1,500, o, castigable como delito grave (Sección 28.03, Código Penal).

EXPULSIÓN OBLIGATORIA

El estudiante será expulsado de la escuela si al encontrarse dentro de una instalación escolar o al asistir a una actividad relacionada con la escuela o patrocinada por la misma, dentro o fuera de las instalaciones escolares:

* Usa, exhibe o tiene en su posesión un arma de fuego, es decir, un aparato diseñado, construido o adaptado para expulsar un proyectil a través de un cañón usando la energía generada por una explosión, una sustancia en ignición o cualquier dispositivo que puede ser convertido para tal uso (Sección 46.01(3) del Código Penal).

* Usa, exhibe o tiene en su posesión un cuchillo ilícito, definido por la ley estatal (Sección 46.01(6), Código Penal) como un cuchillo que tiene una hoja de más de 5 1/2 pulgadas y que incluye instrumentos diseñados para cortar o apuñalar mediante su lanzamiento (tipo artes marciales), puñales, cuchillos-puñales, espadas o lanzas.

* Usa, exhibe o tiene en su posesión un garrote, es decir, un instrumento especialmente diseñado para ocasionar graves daños corporales o muerte golpeando a una persona con tal instrumento, e incluye pero no se limita a una cachiporra, porra, maza, o hacha (Sección 46.01(1), Código Penal).

* Usa, exhibe o tiene en su posesión un arma prohibida por la sección 46.05 del Código Penal. Tales armas incluyen armas explosivas, ametralladoras, armas de fuego de cañón corto, silenciadores de armas de fuego, navajas, manoplas, munición perforante, dispensadores de productos químicos o armas de fuego de fabricación casera.

* Muestra una conducta que contiene elementos de:

(a) Asalto con agravante, incluyendo pero no limitándose a graves daños corporales a otra persona durante la ejecución de un asalto, o el uso o exhibición de una arma mortal durante la ejecución de un asalto (Sección 22.02, Código Penal), y que puede incluir daños al ojo de una persona después haber apuntado una pluma o puntero láser contra otra persona.

(b) Asalto sexual (Sección 22.011, Código Penal).

(c) Asalto sexual con agravante, incluyendo pero no limitándose a causar daños corporales o amenazar con daños corporales a otra persona durante la ejecución de un asalto sexual, o uso o exhibición de una arma mortal durante la ejecución de un asalto sexual (Sección 22.021, Código Penal).

(d) Incendio provocado (Sección 28.02, Código Penal).

(e) Homicidio (Sección 19.02, Código Penal).

(f) Homicidio que lleva la pena capital (Sección 19.03, Código Penal) o intento criminal de cometer un asesinato o asesinato que lleva pena capital. (Sección 15.05, Código Penal)

(g) Comportamiento indecente con un niño (Sección 21.11, Código Penal).

(h) Secuestro con agravante (Sección 20.04, Código Penal).

(i) Si es castigable como delito grave, la posesión, uso, venta, entrega, o estar bajo la influencia de marihuana, una sustancia controlada o una droga peligrosa; o cometer una ofensa seria bajo la influencia de una bebida alcohólica, pero solamente si tal ofensa es castigable como delito grave.

* Trae a la escuela un arma de fuego que, según Sección 921, 18 U.S.C., incluye pero no se limita a cualquier tipo de arma, incluyendo una pistola utilizada para marcar el inicio de una competición deportiva, diseñada o que puede ser adaptada para expulsar un proyectil mediante una explosión; la armadura o el receptor de tal arma; cualquier tipo de silenciador de armas de fuego; o cualquier aparato de destrucción.

Los estudiantes que actúan en violación de esta sección serán expulsados por un mínimo de un año, excepto en el caso que:

(1) El superintendente puede alterar el período de expulsión en casos individuales.

(2) La ley federal exige la expulsión de todo estudiante que lleve un arma de fuego a la escuela por un mínimo de un año. La ley estatal no permite la expulsión de estudiantes menores de 10 años, pero exige al Distrito proveer servicios educativos a otro distrito escolar respetivo a todo estudiante entre los 6 y 10 años de edad que comete una ofensa que normalmente requiere la expulsión. La ley estatal no permite la colocación de los alumnos menores de 6 años en programas alternativos de disciplina. Los estudiantes menores de 10 años que llevan armas de fuego a la escuela serán expulsados por el período de un año, pero la expulsión será modificada de tal manera que permita la educación de estos alumnos a otro distrito escolar respetivo por el período de un año. Los alumnos menores de 6 años serán expulsados y su expulsión será modificada por el superintendente o la persona designada para cumplir con las leyes estatales y federales

* Además, un estudiante debe ser expulsado por toda conducta que contiene los elementos de una ofensa que exige la expulsión, mientras que comete un acto de represalia contra un empleado del Distrito y por razones de su empleo con el Distrito, sin importar si esta conducta tiene lugar dentro o fuera de las instalaciones escolares o en una función relacionada con la escuela.

**Posesión significa cuidado, custodia, control o gestión. Se considera a un estudiante en posesión de cualquier sustancia u objeto regulado/prohibido por el presente Código, cuando dicha sustancia u objeto están: (1) en la persona misma del estudiante o en su propiedad personal, incluyendo pero no limitándose a su ropa, cartera, mochila o maletín; (2) en cualquier vehículo privado utilizado por el estudiante para sus viajes de ida y vuelta a la escuela o para las actividades escolares, incluyendo pero no limitándose a un automóvil, camioneta, motocicleta o bicicleta; (3) en cualquier lugar de la escuela utilizado por el estudiante, incluyendo pero no limitándose a casilleros o escritorio.

Opciones disciplinarias bajo expulsión opcional:

* Notificación e investigación de parte del Departamento de Policía de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL. Si el departamento de policía decide transportar al estudiante, el administrador normalmente deberá avisar a los padres en el plazo de una hora.

* Conferencias obligatorias entre administradores/padres/estudiante.

* Exclusión de actividades extracurriculares, incluyendo sin limitarse a excursiones, ceremonias de graduación/premios.

* Restitución o restauración, según sea aplicable.

* Intervención de los consejeros de la unidad Drug Free Schools and Communities del Distrito y/o otras agencias apropiadas.

* Asignación del caso al tribunal de menores para tomar medidas legales.

* Suspensión hasta un máximo de tres días por infracción.

* Asignación a otro distrito escolar respetivo.

* Expulsión (más de tres días consecutivos por infracción, pero no más de un año).

* Excepto en los casos que involucran armas de fuego, los alumnos menores de 10 años no pueden ser expulsados por infracciones de conducta descritas en esta sección y se les debe proporcionar servicios educativos en otro distrito escolar respetivo.

Procedimientos ***

1. El administrador se pondrá en contacto con la policía de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL para investigar la infracción y/o acto ilícito y tendrá una conferencia con el estudiante después de haber consultado con las fuerzas del orden público. Si el estudiante es detenido, los padres deben ser avisados en el plazo de una hora. Cualquier expulsión debe incluir una investigación oficial realizada por la policía o las fuerzas del orden público. Sin embargo, no es necesario esperar los resultados de la investigación para realizar una audiencia de expulsión.

2. El administrador del edificio encargado de la investigación avisará por escrito al estudiante y a los padres o tutores legales, exponiendo las razones para la propuesta expulsión.

3. Un administrador de la escuela actuará como oficial imparcial y llevará a cabo una audiencia antes de tomar la decisión final de expulsar al estudiante, a menos que los padres o tutores legales renuncien a tal audiencia.

4. Un padre puede apelar contra la decisión de expulsión según está descrito en este Código, sección de procedimientos de expulsión.

5. El Distrito debe informar al maestro(s) del estudiante sobre la conducta de un estudiante involucrado en cualquiera de las violaciones indicadas en esta sección. El maestro debe mantener esta información confidencial. Cualquier maestro que infringe esta confidencialidad puede recibir una suspensión o revocación de su certificación.

6. En el plazo de dos días laborables a partir de la fecha de la audiencia en la cual un estudiante es expulsado, el director debe enviar una copia de la orden de asignación del estudiante a otro distrito escolar respetivo u orden de expulsión a los padres y al Departamento de Administración Escolar del Distrito, junto con toda la información exigida por la Sección 52.04 del Family Code (Código familiar), incluyendo una copia del informe de la policía. El Departamento de Administración Escolar a su vez transmitirá esta información al oficial autorizado del tribunal de menores.

7. Los alumnos expulsados de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL tienen derecho a cualquier servicio educativo pero no tienen derecho a participar en ningún programa regular ni extracurricular del distrito durante el período de expulsión. AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL tiene la opción de asignar el estudiante a otro distrito escolar respetivo. Si la corte de menores determina que el estudiante es delincuente (culpable) de cualquier conducta descrita en esta sección, el estudiante podría ser obligado por la corte a asistir a un programa alternativo. Si el estudiante es expulsado después del cuarto ciclo de seis semanas, el estudiante debe ser expulsado y debe asistir a un programa alternativo durante el resto del semestre de primavera y todo el semestre de otoño del siguiente año escolar. Los directores tienen la opción de expulsar por un período más corto de tiempo, siempre que exista un programa alternativo en el distrito escolar respetivo.

8. Los estudiantes expulsados que son acusados, pero el tribunal de menores determina que no son delincuentes (culpables), deben ser readmitidos en el Distrito. Los estudiantes adjudicados (que declaran su culpabilidad) a un crimen menor, o los cuales el fiscal del condado de Harris decide no enjuiciar, pueden ser readmitidos por decisión del Distrito. Si los estudiantes son readmitidos, el Distrito todavía puede colocarlos en otro distrito escolar respetivo. Los estudiantes no readmitidos tienen la opción de seguir con sus programas académicos en el el distrito escolar respetivo.

***Todas las partes deben consultar la sección de Procedimientos de este Código o las disposiciones de la Mesa Directiva del Distrito para obtener más información sobre los procedimientos de expulsión y apelación. Los estudiantes menores de 10 años que cometen una infracción de Nivel V deben ser asignados a otro distrito escolar respetivo y no pueden ser expulsados.

Cero tolerancia/cargos criminales

La Mesa Directiva del Distrito Escolar Independiente de Houston, conforme a sus prioridades, cree que el ambiente escolar debe ser seguro para todos los estudiantes y libre de interrupciones que interfieran con el proceso educativo. Por lo tanto, la Mesa Directiva ha desarrollado una política de "cero tolerancia". Ésta política debe ser igualmente aplicada a todos los estudiantes en las escuelas primarias y secundarias. Todos los estudiantes que poseen ilegalmente armas de fuego, cuchillos ilícitos, explosivos o cualquier otro objeto o arma peligrosa dentro de las instalaciones escolares, en autobuses escolares y/o en cualquier actividad relacionada con el Distrito, serán recomendados para la expulsión. La Mesa Directiva además declara que el Código de Conducta será aplicado de la forma más estricta.

En todos los casos en que un estudiante de escuela primaria o secundaria presente una conducta que tiene elementos de una ofensa que viola el Código de Educación o el Código Penal, el distrito escolar solicitará su arresto, acusación, y asignación a otro distrito escolar respetivo, unidad de detención juvenil o cárcel del condado.

Informes a las fuerzas locales del orden público

Según la ley, el director tiene la obligación de notificar al departamento de policía de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL y al departamento de policía local si tiene suficiente motivo para creer que cualquiera de las siguientes infracciones se ha cometido en la escuela, en las instalaciones escolares, o en actividades patrocinadas por la escuela o relacionadas a la escuela, dentro o fuera de las instalaciones escolares.

- * Homicidio.
- * Homicidio que lleva pena capital.
- * Secuestro con agravante.
- * Asalto sexual.
- * Asalto con agravante.
- * Asalto sexual con agravante.

- * Lesiones a un niño o persona anciana.
- * Incendio provocado.
- * Robo.
- * Robo con agravante.
- * Robo con entrada ilícita.
- * Fabricación o entrega de una sustancia controlada, fabricación, entrega o posesión de una sustancia ilegal o entrega de marihuana a menos de 1,000 pies de una escuela o patio de recreo.
- * Conducta peligrosa, según está descrita en la Sección 22.05 del Código Penal, incluyendo pero no limitándose a comportamientos que ponen a otras personas en inminente peligro de heridas corporales graves, o el disparo intencionado de un arma de fuego en la dirección de otro individuo, hogar o vehículo ocupado.
- * Amenaza terrorista, lo que generalmente incluye la amenaza de un acto violento que pone a una persona en el estado de miedo de serios daños físicos o que está diseñada para provocar pánico; provocar desbaratamiento en el uso de un edificio o espacio público; interrumpir el uso de transporte público, sistemas de comunicación, agua, gas, energía u otro servicio público; o, causar respuestas de emergencia, según se describe en detalle en la Sección 22.07 del Código Penal.
- * Uso, venta o posesión de una sustancia controlada, parafernalia de drogas o marihuana, según definido en el Capítulo 481, Health and Safety Code (Estatutos de Sanidad y Seguridad).
- * Posesión de un garrote, arma explosiva, arma de fuego, silenciador de armas de fuego, pistola, cuchillo ilícito, cuchillo, manopla, ametralladora, armas de fuego de barril corto, navaja, munición perforante, bomba, aparato dispensador de productos químicos o arma de fuego de fabricación casera, según indicado en las Secciones 46.01 (1) - (14) y 46.01 (16) del Código Penal.
- * Actividades criminales organizadas, incluyendo homicidio, homicidio que lleva pena capital, incendio provocado, robo con agravante, robo, robo con entrada ilícita, secuestro con agravante, secuestro, asalto con agravante, asalto sexual, asalto sexual con agravante, falsificación, conducta muy peligrosa, robo en un vehículo o uso no autorizado de un vehículo, juego ilegal o cualquier otra actividad criminal que tenga el propósito de establecer, mantener o participar en una colaboración de tres o más personas, así como la participación en las ganancias de dicha colaboración, para llevar a cabo una actividad criminal, según lo definido en la Sección 71.02 del Código Penal.

El director de la escuela u otro administrador que notifique de estas infracciones a las fuerzas locales del orden público deberá también informar a cada miembro del personal de instrucción y de apoyo que tiene contacto regular con el estudiante que ha cometido la infracción.

Intervención del tribunal de menores

Al determinarse que un estudiante ha cometido una ofensa bajo Nivel IV o V de este Código y como consecuencia, el estudiante es asignado a otro distrito escolar respetivo, será necesario avisar a los oficiales del tribunal de menores del condado. No más tarde del segundo día laboral, el director de la escuela deberá transmitir una copia de la orden de asignación a un DEAP al administrador responsable del distrito alternativo, quien, a su vez, avisará a los oficiales del condado. Los oficiales del condado podrán determinar si en efecto, el estudiante está en necesidad de supervisión, si se ha comprometido en conducta delincuente o si se debería solicitar la intervención de una agencia estatal apropiada.

Asignación de emergencia a un programa alternativo, suspensión o expulsión inmediata

El director de una escuela o una persona designada por él puede ordenar la asignación inmediata a un programa alternativo, siempre que se determine que el comportamiento del estudiante es tan indisciplinado, desbaratador o abusivo que:

- * interfiere seriamente con la habilidad del maestro para comunicarse eficazmente con los estudiantes de la clase; o
- * interfiere seriamente con la habilidad de los demás estudiantes para aprender; o
- * interfiere seriamente con la operación de la escuela o de una actividad patrocinada por la escuela.

El director de la escuela o una persona designada por él puede ordenar que un estudiante sea expulsado inmediatamente de la escuela, cuando tiene razones para creer que dicha acción es necesaria para proteger a personas o propiedades de recibir daños inminentes. El director o la persona designada debe programar una audiencia en un plazo de tres (3) días y debe realizar dicha audiencia en un plazo de siete (7) días, a menos que haya previo acuerdo con los padres o tutores legales o que ciertas circunstancias exijan un retraso. En tal caso, la audiencia debe ser programada en un plazo de tiempo razonable. Los estudiantes discapacitados

pueden estar obligados a permanecer en su asignación actual, tal como está estipulado en 34 C.F.R. 300.514. Deben seguirse los procedimientos de disciplina para estudiantes discapacitados.

Castigo corporal

La Mesa Directiva aprobó la revisión de sus normas y memorandos de las normas oficiales del Distrito en referencia al Castigo Corporal, Board Policies and Standard Practices Memoranda-Corporal Punishment. Como norma del distrito, el castigo corporal está prohibido en el Amigos por Vida-Friends for Life Charter School

Procedimientos para asignación en otro distrito escolar respetivo

Si el alumno es asignado a otro distrito escolar respetivo por un período que va más allá de la entrega de las próximas calificaciones o del final del año escolar, el estudiante, sus padres o tutores legales tienen el derecho de recibir una notificación y la oportunidad de solicitar una junta con el superintendente del distrito correspondiente. La decisión del superintendente del distrito es final y no puede ser apelada. Para asignar un alumno a otro distrito escolar, el director antes debe determinar lo siguiente:

1. la presencia del estudiante en el programa regular o en la escuela regular presenta peligro físico para el estudiante o para otro individuo; o
2. el estudiante ha cometido faltas de conducta graves o persistentes que violan el Código de Conducta del Estudiante.

Se consideran como ofensas graves aquellas que interfieren concretamente con el orden en el salón de clases, el transporte de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL, la escuela o cualquier actividad relacionada con la escuela. Pueden incluir faltas de conducta persistentes de Nivel II o mayores. Un administrador puede considerar, basándose en las circunstancias del caso, que una ofensa de Nivel III constituye una ofensa grave de conducta. Finalmente, si se descubre que el estudiante cometió una ofensa considerada de Nivel IV o Nivel V, se determina que el estudiante ha cometido una ofensa grave de conducta

Bajo la ley estatal, los alumnos menores de 6 años no pueden ser sacados de la clase y asignados a un programa alternativo pero si puede ir a otro distrito escolar respetivo.

Evaluación por parte del director de la escuela

Si una persona designada por el director de la escuela y/o el subdirector asigna al estudiante en otro distrito escolar respetivo por un período que se extiende más allá del siguiente ciclo de calificación, el director o la persona imparcial designada por él realizará una evaluación de tal determinación, si es el deseo del estudiante y sus padres o tutores legales. Dicha solicitud debe presentarse al director de la escuela en un plazo de tres días a partir de la imposición del castigo. Si el mismo director de la escuela decide asignar al estudiante a dicho programa por el período de tiempo arriba mencionado, el estudiante y sus padres podrán entonces solicitar una audiencia con el superintendente de la zona escolar.

En el caso de un estudiante nuevo en AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL que ha sido asignado en otro distrito escolar respetivo por el distrito escolar al que asistía anteriormente, el director de la escuela o una persona designada por él podrá continuar la asignación del estudiante en dicho programa, bajo las mismas condiciones establecidas por el distrito escolar al que el estudiante asistió anteriormente.

Procedimientos para mantener al estudiante en otro distrito escolar respetivo después haber recibido el aviso bajo Artículo 1527(g)

El director de la escuela evaluará la asignación del estudiante a otro distrito escolar respetivo después del recibo del aviso bajo Artículo 1527(g), "Code of Criminal Procedure":

- (1) si no se realizó ningún enjuiciamiento del caso debido a la falta de mérito o de pruebas, y no se iniciará ningún procedimiento formal, adjudicación, ni prosecución aplazada; o
- (2) si la corte o el jurado determinó que el estudiante era inocente, o que no mostró una conducta delincuente o que necesitara supervisión; el caso es por lo tanto anulado.

Una vez recibido el aviso bajo este artículo, el director de la escuela, o una persona designada por él/ella, evaluará la asignación del estudiante en el programa alternativo (DAEP). El estudiante no podrá volver a su salón de clase regular hasta que tenga lugar la evaluación. El director o la persona designada programará la evaluación con los padres o los tutores legales del estudiante en un plazo de tres días escolares después de recibir el aviso de la oficina u oficial designado por la corte. Después de haber evaluado el aviso y haber recibido información de los padres o tutores legales del estudiante, el director o la persona designada puede decidir la permanencia del estudiante en el programa DAEP, si hay razón para creer que la presencia del estudiante en el salón de clase constituye una amenaza a la seguridad de los demás alumnos o maestros. El estudiante o sus padres o tutores legales pueden apelar contra la decisión del director de la escuela al superintendente o comisionado de la zona escolar quien, a su vez, podrá considerar datos adicionales y tomará su propia decisión sobre el caso. El estudiante no podrá volver a su salón de clase regular durante el período de apelación. El estudiante o sus padres o tutores legales pueden apelar contra la determinación del superintendente o comisionado de la zona escolar a la Mesa Directiva del Distrito.

Durante el curso de su siguiente junta, la Mesa Directiva evaluará el aviso proporcionado bajo Artículo 15.27(g), "Code of Criminal Procedure", considerará toda la información proporcionada por el estudiante, sus padres o tutores legales, el director de la escuela, o una persona designada por él/ella, incluida en las apelaciones previas, y hará su propia determinación bajo Subsección (h). La Mesa Directiva mantendrá un registro de los procedimientos. Si la Mesa Directiva apoya la determinación del superintendente o comisionado o la persona designada por el superintendente, la misma Mesa Directiva informará al estudiante y a sus padres o tutores legales de su derecho de apelar ante el comisionado.

Procedimientos para expulsiones, proceso de apelación

Un estudiante no puede ser expulsado si no se ha llevado a cabo una audiencia completa, a menos que los padres o tutores legales o el estudiante renuncien por escrito a tal audiencia. Se mantendrá un registro de cada audiencia; los registros de las expulsiones serán archivados en la oficina del director de la escuela donde tuvo lugar el incidente y deben incluir toda la evidencia. Mientras la audiencia está pendiente, el estudiante puede ser suspendido hasta un máximo de tres días y entonces deberá ser asignado a un programa educativo alternativo disciplinario o al programa de detención de la escuela, hasta que se realice la audiencia. La audiencia deberá programarse dentro de un plazo de tres días y deberá tener lugar en un plazo de siete días a partir de la fecha del incidente. La fecha de la audiencia puede ser postergada con el consenso mutuo de las personas involucradas; sin embargo, mientras la audiencia está pendiente, el estudiante no puede ser asignado a un lugar sin supervisión más allá del período de suspensión de tres días. El oficial encargado de la audiencia tomará su decisión final en un plazo de siete días a partir de la fecha de la audiencia e informará al estudiante y a sus padres o tutores legales sobre su derecho de apelar esta decisión ante el siguiente nivel administrativo, así como acerca de los trámites de apelación. Ningún estudiante que no sea readmitido en la escuela donde fue expulsado puede matricularse en otra escuela del Distrito. Un estudiante puede ser expulsado por un período máximo de un año escolar.

Si el director, su persona designada, o el subdirector proponen una expulsión, hay que atenerse a los siguientes procedimientos:

- (a) El estudiante y sus padres o tutores legales deben ser informados por escrito sobre las razones de la propuesta expulsión, y se debe fijar una audiencia en la escuela lo más pronto posible, a menos que el estudiante y sus padres o tutores legales renuncien a ésta por escrito. Las razones de la expulsión deben explicar en detalle la naturaleza de la infracción, de manera que puedan preparar su defensa. El estudiante y sus padres o tutores legales también deben recibir una copia de los procedimientos para expulsiones y deben ser informados que pueden presentar testigos y evidencia documentada pertinentes a su defensa. La administración podrá ser representada por cualquier persona involucrada en la administración de disciplina al nivel escolar o por los abogados del Distrito, según se estime apropiado.
- (b) El estudiante obtendrá una audiencia justa e imparcial. El director puede encargarse de la audiencia solamente si es imparcial y si sus actos, su juicio y sus decisiones no están relacionados con el caso. En caso contrario, el director deberá designar a otra persona imparcial.
- (c) El estudiante tiene el derecho de ser representado y asistido por sus padres o tutores legales, un abogado o una persona adulta, siempre que tal persona no sea un empleado del distrito escolar. Si los padres o tutores legales no pueden estar presentes en la audiencia, pueden entonces

designar a otra persona para representar al estudiante. El Distrito tiene el derecho de exigir evidencia de tal designación. La audiencia será grabada por cinta magnética o por un taquígrafo de la corte. Si la escuela hace un esfuerzo razonable por informar al estudiante y a sus padres o tutores legales sobre la fecha y el lugar de la audiencia, el Distrito podrá realizar la audiencia aunque el estudiante, sus padres o tutores legales o representante no estén presentes. Aún si el estudiante sale voluntariamente del Distrito, la escuela puede proseguir con la expulsión.

(d) Si la evidencia presentada en la audiencia es suficiente para justificar la expulsión, según el juicio del oficial de la audiencia, éste podrá entonces registrar la orden de expulsión apropiada. Una copia de dicha orden deberá enviarse al estudiante, a sus padres o tutores legales y al administrador del distrito alternativo responsable del HCJJAEP, quien, a su vez, transmitirá una copia al condado. Si se toma la decisión de expulsar al estudiante, la administración informará por escrito al estudiante y a los padres o tutores legales de tal decisión en un plazo de siete días de la fecha de la audiencia. El estudiante y su familia también serán informados de su derecho de apelar ante el superintendente de la zona escolar. La decisión del oficial encargado de la audiencia deberá ser apoyada por evidencia concreta, y se basará exclusivamente sobre la evidencia presentada durante la audiencia. De acuerdo con el "Memorandum of Understanding" entre AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL y HCJJAEP, los estudiantes que son expulsados después de las seis primeras semanas de clase deben ser expulsados durante el resto del semestre de otoño y todo el semestre de primavera. Si el estudiante es expulsado después del cuarto ciclo de seis semanas, el estudiante debe ser expulsado y debe asistir al JJAEP durante el resto del semestre de primavera y todo el semestre de otoño del siguiente año escolar.

(e) Los estudiantes/padres o tutores legales que quieren apelar una expulsión, notificarán al superintendente en un plazo de tres días escolares después de haber recibido la decisión del director o su representante; el superintendente o comisionado de la zona escolar tendrá que programar una audiencia. Tal aviso al superintendente o comisionado debe incluir o debe ser seguido por una carta del oficial encargado de la audiencia, incluyendo un resumen de la audiencia previa y una descripción detallada de la conducta del estudiante, incluyendo todas las infracciones y las fechas en que ocurrieron. La grabación en cinta magnética o el reporte de la corte deben acompañar y ser parte del archivo. El superintendente avisará al estudiante y a sus padres o tutores legales o representante de la fecha y lugar de la audiencia. La audiencia tendrá lugar en un plazo de siete días de la fecha en que el superintendente o comisionado fue notificado de la intención de apelar, a menos que se conceda una extensión.

(f) El superintendente realizará una audiencia con la presencia de oficiales de la escuela, el estudiante, sus padres o tutores legales, para discutir el archivo que contiene toda la información de la audiencia anterior. El estudiante y la administración tendrán la oportunidad de hacer una presentación oral basándose en dicho archivo. El oficial encargado de la audiencia determinará la duración de toda presentación oral. El superintendente o comisionado de la zona escolar puede apoyar o anular la decisión del director de la escuela, o puede imponer cualquier otra determinación apropiada. Una copia de tal determinación será enviada al estudiante y a sus padres o tutores legales, así como al administrador del distrito alternativo responsable del HCJJAEP. El superintendente o comisionado de la zona escolar informará por escrito al estudiante y a sus padres o tutores legales en un plazo de siete días de la fecha de la audiencia sobre la determinación y sobre su derecho de apelar ante la Mesa Directiva.

(g) El estudiante o sus padres o tutores legales pueden apelar contra dicha decisión ante la Mesa Directiva del Distrito avisando a la oficina administrativa (Board Services) por escrito en un plazo de cinco días escolares a partir de la fecha de recibo de la decisión del superintendente o comisionado de la zona escolar. También en este caso, cualquier apelación tiene que basarse sobre el archivo del estudiante y no se podrá introducir nueva evidencia bajo ninguna circunstancia. El representante administrativo del distrito así como el estudiante o sus padres o tutores legales podrán hacer una presentación oral de diez minutos como máximo. La sesión será cerrada al público a menos que el estudiante y sus padres soliciten una sesión pública. Las determinaciones de la Mesa Directiva pueden ser apeladas ante la corte estatal del Condado de Harris.

Para asegurar un nivel eficaz de comunicación, cualquier aviso enviado a los padres o tutores legales será escrito en el idioma de los padres o tutores legales, aunque éste fuera otro diferente del inglés o español.

Cualquier estudiante que se transfiera al Amigos por Vida-Friends for Life Charter School que fue expulsado de otro distrito escolar, no será admitido hasta que el periodo de su expulsión haya concluido.

Procedimientos para que el maestro pueda sacar a estudiantes del salón de clase

El Código de Educación del Estado de Texas ofrece tres diferentes alternativas a los maestros. Cada alternativa lleva diferentes consecuencias administrativas y disciplinarias. Esta sección explica las tres alternativas.

Razones para sacar a estudiantes del salón de clase:

Alternativa I

* Un maestro puede enviar a un estudiante a la oficina del director para mantener disciplina en el salón de clase conforme a lo mencionado bajo los Niveles I y II.

Opciones disciplinarias bajo Alternativa I

* Si el estudiante ha sido sacado del salón de clase, el director a su vez tiene la libertad de elegir cualquier medida disciplinaria autorizada por el Código, según el nivel de la ofensa y la gravedad del comportamiento del estudiante. El estudiante podrá entonces volver al salón de clase. Esta alternativa corresponde a los Niveles I y II, así como a la cláusula de asignación opcional a otro distrito escolar respetivo bajo Nivel III.

Alternativa II

* El maestro puede sacar del salón de clase a un estudiante, habiendo documentado que tal estudiante interfiere continuamente con su habilidad de comunicarse eficazmente con los demás estudiantes o con la habilidad de los demás estudiantes para aprender. La documentación debe consistir en una explicación escrita de los hechos y la conducta que ocurren en el salón de clase.

* El maestro puede sacar a un estudiante del salón de clase habiendo determinado que su comportamiento es indisciplinado, desbaratador y abusivo de tal manera que interfiere gravemente con su habilidad de comunicarse eficazmente con los estudiantes de la clase o con la habilidad de los estudiantes para aprender.

Opciones disciplinarias bajo Alternativa II

* Si el maestro saca al estudiante del salón de clase y ha documentado de manera apropiada las razones de esta medida, el estudiante no podrá volver a la clase sin la autorización del maestro. Las opciones del director, sujetas a los procedimientos indicados en esta sección incluyen:

- asignación a otro salón de clase
- ser suspendido pero concurriendo a la escuela
- asignación a otro distrito escolar respetivo

Evaluación de estudiantes bajo Alternativa II

(a) No más tarde del tercer día de haber sacado de la clase al estudiante, el director de la escuela deberá programar una conferencia entre el director o una persona designada por él/ella, los padres o tutores legales del estudiante, el maestro y el estudiante. Dicha conferencia deberá ser programada no más tarde del tercer día escolar después de la medida disciplinaria.

(b) El estudiante no podrá volver a la clase sin la autorización del maestro durante el periodo de espera de la conferencia. Durante este periodo, el director de la escuela podrá asignar al estudiante al programa de suspensión interna, en otro salón de clase o a otro distrito escolar respetivo.

(c) Durante el curso de la conferencia, el estudiante tendrá el derecho de ser avisado oralmente o por escrito sobre las razones de su expulsión del salón de clase, una explicación de tal expulsión, así como de responder a dichas razones.

(d) Al final de la conferencia y sin importar si cada persona convocada asistió a la reunión (si se ha hecho todo intento razonable para solicitar la presencia de tal persona), el director podrá readmitir al estudiante en su salón de clase, a menos que el maestro se oponga. En este caso, el director decretará la asignación del estudiante a otra clase, a otro distrito escolar respetivo, o podrá solicitar la intervención del Comité de Asignación de la escuela para colocar al estudiante en un programa apropiado. El director puede cambiar al alumno a otro salón de clases, ponerlo en suspensión dentro de la escuela, mandarlo a otro distrito escolar respetivo o puede mandar al alumno a que se reúna con el Comité de Revisión de Asignación de Escuelas (Campus Placement Review Committee) para que determinen adonde lo van a enviar.

(e) No se puede obligar al maestro a readmitir al estudiante en su clase excepto bajo determinación del Comité de Asignación.

(f) El Comité de Asignación determinará si el estudiante puede ser readmitido en su salón de clase. El estudiante no podrá ser readmitido sin el consentimiento del maestro, a menos que el Comité determine que tal alternativa sea la mejor o la única disponible. En el caso de estudiantes de educación especial, el comité ARD es el único que puede determinar la asignación del estudiante.

Comité de Revisión de Asignación (Placement Review Committee) bajo Alternativa II

Cada escuela dispondrá de dicho comité compuesto de tres miembros. El comité determinará la asignación de un estudiante cuando el maestro rehusa readmitirlo en el salón de clase. Cualquier determinación de este Comité es final.

* El personal docente de la escuela debe seleccionar a dos maestros que sirven como miembros y a un maestro que sirve como miembro suplente;

* El director de la escuela debe seleccionar a un miembro del cuerpo profesional de la escuela;

* El maestro que rehusa readmitir al estudiante en el salón de clase no puede ser parte del Comité.

Alternativa III

* Si un estudiante comete una ofensa de Nivel IV o de Nivel V, el maestro está obligado de sacar al estudiante del salón de clase y enviarlo a la oficina del director de la escuela para que sea asignado a un programa alternativo o para que sea expulsado.

Opciones disciplinarias bajo Alternativa III

* Un estudiante sacado del salón de clase por haber cometido una ofensa de Nivel IV o de Nivel V puede ser asignado a otro distrito escolar respetivo o puede ser expulsado, según las directivas del Distrito y de la ley estatal. En ambos casos, habrá que atenerse a los procedimientos correspondientes.

Quejas estudiantiles

El propósito de las normas para quejas es procurar que las quejas de los alumnos y padres se resuelvan en forma justa y rápida al nivel administrativo más bajo posible. Con la excepción de los casos mencionados a continuación, todas las demás quejas de los estudiantes y padres deberán presentarse siguiendo el protocolo descrito en esta sección. Las quejas referentes a ciertos temas son resueltas siguiendo normas específicas u otros documentos que modifican el proceso de quejas o requieren un proceso alternativo:

1. Discriminación debido al sexo del alumno:

2. Abuso o acoso sexual a un estudiante:

3. Pérdida de créditos académicos debido a la inasistencia escolar:

4. Remoción de un alumno solicitada por el maestro de la clase debido a razones disciplinarias:

5. Transferencia del alumno a un programa educativo alternativo debido a razones disciplinarias:

6. Expulsión de un estudiante:

7. Identificación, evaluación y colocación de un estudiante discapacitado en un programa educativo siguiendo las normas de la Sección 504:

8. Identificación, evaluación y colocación de un estudiante discapacitado en un programa educativo siguiendo las normas de IDEA:

Procedimientos para Salvaguardas.

9. Materiales Instructivos:

10. Distribución a los alumnos de material no escolar dentro de las instalaciones de la Escuela:

11. Quejas contra los oficiales de policía de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL:

Procedimientos:

A no ser que estén sujetas a una de las normas descritas arriba, los estudiantes o padres deben tener el derecho a conferencias informales con los administradores para resolver sus quejas. Si no se logra resolver con éxito dichas quejas, los estudiantes o padres pueden presentar estas quejas a la Mesa Directiva de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL (utilizando el procedimiento descrito a continuación). Si la queja concierne al maestro, se espera que el estudiante o padre discuta la cuestión con dicho maestro antes de solicitar una conferencia con el director a Nivel Uno. El estudiante puede ser

representado por un adulto en cualquiera de los niveles de la queja. Para el propósito de esta norma, la palabra "días" significa días siguiendo el calendario. El anuncio de la decisión en presencia del estudiante o padre constituye la comunicación de la decisión.

Nivel Uno

El estudiante o padre que tenga una queja debe solicitar una conferencia con el director antes que se cumplan 30 días de saber, o que debería haber sabido, del evento o serie de eventos que han causado la queja. El director debe planear una cita y tener una conferencia con el estudiante o padre antes de cumplirse 7 días de la solicitud. El director debe responder antes de cumplirse 7 días de haber tenido la conferencia con el estudiante o padre.

Nivel Dos

Si el resultado de la conferencia con el director no es satisfactorio para el estudiante o padre, o no ha recibido una respuesta en el tiempo correspondiente, el estudiante o padre puede pedir una conferencia con el superintendente del distrito o la persona asignada. Esta solicitud debe hacerse antes de pasar 7 días de haber recibido la respuesta del director o, si no se ha recibido una respuesta, antes de cumplirse 7 días de haber pasado la fecha en que tenía que haber recibido la respuesta del director. El superintendente o persona asignada debe llevar a cabo la conferencia antes de cumplirse 10 días de haber recibido la solicitud para tener dicha reunión.

Antes o al momento de la conferencia, el estudiante o padre debe presentar una queja escrita que incluya una descripción de la queja firmada por el estudiante o padre, todas las evidencias que la apoyen, la solución esperada y la fecha de la conferencia con el director. La conferencia debe ser documentada por un escribano de la corte pagado por el distrito escolar. El superintendente del distrito o la persona asignada deberá responder a la queja presentada en la conferencia antes de cumplirse 7 días de haber tenido la reunión.

Nivel Tres

Si el resultado de la conferencia con el superintendente o persona asignada no es satisfactorio para el estudiante o padre, o si no recibe una respuesta en el tiempo previsto, se puede presentar un pedido para que el tema sea tratado en la agenda de una futura reunión de la Mesa Directiva. Ésto se debe pedir por escrito y presentarse antes de cumplirse siete días de la fecha en la que supuestamente se recibiría la respuesta del superintendente o persona asignada.

El Distrito debe informar al estudiante o padre la fecha y lugar donde se llevará a cabo la reunión de la Mesa Directiva.

El oficial a cargo de la Mesa Directiva debe establecer un tiempo límite razonable para que exponga la queja. El Distrito debe hacer una copia de video cuando se presenta un caso de Nivel Tres a la Mesa Directiva. La Mesa Directiva debe escuchar la queja, tomar una decisión y comunicarla oralmente o por escrito en cualquier momento antes de celebrarse o durante la próxima reunión de la Mesa Directiva. Si la queja concierne o acusa a un empleado, debe ser presentada a la Mesa Directiva en una reunión a puertas cerradas, a no ser que el empleado en cuestión solicite que sea presentada en público o que sea requerido por el Acta de Juntas Abiertas al Público en Texas.

Derechos y obligaciones:

Acoso sexual/abuso sexual

Acoso sexual por parte de estudiantes

Los estudiantes tienen prohibido acosar sexualmente a otro estudiante o a un empleado del Distrito. Todo acoso sexual que sea comprobado por parte de un estudiante deberá sancionarse con una acción disciplinaria. El acoso sexual por parte de los estudiantes incluye: conducta física o insinuaciones de índole sexual no deseada ni solicitada sea verbal o con gestos o cualquier otro tipo de conducta sexual, incluyendo el solicitar favores sexuales.

Acoso Sexual por Parte de los Empleados

Los empleados del distrito tienen prohibido acosar o abusar sexualmente a los estudiantes. Están prohibidas las relaciones románticas entre alumnos y empleados.

Reportes a las Autoridades Civiles

Todo empleado del distrito que tenga conocimiento sobre acoso o abuso sexual de un estudiante que pueda ser caracterizado como cierto o sospecha de abuso infantil o negligencia debe reportarlo a las autoridades apropiadas, conforme a la ley.

Notificación a los Padres

El Distrito debe notificar a todos los padres de los estudiantes involucrados en casos de acoso sexual entre estudiantes cuando las acusaciones no son triviales. El Distrito debe notificar a todos los padres de los estudiantes involucrados en casos de acoso sexual o abuso sexual por parte de un empleado. La notificación debe incluir una copia para los padres de la Norma FNCJ de la Mesa Directiva (Documento Legal).

Investigaciones

Todos los reportes de acoso sexual que no sean triviales deberán ser enviados al coordinador de Título IX. Las quejas verbales deben ser resumidas por escrito para ayudar en la investigación por parte del distrito. Estas quejas deberán ser tratadas con un máximo de confidencialidad. Es posible que sea necesario revelar cierta información para completar una investigación intensiva.

Protección Contra Represalias

El distrito no debe tomar represalias contra un estudiante que en buena fe reporte que percibe que ha sido víctima de acoso o abuso sexual.

PROCESO PARA PRESENTAR UNA QUEJA DE ACOSO SEXUAL

Para el propósito del siguiente proceso, la palabra "días" significa días del calendario.

Nivel Uno

El estudiante o padre que quiera presentar una queja por alegación de acoso sexual por parte de otro estudiante(s) o acoso o abuso sexual por parte de un empleado debe pedir una cita con el director, la persona asignada o el coordinador de Título IX para los estudiantes. El alumno puede asistir a la conferencia inicial, y durante todo el resto del proceso, acompañado por su(s) padre(s) u otro representante. La conferencia inicial con el estudiante es normalmente con una persona del mismo sexo que el estudiante. La conferencia debe planearse y llevarse a cabo tan pronto como sea posible, como máximo después de siete días de haberse presentado la queja. Durante la conferencia, las personas que presentan la queja deben ser informados que tienen el derecho de presentar una queja en la Oficina de Derechos Civiles (Office of Civil Rights.)

El director, la persona asignada o el coordinador de Título IX debe coordinar una investigación apropiada que comúnmente debe ser completada en menos de siete días después de haber recibido la queja. El estudiante o padre debe ser informado si por circunstancias extenuantes la investigación ha sido retrasada. Bajo ninguna circunstancia durante el proceso de investigación debe permitirse que el estudiante que alega ser víctima de acoso o abuso sexual tenga que reportar el incidente a la persona acusada del hecho.

Nivel Dos

Si la solución a la queja en el Nivel Uno no es satisfactoria para el estudiante o padre, el estudiante o padre tendrá siete días para solicitar una conferencia con el superintendente o persona asignada, quién está a cargo de planear y llevar a cabo la conferencia. Antes o durante la conferencia, el estudiante o padre debe presentar la queja por escrito incluyendo una descripción del incidente, toda evidencia que lo apoye, la solución deseada, la firma del estudiante y/o padre y la fecha de la conferencia con el director, persona asignada o coordinador de Título IX.

Nivel Tres

Si la resolución de la queja durante la reunión a Nivel Dos no es satisfactoria para el estudiante o padre, el estudiante puede presentar la queja a la Mesa Directiva en la próxima junta programada. La queja debe ser incluida como uno de los temas en la agenda anunciada en la notificación de la conferencia. El anunciar una decisión en la presencia del estudiante o padre constituye la comunicación de la decisión.

Reunión a Puertas Cerradas

La Mesa Directiva debe tener las audiencias a puertas cerradas cuando se alegan acusaciones de acoso sexual por parte de un estudiante o acoso sexual o abuso sexual por parte de un empleado, a no ser que sea requerido por el Acta de Juntas Abiertas al Público en Texas.

Otros Tipos de acoso

El Distrito motiva a todos los alumnos y personal escolar a crear un clima de respeto mutuo para promover las metas educativas y el programa designado para alcanzarlas. Se espera que todos los alumnos respeten los derechos y privilegios de los otros estudiantes, maestros y personal del Distrito. Los alumnos tienen prohibido acosar a otros estudiantes debido a la raza, color, religión, nacionalidad o discapacidad. Si se comprueba que un alumno ha cometido acoso, recibirá sanciones disciplinarias.

El término "acoso" en su definición también incluye repetidos comentarios despectivos, bromas u otras expresiones orales, escritas o gráficas en referencia a raza, color, religión, nacionalidad o discapacidad que cree un ambiente educativo intimidante, hostil u ofensivo para cualquier persona.

Aconsejamos a los alumnos que crean que han sido acosados por otro estudiante o empleado del Distrito a que reporten dicho incidente al director de la escuela. Si la queja se refiere al director, el alumno debe reportarla directamente al superintendente o al administrador designado.

Todas las acusaciones de acoso a estudiantes deben ser investigadas y resueltas con prontitud. Las quejas orales deben ser presentadas por escrito para facilitar la investigación por parte del Distrito. Las quejas deben ser mantenidas en la mayor confidencialidad posible. Sin embargo, durante la investigación quizá se deban revelar ciertos aspectos del incidente. Los padres del alumno o el mismo estudiante pueden apelar la decisión del director en referencia a los resultados de la investigación de las acusaciones. Esto lo deben hacer ante el superintendente, el administrador designado o la mesa directiva.

Las acusaciones e investigaciones de quejas sobre acoso sexual fueron explicadas en la sección titulada "Acoso Sexual".

Publicaciones estudiantiles y revisión previa

Material patrocinado por la escuela

Todas las publicaciones editadas, impresas o distribuidas en el nombre de o dentro del Distrito Escolar deben estar bajo el control de la Administración de las Escuelas y la Mesa Directiva. Todas las publicaciones aprobadas y distribuidas por las escuelas deben ser parte del programa instructivo, supervisadas por un docente y cuidadosamente editadas para que reflejen los altos ideales y expectativas de los residentes del distrito para sus escuelas. Debe hacerse uso económico de los fondos necesarios para el material impreso y su producción, sin comprometer la calidad (contenido) del mismo. El director será responsable de todo lo relacionado con la organización, distribución y venta de dichas publicaciones y cualquier otro procedimientos concerniente a las publicaciones, sujetos a la aprobación del superintendente.

Anuncios Publicitarios

Se pueden aceptar anuncios publicitarios en las publicaciones individuales de la escuela por parte de compañías privadas que lo hagan de buena fe (bona fide), sujetos a la aprobación de empleados profesionales que están a cargo de la supervisión editorial de dichas publicaciones. No serán permitidos los anuncios publicitarios que se consideren inapropiados para el estudiante lector ni la publicidad de productos que presenten un riesgo para la salud, como por ejemplo el alcohol o tabaco.

Quejas

Los estudiantes que deseen presentar una queja referente a los procedimientos o decisiones profesionales que afecten el contenido o estilo de las publicaciones patrocinadas por la escuela, deben presentar dicha queja siguiendo la Norma FNG (Local) de la Mesa Directiva.

Distribución de materiales no escolares

Durante el horario escolar, los salones de clases del distrito tienen el fin limitado de utilizarse para brindar instrucción a los estudiantes sobre los cursos y materias en los que se han inscrito. No se debe utilizar el salón de clases para distribuir materiales que no estén bajo el control de la escuela. Los pasillos de la escuela tienen el fin limitado de usarse para facilitar el desplazamiento de los estudiantes de una clase a otra y para tener acceso a los casilleros asignados. Los pasillos no pueden ser usados para distribuir materiales que no estén bajo el control de la escuela.

Cada escuela debe tener un área asignada donde estén las publicaciones que no estén bajo el control de la escuela. Estos materiales deben estar aprobados para su distribución, pueden estar disponibles o ser distribuidos a los estudiantes de acuerdo con el tiempo, el lugar y las restricciones establecidos por el director de la escuela y siguiendo las provisiones descritas a continuación.

Revisión previa

No se debe distribuir en las instalaciones de la escuela un material escrito que consista total o principalmente de anuncios publicitarios o comerciales.

Todos los demás materiales escritos que no estén bajo el control de edición de la escuela que se vayan a distribuir a los estudiantes, deben ser presentados previamente para su revisión de acuerdo con los siguientes procedimientos:

1. El material debe ser presentado al director de la escuela o la persona asignada para que lo revise.
2. El director o persona asignada debe aprobar o desaprobar el material presentado en menos de 24 horas después de haberlo recibido, utilizando las normas mencionadas anteriormente. Si no se toma una decisión en 24 horas debe considerarse que el material ha sido desaprobado.
3. El estudiante puede apelar la desaprobación ante el superintendente, quien debe tomar una decisión en menos de tres días. Si el superintendente no toma una decisión al tercer día debe considerarse que el material ha sido desaprobado.
4. La desaprobación puede ser apelada ante la Mesa Directiva siguiendo los procedimientos para presentar quejas estipulados en el Código de Conducta, Norma FNG (local), comenzando al Nivel Tres si la distribución del material fue requerida por un estudiante. La desaprobación puede ser apelada ante la Mesa Directiva siguiendo los procedimientos para presentar quejas estipulados.

Los estudiantes que no sigan los procedimientos para que se apruebe la distribución de material escrito estarán sujetos a acciones disciplinarias. Los oficiales de la ley apropiados serán contactados cuando alguien que no sea estudiante rehuse seguir los procedimientos para la distribución de material escrito y rehuse abandonar las instalaciones cuando se le pida.

Servicios de transporte - Normas de seguridad

Los estudiantes deben entender que todas las reglas en este Código se aplican a su conducta y acciones mientras utilizan los servicios de transporte de AMIGOS POR VIDA-FRIENDS FOR LIFE CHARTER SCHOOL. Además de atenerse a las normas indicadas en los niveles I-V, los estudiantes deben observar las siguientes reglas:

- * Los estudiantes deberán seguir las instrucciones del operador del autobús escolar, a partir del momento que son impartidas por primera vez.
- * Los estudiantes deben estar en la parada de autobús escolar que les ha sido asignada, cinco minutos antes del horario de salida del autobús.
- * Los estudiantes deben esperar en un lugar seguro, libre de tráfico y mantenerse fuera del lugar exacto donde para el autobús.
- * Los estudiantes cruzarán la calle enfrente del autobús únicamente después que el autobús está totalmente parado y según las instrucciones del conductor.
- * Los estudiantes deben esperar en fila por el autobús y evitar juegos físicos o peleas aunque sean amistosas.
- * Cuando suben al autobús, los estudiantes deben proceder directamente a un asiento disponible, permanecer sentados y mantener libres el pasillo y las salidas.
- * Cuando utilizan los servicios de transporte escolar, los estudiantes deben mantener el mismo tipo de conducta apropiada que se espera de ellos en el salón de clase .
- * Los estudiantes pueden llevar en el autobús solamente objetos que pueden ser mantenidos en su regazo.
- * Los estudiantes no pueden echar o pasar objetos en o desde el autobús.
- * No se permite llevar bebidas, animales, sustancias peligrosas o cualquier otro objeto que puede fastidiar en el autobús.
- * Los estudiantes deben observar todas las instrucciones relacionadas con la seguridad y respetar los derechos de otras personas.

* Los estudiantes pueden subir o bajar del autobús solamente en las paradas asignadas cerca de su casa o la escuela.

* Está prohibido sacar la cabeza, los brazos u otros objetos fuera de las ventanas del autobús, así como viajar colgado o agarrado del parachoques o cualquier otra parte del autobús.

Resumen de directivas administrativas

El Código de Conducta se basa en las normas de la Mesa Directiva y los memorandos de prácticas oficiales del Distrito. Los estudiantes deben atenerse a las directivas y a los procedimientos vigentes, además de aquellos que podrían ser adoptados o modificados después de la publicación de este Código. Hay copias disponibles en las varias oficinas del Distrito y en las escuelas. Las secciones que se refieren a la conducta estudiantil son las siguientes:

ASISTENCIA ESCOLAR. Las normas de la Mesa Directiva y memorandos de prácticas oficiales del Distrito indican que los estudiantes deben atenerse a las normas de asistencia y puntualidad. Las normas indican las directivas sobre asistencia obligatoria para obtener crédito en cada asignatura. La sección 25.087 del Código Estatal (Texas Education Code) se refiere a las ausencias justificadas.

QUEJAS. Las directivas administrativas indican que un estudiante puede presentar una queja al Distrito en persona o mediante un representante, siguiendo los procedimientos apropiados.

VESTUARIO Y CUIDADO PERSONAL. Las directivas administrativas describen las normas del distrito en relación al vestuario y al cuidado personal, especificando que cada escuela debe establecer sus propias normas. Además, cada escuela puede establecer sus propias normas acerca de uniformes, conforme a las leyes estatales y directivas del Distrito.

ALCOHOL Y NARCÓTICOS. Las directivas administrativas y la ley estatal prohíben la posesión y la venta de alcohol o de drogas ilícitas dentro de cualquier instalación escolar.

PUBLICACIONES ESTUDIANTILES. Las directivas administrativas describen las normas del Distrito acerca de la participación de los estudiantes en la publicación de periódicos, anuarios, revistas literarias u otras publicaciones patrocinadas por la escuela; también se refieren a la publicación y difusión de materiales no relacionados con la escuela.

CONSUMO DE TABACO. Las directivas administrativas prohíben la posesión, el consumo o el uso de cualquier producto que contiene tabaco en el interior de cualquier instalación escolar y en cualquier actividad relacionada a la escuela, dentro o fuera de las instalaciones escolares.

PROPIEDAD DE LA ESCUELA. Las directivas administrativas indican que el estudiante es responsable por cualquier material perteneciente a la escuela, como lo es por cualquier otra propiedad pública. Estas directivas hacen al estudiante responsable por cualquier daño o acto de vandalismo en que se vea involucrado.

GOBIERNO ESTUDIANTIL. Las directivas administrativas dan a los estudiantes el derecho de formular procedimientos para un gobierno estudiantil.

ACCESO A INFORMACION Y CONFIDENCIALIDAD DE ARCHIVOS. Las directivas detallan las normas del Distrito relativas al derecho de acceso a información y a la confidencialidad de archivos estudiantiles. Además, las leyes estatales y federales detallan los derechos de los estudiantes relativos a este asunto (Texas Public Information Act, Article 6251.17a y Family Educational Rights and Privacy Acts of

1974, Public Law 93-480). Además, ciertos documentos de educación especial serán destruidos después de siete años, una vez que las notificaciones pertinentes hayan sido enviadas.

DISCIPLINA. Las directivas indican que el director de la escuela tiene plena autoridad para mantener la disciplina en la escuela, mientras que los maestros son responsables de la disciplina de los estudiantes. Todos los estudiantes serán tratados con imparcialidad y consistencia, pero las ofensas graves y continuas no serán toleradas. La Mesa Directiva indica que este Código de Conducta expresa la postura oficial del Distrito para todo asunto relacionado con la disciplina.

SUSPENSIÓN/EXPULSIÓN. Las directivas administrativas detallan las normas sobre las suspensiones y expulsiones.

OTRAS ACCIONES DISCIPLINARIAS. Las directivas administrativas detallan las normas del Distrito sobre otras acciones disciplinarias.

AUDIENCIAS. Los memorandos de prácticas oficiales del Distrito establecen los criterios para el formato de las audiencias.

FRATERNIDADES, CLUBS FEMENINOS, PANDILLAS Y OTRAS ORGANIZACIONES SECRETAS. Las directivas administrativas y la ley estatal no permiten la presencia de fraternidades, clubes femeninos u otras organizaciones secretas en las escuelas del Distrito.

INTERRUPCIONES O INTERFERENCIAS CON EL PROCESO DE APRENDIZAJE. Las directivas administrativas indican que un oficial de la escuela puede sacar a un estudiante de una escuela y asignarlo a un programa alternativo si el estudiante incita, estimula, promueve o participa en motines, manifestaciones de protesta, huelgas, bloqueos de entradas, violaciones de traspaso o cualquier otra interferencia en el proceso de aprendizaje, mientras está en la escuela o asiste a actividades patrocinadas por la escuela.

REGISTROS Y CONFISCACIONES. Las directivas administrativas detallan las normas sobre registros y confiscaciones en las escuelas.

CASTIGO CORPORAL. Las normas de la Mesa Directiva especifican la prohibición del castigo corporal en el distrito.

ACTIVIDADES ESTUDIANTILES, PREMIOS. Las directivas administrativas indican que se fomentará la participación de los estudiantes en clubes, organizaciones y actividades patrocinadas por la escuela según sean sus intereses.

Disciplina para estudiantes que reciben servicios de educación especial bajo la ley "IDEA"

(Individuals with Disabilities Education Act-Ley educativa para personas discapacitadas)

Los estudiantes discapacitados deben exhibir buena conducta y pueden ser afectados por las normas indicadas en este Código. Dichas normas no impiden el arresto y enjuiciamiento de cualquier estudiante matriculado en programas de educación especial por haber cometido un acto criminal. Al presentarse una solicitud o una citación, se exigirá la entrega de copias de archivos disciplinarios y de educación especial a las autoridades apropiadas responsables de la investigación del supuesto acto criminal. Los padres o tutores legales deben ser avisados de este trámite.

Según el comité ARD/IEP, un estudiante discapacitado es así identificado si tiene retraso mental, defectos de oído (incluyendo sordera), del habla o del lenguaje, defectos de visión (incluyendo ceguera), alteraciones de tipo emocional, defectos ortopédicos, autismo, lesiones cerebrales traumáticas, otros problemas de salud o problemas de aprendizaje, y que por estas razones necesita servicios de educación especial.

En algunos casos, es posible que el Comité ARD/IEP haya preparado un plan de intervención que debe ponerse en práctica en las situaciones apropiadas. Dicho plan, si ha sido preparado, se encuentra en el suplemento IEP: Behavior Intervention Plan Form.

Además, podría ser necesario determinar si la conducta en cuestión está relacionada a la discapacidad del estudiante. Si se determina que hay una conexión, el Comité deberá entonces determinar una medida educativa apropiada para minimizar tal comportamiento. Para poner en práctica la directiva de "Cero tolerancia" previamente discutida en este Código, el Comité ARD/IEP debe referirse al plan de intervención y/o determinar si hay una relación entre la conducta del estudiante y su discapacidad antes de efectuar cambios en el programa del estudiante por razones de disciplina.

Suspensión o asignación a otro distrito escolar respetivo por un período de menos de 10 días

Los estudiantes discapacitados pueden ser suspendidos en la misma forma que los demás estudiantes por un período máximo de tres días escolares por cada suceso. El número total acumulativo de suspensiones no debe causar un cambio en la asignación actual del estudiante. Además, los estudiantes discapacitados pueden ser asignados en otro distrito escolar respetivo por un máximo de 10 días. No es necesario realizar una reunión ARD/IEP para suspensiones o asignaciones a un programa alternativo de menos de 10 días acumulativos por año escolar.

Excepto en los casos indicados abajo, los procedimientos y la duración de la suspensión deben ser los mismos que los aplicables a los demás estudiantes en el programa regular, siempre que la suspensión no constituya un cambio en la asignación actual del estudiante y que las medidas disciplinarias impuestas sean aplicables a los estudiantes no discapacitados. Para determinar si una serie de suspensiones de corto plazo por un total de más de 10 días (para incidentes separados de mal comportamiento) constituye un cambio de programa, el personal de la escuela debe analizar la duración de cada suspensión, la proximidad de las suspensiones y la duración total de toda la serie de suspensiones. Si la suspensión resulta en un cambio de programa de estudios, será necesario determinar antes de la suspensión, si el mal comportamiento del estudiante está relacionado a su discapacidad. Hay que hacer lo posible para avisar a los padres sobre el comportamiento del estudiante, la suspensión y la decisión resultante. Los padres recibirán una copia de sus derechos y procedimientos de protección y cualquier aviso de que el estudiante ha sido sacado del salón de clase, suspendido o expulsado, o de que una de tales medidas ha sido propuesta.

Si un estudiante es suspendido por razones de disciplina por más de 10 días (cumulativos) durante un año escolar, a partir del día once, habrá que proveer servicios educativos sin hacer caso si tal suspensión constituye un cambio de programa. Si la suspensión no constituye un cambio de programa, el administrador, después haber consultado al maestro de educación especial del estudiante, determinará los servicios educativos que serán proporcionados. Dichos servicios deben permitir al estudiante progresar apropiadamente en el currículo general y hacia el cumplimiento de las metas indicadas en su IEP.

También, a partir del día once de la suspensión durante un año escolar, el comité ARD deberá discutir el comportamiento del estudiante. No más de 10 días después haber suspendido al estudiante por un período de más de 10 días durante un año escolar, el comité ARD deberá reunirse para planificar un asesoramiento funcional del comportamiento del estudiante, a menos que éste no haya sido hecho antes de la ocurrencia que resultó en la suspensión del estudiante. Una vez completado el asesoramiento funcional, el comité ARD deberá reunirse para revisar el plan de intervención (Behavioral Intervention Plan) y su realización y modificar el plan según sea necesario.

Si el estudiante ha sido suspendido por un período de no más de 10 días en un año escolar y ha recibido suspensiones adicionales más allá de 10 días en un año escolar, y esto resulta en un cambio de programa, los miembros del ARD, incluyendo los padres, deberán revisar informalmente el plan de intervención (BIP-Behavior intervention Plan) y su realización para poder determinar la necesidad de modificaciones. Si uno o más miembros del ARD estiman que se necesitan modificaciones, será necesario tener una reunión ARD para modificar el plan y su ejecución, según se estima necesario.

Si el comité ARD/IEP ya se reunió para considerar el plan de intervención conforme a las normas indicadas y al proponerse una medida disciplinaria que resultará en la expulsión del estudiante por un período de más de 10 días por año escolar, habrá que atenerse entonces a los procedimientos de expulsión, etc. Además de cualquier evaluación adicional que necesite el Comité y del desarrollo o modificación del plan de intervención, la escuela tiene la obligación de determinar las conductas que son resultado de la discapacidad. Habiendo realizado esto, el nuevo programa individual de estudio (IEP) y el plan de intervención deberán ser aplicados en conformidad a estas normas. Si la medida disciplinaria, conforme al nuevo plan, resulta en que el estudiante es sacado de su salón de clase regular por un período de más de 10 días, se repetirá entonces el mismo proceso utilizando el IEP y el plan de intervención revisados. Expulsión o asignación a otro distrito escolar respetivo por infracciones en relación al uso/posesión de armas o drogas, o medidas disciplinarias para expulsar a un estudiante de educación especial por un período de más de 10 días escolares o que cambian la asignación del estudiante.

Los estudiantes discapacitados pueden ser expulsados o asignados en otro distrito escolar respetivo por cualquier infracción de Nivel IV o V, en la misma forma que los demás estudiantes en el programa académico regular.

El director de la escuela puede recomendar la expulsión o la asignación de un estudiante discapacitado a otro distrito escolar respetivo por un período de más de 10 días escolares consecutivos. Tal recomendación deberá ser presentada al Comité ARD/IEP. El Comité deberá reunirse inmediatamente, si es posible, o en un plazo de 10 días escolares después que el estudiante ha sido asignado en otro distrito escolar respetivo y antes de cualquier audiencia en relación a una expulsión.

El Comité ARD/IEP deberá primero determinar si la conducta en cuestión está relacionada a la discapacidad del estudiante o a la asignación del estudiante a un programa inapropiado (determinar las conductas que son resultado de la discapacidad). Al tomar esta determinación, el Comité ARD/IEP debe incluir a un profesional calificado para interpretar los resultados de toda evaluación presentada. Este profesional podría ser un diagnosticador educativo o un psicólogo asociado o licenciado empleado por el Distrito. Un maestro del programa académico regular debe formar parte del Comité. El Comité considerará la infracción del alumno, así como los resultados de la evaluación y del diagnóstico, incluyendo la información proporcionada por los padres, las observaciones hechas al estudiante, el IEP y la asignación del estudiante. Cualquier Comité ARD/IEP que esté considerando la expulsión o suspensión a largo plazo de un estudiante discapacitado debe incluir a un psicólogo licenciado o a un especialista licenciado en psicología escolar, como miembro del Comité.

El Comité ARD/IEP debe entonces considerar la conducta en relación al IEP y a la asignación del estudiante, es decir, si la asignación era apropiada y si los servicios de educación especial así como las estrategias de intervención eran consistentes con el IEP y la asignación del niño(a). Además, el Comité determinará si la conducta en cuestión puede haber sido provocada por la ausencia de servicios de educación especial.

Por otra parte, para determinar que la conducta a disciplinar no es una manifestación de la discapacidad del estudiante, el Comité ARD/IEP deberá decidir (1) si la discapacidad del estudiante afecta su habilidad para entender las consecuencias de su comportamiento; (2) si su discapacidad afecta su habilidad para controlar el comportamiento.

Finalmente, el Comité ARD/IEP deberá formular un plan de evaluación que se dirija al comportamiento del estudiante y desarrollar uno, si éste no existe. Si dicho plan existe, el Comité ARD/IEP revisará el contenido y efectuará los cambios apropiados.

Si el Comité ARD/IEP determina que no hay ninguna relación entre el comportamiento, la discapacidad y la asignación del estudiante, entonces los procedimientos de expulsión o de asignación en otro distrito escolar respetivo, la duración de dicha expulsión o asignación así como los procedimientos de apelación, serán los mismos utilizados para los estudiantes en el programa académico regular. La asignación del estudiante en otro distrito escolar respetivo es realizada a través del Comité ARD/IEP si va a durar más de

10 días. El mismo Comité ARD/IEP que determinó que no había ninguna relación entre el comportamiento, la discapacidad y la asignación del estudiante, decidirá los servicios que deberán proporcionarse al estudiante durante el período de la expulsión o su asignación en otro distrito escolar respetivo. El IEP que ha sido desarrollado para ser utilizado en el programa DAEP deberá permitir al estudiante progresar en las metas y objetivos indicados en el IEP e incluirá provisiones para cualquier servicio relacionado que el estudiante pueda necesitar mientras está colocado en tal programa. Además, los servicios y las modificaciones proporcionados deberán tratar el comportamiento del estudiante.

Si dicha relación no existe, el director de la escuela seguirá los mismos procedimientos utilizados con los alumnos en los programas académicos regulares para determinar la culpabilidad o inocencia del alumno, así como para asignarlo en otro distrito escolar respetivo por un período de 10 o más días escolares consecutivos.

Si el Comité ARD/IEP determina que la conducta del estudiante está relacionada a su discapacidad o a una asignación inapropiada, el estudiante no será expulsado y no se tomará ninguna medida disciplinaria. Cualquier estudiante que comete un crimen puede ser sometido a arresto y prosecución. Si un estudiante discapacitado lleva armas a la escuela, o a sabiendas tiene en su posesión, usa o intenta vender sustancias controladas por la ley, la ley federal permite modificar la asignación de dicho alumno en otro distrito escolar respetivo hasta un período de 45 días, sin importar que su conducta esté relacionada con su discapacidad. Los servicios educativos serán seleccionados de manera que permitan al estudiante progresar en las metas y objetivos indicados en el IEP actual e incluirán servicios y modificaciones que traten su comportamiento.

Si no hay ninguna excepción, todas las decisiones del Comité ARD/IEP pueden apelarse mediante los procedimientos apropiados indicados en la publicación de TEA Special Education: Explanation of Procedural Safeguards. El estudiante permanecerá en el centro y programa más recientemente asignados ("stay put") durante el proceso de apelación, a menos que todas las partes estén de acuerdo en una asignación diferente, o a menos que una corte competente o el oficial de la audiencia exija un cambio de asignación.

Máximo número de días que un estudiante discapacitado puede ser sacado de la clase

Si un estudiante discapacitado ha sido suspendido, asignado a otro distrito escolar respetivo y/o enviado a la casa por cualquier razón por un total de 10 días escolares en un año académico, es necesario convocar el Comité ARD/IEP para revisar las evaluaciones actuales y el IEP, conforme a los procedimientos indicados arriba, a menos que tal suspensión o reasignación sea justificada en el IEP del estudiante. El Comité ARD/IEP debe determinar un curso de acción apropiado con la meta de mantener al estudiante en la escuela. Por ejemplo, la determinación de asignar a un niño discapacitado a otro distrito escolar respetivo por más de 10 días es una decisión que solamente el Comité ARD/IEP puede tomar.

Recursos para los estudiantes que aún no pueden recibir servicios de educación especial

Un estudiante puede tener derecho a algunos de los recursos disponibles a los estudiantes discapacitados, si la escuela estaba informada de la discapacidad del estudiante antes de que éste cometiera la infracción. Se considera que la escuela estaba informada si los padres expresaron en algún momento y por escrito, o en algunos casos oralmente, la necesidad de servicios de educación especial para el niño; el comportamiento o el rendimiento del estudiante demostró esta necesidad; o los padres, maestro u otro empleado de la escuela expresó preocupación por la conducta o rendimiento del niño(a) ante cualquier miembro del personal de la escuela.

En la ausencia de dichas condiciones, se considerará que la escuela no estaba informada y el estudiante podrá ser disciplinado como cualquier otro estudiante.

Si se solicita una evaluación durante el transcurso de la medida disciplinaria, la evaluación debe realizarse lo más pronto posible. Mientras se espera el resultado de la evaluación, el estudiante debe permanecer en la asignación disciplinaria determinada por el director. Si la evaluación determina que el estudiante es elegible para servicios de educación especial, la escuela debe programar una reunión ARD, en un plazo de 10 días laborales después de finalizar la evaluación, para desarrollar un IEP y asignar al estudiante. Inmovilización y aislamiento de alumnos con discapacidades

El personal del Distrito y los voluntarios pueden inmovilizar al alumno solo en casos de emergencia para restringir parcial o completamente sus movimientos y así prevenir que se lesione a sí mismo u a otros. La inmovilización debe ser limitada y con uso razonable de fuerza. El personal a cargo de implementar los procedimientos de inmovilización al alumno deben haber sido entrenados para dicho propósito siguiendo las normas y prácticas profesionalmente aceptadas y consistentes con las normas pertinentes de salud y seguridad. Deben también cumplir con los requisitos del Departamento de Educación de Texas sobre métodos de inmovilización de los alumnos discapacitados.

El personal del Distrito o el voluntario puede separar al alumno de sus compañeros por períodos limitados ("aislarlo") para darle oportunidad que recupere el control de sí mismo. El área de aislamiento no debe estar cerrada con llave y no debe impedir que el alumno pueda salir por sus propios medios. Los procedimientos para el aislamiento deben cumplir con los requisitos del Departamento de Educación de Texa

Disciplina de estudiantes bajo la Sección 504 de la ley "Rehabilitation Act"

Los estudiantes que reciben servicios bajo "IDEA" incluyen aquellos que tienen una de las 13 categorías específicas de discapacidad y que por lo tanto necesitan educación especial y servicios de educación especial para poder beneficiarse del sistema de educación pública. La sección 504 del "Rehabilitation Act" de 1973 incluye una categoría más amplia de individuos. En dicha sección, un estudiante discapacitado se define como un estudiante que (a) tiene (b) tiene un récord de tener (c) se considera que tenga un impedimento físico o mental que limita considerablemente una actividad vital importante como aprender, autoayuda, caminar, ver, oír, hablar, respirar, trabajar y realizar trabajos manuales.

La Sección 504 sigue la misma estructura de procesos que se aplica a los estudiantes de educación especial. Sin embargo, éste es un proceso separado, establecido bajo leyes diferentes. Tal como en el caso de estudiantes de educación especial, si hay un plan individual específico que provee opciones disciplinarias, dichas opciones deben ser realizadas conforme al plan.

Para casos más severos, tales como expulsión, o cualquier otro tipo de exclusión que constituya un cambio significativo de asignación, el comité encargado debe determinar si el comportamiento del estudiante fue causado por su discapacidad ("manifestation determination"). El Comité "Sección 504" está compuesto de personas que conocen bien al estudiante. Tal determinación debe basarse en datos actuales. Si el Comité determina que tal conducta no resulta de la discapacidad del estudiante, se podrá entonces realizar el proceso de expulsión en la misma forma que los demás estudiantes; sin embargo, los otros servicios educativos que recibe el estudiante no serán completamente interrumpidos. El Comité determinará el alcance de tales servicios durante el período de exclusión. La continuación de ciertos servicios es necesaria para evitar atrasos en el área de discapacidad del estudiante.

Si el Comité determina que el comportamiento del estudiante es causado por su discapacidad, el estudiante no podrá ser expulsado. El Comité deberá entonces determinar si la asignación actual del estudiante es apropiada.

Bajo la ley federal, los estudiantes en posesión de narcóticos ilícitos o de alcohol pueden ser sometidos a las mismas normas de conducta que los demás estudiantes en el programa regular. Las reglas que se dirigen al uso o a la posesión de drogas y alcohol serán aplicadas igualmente a todos los estudiantes, discapacitados y no discapacitados.

Resumen de directivas administrativas para estudiantes discapacitados

Este Código de Conducta sobre la disciplina y la conducta de los estudiantes discapacitados se basa en las normas de la Mesa Directiva y los memorandos de prácticas oficiales. Los estudiantes discapacitados están sometidos a las normas de la Mesa Directiva y los memorandos de prácticas oficiales en efecto así como aquellos que serán adoptados o modificados después de esta publicación. Para más información acerca de tales normas y procedimientos, hay que referirse directamente a éstos. Hay copias disponibles en las escuelas y oficinas del Distrito.

Los estudiantes y/o sus padres o tutores legales pueden reunirse con un maestro a un horario apropiado para resolver cualquier problema. Si están insatisfechos con la explicación o decisión del maestro, podrán solicitar una reunión con el administrador de la escuela. Si están aún insatisfechos, podrán entonces reunirse con el superintendente o comisionado de la zona escolar. Por razones prácticas, siempre es mejor tratar de resolver el problema en la misma escuela donde este se origina.

Los procedimientos descritos en este manual no alteran los derechos ni los remedios disponibles a los estudiantes discapacitados indicados en el Libro de Derechos de Padres y Estudiantes (Parent and Student Rights), o en el formulario de aviso a estudiantes de Sección 504. Las siguientes secciones se refieren a la conducta de los estudiantes discapacitados:

MEDIDAS DISCIPLINARIAS PARA ESTUDIANTES DISCAPACITADOS. Las normas de la Mesa Directiva proveen la definición de alumnos discapacitados y describen el efecto de un programa de disciplina sobre el IEP del estudiante; la misma sección, además, especifica el número total de días escolares que tal alumno puede ser suspendido, asignado a otro distrito escolar respectivo o sacado de la clase antes de convocar una junta del Comité ARD/IEP para revisar su programa.

SUSPENSIÓN. Las normas de la Mesa Directiva indican las circunstancias para la suspensión de los estudiantes discapacitados.

EXPULSIÓN. Las normas de la Mesa Directiva indican las circunstancias en las cuales un alumno discapacitado puede ser expulsado y el rol del Comité ARD/IEP en este proceso.

APELACIÓN. Las normas de la Mesa Directiva indican las alternativas disponibles a los estudiantes discapacitados que quieren apelar contra cualquier decisión de culpabilidad, acción disciplinaria o cualquier decisión del Comité ARD/IEP en relación al proceso de disciplina

Otros derechos de los estudiantes discapacitados

El Amigos por Vida-Friends for Life Charter School no discrimina en base a ningún impedimento físico o mental y se atiene a todas las disposiciones de la Sección 504 del "Rehabilitation Act" y "Title II of The Americans with Disabilities Act."

La Coordinadora de la Sección 504 del
Amigos por Vida-Friends for Life Charter School es:
Jean Scott
5500 El Camino del Rey, Houston, Texas 77081
713-349-9945

Cualquier asunto o pregunta en relación a la ley "Americans with Disabilities Act" (ADA) debe ser dirigida a la directora de Amigos por Vida-Friends for Life Charter School:

Para empleados/estudiantes:
Rosey Mercado-Garza
5500 El Camino del Rey, Houston, Texas 77081
713-349-9945

Si tiene alguna pregunta o duda sobre la discriminación debidas al sexo, bajo las Enmiendas en la Educación de 1972 de Título IX, dirijase a:

Rosey Mercado-Garza
5500 El Camino del Rey, Houston, Texas 77081
713-349-9945

Appendix D
School Improvement Plan

Amigos Por Vida – Friends for Life Public Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671

Rosalinda Mercado-Garza, CEO/Superintendent

Carlos Villagrana, Principal



School Improvement Plan

2003-2004

Mission Statement

To provide excellent bilingual education to students by highly qualified teachers, in a nurturing environment that allows each student to achieve his/her fullest academic and personal potential and to successfully integrate into the English educational system.

Overview of School

Amigos por Vida-Friends for Life Open Enrollment Charter School (“Amigos”) serves grades pre-kindergarten through sixth grade. The school has been identified as a school-wide Title I school for the 2002-03 school year. The multi-ethnic student population of 350 students is comprised of 1.4% African American, 98% Hispanic, and .3% White. The school's population includes 92% of students identified as limited English proficient, 96% of the students identified as economically disadvantaged, 100% identified as at-risk of dropping out of school, 6% identified as students with disabilities. The mobility rate of our campus is 27%. We maintain an average daily attendance (ADA) of 96%.

The school has experienced increased parental involvement. Approximately 150 parents attended and or participated in training covering the following topics: parental involvement, helping their child at home, reading, TEKS/TAKS strategies, adult ESL, high standards of education, and technology.

The faculty and staff at this school are set apart from others by their congeniality and supportive attitude of one another. They are dedicated to the task of implementing innovative programs to provide equity and excellence for the children.

Site-Based Decision-Making

The District and Campus Planning Decision Making model for small, interdisciplinary groups to address the challenges of the organization. Our model follows this structure of team building through problem solving. Research on the Site-Based Decision-Making Committee (SBDM) Model was obtained from in-service training on SBDM models, Conflict Resolution, Team Building, and Problem Solving. The SBDM model fulfills the criteria and guidelines outlined by Board Policy.

Organizational Structure

Purpose: The Site-Based Decision-Making Committee (SBDM) is the group, which meets regularly to gather information from faculty, staff, parents, and community. Using this information, the SBDM in its advisory capacity will evaluate it for consistency with the school improvement plan and make recommendations to improve the quality of education at Amigos. The agenda provides a way in which new items and older items may be addressed. The meeting begins with a quorum being available and the agenda being accepted or modified. Any two SBDM elected members may add an agenda item. Team leaders and lead teachers will make progress reports on School Improvement Plan (SIP) implementation at monthly SBDM meetings. The SBDM will view test data from 9-week benchmark tests and spring TAKS results to measure the effectiveness of the strategies in the school improvement plan.

Organization: The SBDM will be composed of the principal (the CEO/Superintendent will represent for now until a principal is hired), 4 classroom teachers, 1 school-based staff, 1 parent, 1 community member and 1 non-instructional staff. All the members are elected to a two-year term using SBDM election guidelines. The principal is a permanent member.

Committee Functions: These six main areas of concern will be addressed by the SBDM: Planning, Curriculum, Budget, Staff Development, Staffing Patterns, School Organization; Public Relations, Technology, Discipline and Safety/Security.

Committee Functions:

- **Planning:** assesses educational outcomes of all students, determines performance objectives and strategies, and ensures that strategies are implemented and adjusted to improve student achievement for all students and gathers information, which is evaluated for consistency with the school improvement plan and offers recommendations to improve the quality of education, uses the comprehensive needs assessment to develop a wide-ranging action plan with goals, objectives, actions, initiative and strategies
- **Curriculum:** considers alignment of curriculum with instruction and assessments, considers student achievement in the areas of reading, math, and writing analyze test data, analyze each subject area for consistency of skill development in kindergarten through third grade, promote inter-grade cooperation, and investigate new programs and technology that may positively impact student achievement
- **Budget:** establish priorities for the annual budget and make recommendations for expenditures
- **Staff Development:** considers professional development for all faculty and staff, specifically for teachers relative to testing, using data, best instructional strategies, considers meeting the needs of low performing micro-populations, research appropriate strategies and methodologies; perform needs assessments, plan, promote and implement training/staff development; and evaluate training and or staff development
- **Staffing Patterns:** considers any shortage of certified professional staff, promote staffing, considers trends and mobility as well as changes in curriculum, assessments and recommends staffing to meet student needs
- **School Organization (Technology, Public Relations, Discipline, Safety/Security, Social):** studies the impact of student attendance on learning, promotes safety, security, student discipline, respect, value of diversity and importance of individual members and culture within the school organization

- Quality Circles as well as committees will be formed as needed and make recommendations to the SBDM. Quality Circles or school committee concerns will include: attendance, ARD, school improvement, grants, Title I, LPAC, and grade levels. Quality Circles or school committees will meet as needed. They will report to SBDM monthly or as required.

Decision-making Process

When an area of need is identified by the SBDM or a standing committee, that group may create a quality circle. Quality circles will be used when and where appropriate. When the need has been researched, recommendations will be made to the originating group. The voting and consensus procedures will be determined by SBDM. The various types of decisions to be made will be command, consultative, and collaborative. When voting is necessary, it will be based upon a quorum. A 2/3 consensus in both SBDM and standing committees is desirable. The consensus building process includes pre-meeting dialogues, providing research/scientific based data, expert information, and open dialogue on the pros and cons of the concern. However, when a 2/3 consensus is not possible, a simple decision will be made based upon what is best for children relative to policies and procedures.

Method of Communication

A suggestion and or recommendation box (labeled SBDM) will be maintained on the counter in the front office. SBDM members are always available to be contacted by members of the greater educational community. The SBDM chairperson develops the agenda with input from SBDM members and greater community/parents/teachers/students giving input. Items requiring posting, surveying or voting will follow Board Policy. Suggestions and or recommendations will be reviewed during regularly scheduled meetings. Agendas will be posted at least two working days prior to the scheduled meeting. The minutes will be posted on the SBDM board and in the faculty lounge. Minutes will also be provided to all faculty and staff.

Copies of minutes will be made available to parents and community members upon request. Areas of concern will be covered in regular faculty meetings. Parental and community participation will be pursued through the school's parental and or community involvement initiative, newsletters, direct notifications, and posted agendas. The SBDM will have scheduled monthly meetings on the first Monday of the month at 3:15 PM in the cafeteria. In the event of conflict due to scheduling, an alternate date will be selected and proper notice will be given. When required, additional meetings may be held. Quality Circles or school committees will meet as needed. They will report to SBDM monthly or as required.

Membership

Each potential member of the SBDM must meet the criteria established and will be nominated and elected using the guidelines for SBDM elections. Classroom teachers, school-based staff, and non-instructional staff must be certified or classified as such by the district and assigned to our school during the same elected term. Parent members must be parents of students enrolled in our school during the same elected term. Community representatives must be members of the community during the same elected term. The members shall be active participants during their term. The members shall demonstrate professionalism.

Membership

Name of SBDM Member	Position (Classroom teacher, other school-based professional, non-instructional, parent, community, business)
Marco Trejo	Classroom Teacher
Alejandro Cruz	Classroom Teacher
Claudia Perez	Classroom Teacher
Rufino Pineda	Classroom Teacher
Jean Scott	Other school-based professional
Irma Pineda	Non-instructional
Nylene Quasum	Community Member

Totals

# of Classroom Teachers (2/3)	4	# of Parents	1
# of School-based Staff (1/3)	1	# of Community Members	1
# of Non-instructional Staff (limit one)	1		

Needs Assessment

The need assessment was prepared with the AEIS data, comprehensive needs assessment, teacher input, as well as a thorough review of the 2001-02 SIP goals, objectives, initiatives and activities. The student population consists of 92% identified as LEP. The school serves a low socioeconomic community with 96% of the students identified as economically disadvantaged. The student population consists of 100% identified as at-risk of dropping out of school. Pursuant to reviewing our performance indicators and the School Improvement Plan (SIP), the following items are identified as areas of need.

There are eight main areas of concern and need for improvement.

These areas of concern and need for improvement are listed below:

1. Student achievement in the areas of reading, math, and writing;
2. Shortage of certified professional staff;
3. Alignment of curriculum with instruction and assessments;
4. Professional development for all faculty and staff, specifically for teachers relative to testing, using data, best instructional strategies;
5. Supervision of instruction for monitoring, upgrading and implementing change;
6. Parent training for high standards of education and creating a positive home learning environment;
7. Mobility of students;
8. Technology to standards.

The need assessment revealed areas of need for improvement and or action. These main areas of concern are detailed below:

1. Student achievement in the areas of reading, math, and writing was below our expectation. The following TAKS/TAAS Early Indicators for reading, writing and math objectives are listed as areas to improve. The TAKS/TAAS test results identified areas to target for improvement.
2. There is a shortage of certified professional staff to work with our diverse populations relative to their learning needs. There is a great need for content specialists in reading/language arts and mathematics. There is also a need for a counselor.
3. Alignment of curriculum with instruction and assessments. We must “test what is taught and teach what is tested”. There continues to be unclear directives and understanding relative to which objectives are to be taught and which ones are actually tested. With the advent of TAKS, there now exists an increasing awareness that texts, current assessments, future assessments and curriculum do not align. As more data becomes available teachers must be trained, and appropriate assessments must be made available to assist the instructional process.
4. Professional development for all faculty and staff, specifically for teachers relative to testing, using data, and best instructional strategies. The district and this campus have a challenge of

recruiting, and retaining, professionals who are certified, willing and able to fulfill the awesome task of teaching. The compensation package is less than appropriate, so professional development must play a key role. As the curriculum is aligned and realigned, training is critical and must be timely and thorough. Along with training the development of professionals is key to retaining the teachers. We must move from our “middle class framework” to meet the students with “other frameworks” with the best practices, strategies, and curriculum balanced to what will be tested.

5. Supervision of instruction for monitoring, upgrading and implementing change. Instructional leaders must have the development, training and availability to provide consistent support, modification and leadership to the instructional process. Delegation of duties and responsibilities must include the observation, walk-through, modeling, mentoring and feedback process.
6. Parent training for the high standards of education and creating a positive home learning environment. Soft funding sources have been restrictive and late. Other sources of funding must be planned for and obtained.
7. Mobility of students. Our mobility rate is 27%. The families in our attendance zone have been identified as economically disadvantaged. The vast majority (96%) receive free or reduced breakfast and lunch. These families are not “migrant-fishing or agriculture” but they do move or migrate to the labor pool jobs. The “migrant” students who are identified based upon federal government criteria have demonstrated improvement.
8. Technology to standards. The majority of the classrooms have accessible technology. Using computer lab.

To meet our needs: See 5 Year Strategic Plan

All instruction will include appropriate strategies and methodologies with modifications. The school utilizes the maintenance bilingual model. Beginning 2003-2004 the school will utilize a form of dual language program. Appropriately certified and or trained teachers will serve students identified as gifted and talented. Students identified as at-risk, at-risk of dyslexia and or identified as having a disability or special needs are served by appropriately highly qualified teachers, provide appropriate instructional modifications, and tutorial and family support services. Services offered include a continuum of services. Additionally, the curriculum will be aligned to the core curriculum of TEKS.

The needs are addressed based upon areas of concern balanced with areas of strength. According to the Texas Assessment of Academic Skills (TAAS) 2002 the TAAS English and Spanish scores indicate 54.8% of grades 3, 4, 5 and 6 taking TAAS Reading met minimum expectations, and 65% of grades 3, 4, and 5 taking TAAS Math met minimum expectations and 65% of grade 4 taking TAAS Writing met minimum expectations. The progress is attributable to utilization of TEKS, ongoing campus, district and Region IV Professional Development training, Reading Academy Training, Math Academy Training, tutoring, mentoring, cultural and emotional sensitivity as well as increased parental and community involvement and support.

Reform Strategies

The school must continue to improve student achievement. Safety and security as well as student achievement are the highest priorities. The need assessment data has revealed which elements of instruction in reading, writing, and math need to be strengthened and or aligned for students to master the content. The right training and the right personnel are key to our systemic improvement. Other needs include parent involvement and community and business participation.

Curriculum and instruction is based upon the Texas Essential Knowledge and Skills (TEKS). Ongoing professional development ties the curriculum, strategies, methodologies, materials, resources, funding sources, instructional programs and district initiatives together for improved student learning. Scientifically research-based curriculum and instructional strategies/methodologies are used to provide the necessary instruction to the learners.

Content data reveal that students need improvement in mathematics. The specific areas for improvement include; problem solving, estimation, reasonableness, using solution strategies, mathematical representations, measurement concepts and using subtraction to solve problems. The data also reveal that students need improvement in reading. The specific areas for improvement include; summarization, point of view, fact and opinion, inferences and generalizations. Students' poor study habits, lack of critical thinking skills and minimal reading skills all impact their learning. To help correct this area of concern, grade level teachers and cross grade teacher teams will meet to exchange strategies. Specific problem areas will be targeted at the beginning of the year and will be reinforced weekly using TEKS objectives and strategies. The certified teachers that are content specialists will serve the children in the classroom on a need basis. These teachers will not be ancillary or classroom teachers. The funding will be critical to provide the support to the students and the teachers.

The assessments for students consist of the State, district and school mandated test and evaluations. They consist of the TAKS (all students), RPTE (for LEP), TPRI and Tejas Lee (Kinder-2nd), Stanford/Aprenda (K-5), and Stanford/Aprenda (Gifted & Talented), Pre-IPT/IPT-I and SDAA, LDAA, as well as specific and general assessments for students with disabilities, as well as, the ongoing assessment (formative/summative) by teachers. The assessment and evaluation component is essential for the ongoing modification of instruction. As assessments are performed and evaluated, the next process is to change instruction relative to mastery of the Texas Essential Knowledge and Skills (TEKS) so that children achieve and extend to the next level. The state has provided the Academic 2000 cycle 8 grant for assessments.

Reading is assessed with the use of the Accelerated Reading, the TPRI, Tejas Lee, Benchmark testing, and teacher made assessments. To help these children reach and surpass appropriate reading levels; strategies such as reading aloud, guided reading, choral reading, paired reading, echo-reading, word games, and technology support will be emphasized.

Another one of our concerns is writing. In an effort to help our students develop effective writing skills, our kindergarten teachers have increased usage of the inventive writing strategies such as trade books, thematic units, modeling, and printing.

Math continues to be a major concern and will be address using pre and post tests, benchmark tests, teacher made tests, weekly objectives and heavy emphasis on use of the process skills, manipulatives, and math projects and math journals. The content math teachers will model, guide, team-teach and provide large and small group instruction. Our goal is to use and implement those initiatives and strategies that will most effectively help our student to master the content.

Materials are utilized to assist with instruction. Effective needs assessments and budgeting helps get the right materials at the right time. They may be in the form of textbooks, computers and technology, science equipment, consumable material and experiences. The state has provided the Accelerated Reading Fund grant for reading materials. The state, district and campus provide the adoptions and recommended materials. Some instructional materials are program or instruction specific. These may include materials for the students in the Bilingual, ESL or Limited English Proficient support programs or for students identified as at-risk, Gift and Talented, students with disabilities, economically disadvantaged. Many materials are supplemental and are from other sources (Title I, State Compensatory, Bilingual/ESL, Enrichment and internal-PTO, Activity Funds).

Professional Development is essential for teachers to operate at the optimal level of instruction. The teachers and staff must be continually challenged for improvement. New strategies, methodologies, instruction and materials must be introduced and reviewed in order to continually meet the needs of the learner (student and teacher). Self-development of a learner is at the center of optimal learning and teaching. Title I, Part A federal funding has provided for contracted services.

Teachers' Assessment and Decision input is very important for the success of the school. The teachers have input to the types of assessments, the weight of assessments, the frequency, the content and context of the assessment.

The comprehensive needs assessment is completed in a collaborative process with the teacher actively participating. The teachers are on the forefront of the instructional process and have a critical role with the needs of students and solutions to the problems. Teachers as professional are problem solvers and must have a role in the assessment and decision making process as they solve the problems for the learners.

Timely Assistance to Students is an integral part of each school day. The students are monitored for attendance and student achievement. The combination of Federal, State, District and Campus resources are in place to provide assistance in the areas of student need. The teachers utilize appropriate instruction based upon students' needs (at-risk, economically disadvantaged, LEP, Gifted and Talented, Special Education). Various instructional strategies, materials, and assessments are used. In addition, Associate Teachers, Instructional Aides, Health services, appropriate certifications, instructional modifications, professional development and training, summer school, tutoring and community engagement are provided to serve children.

Parent and Community involvement and support is critical. During the 2002-2003 parents became involved in the fall festival, PTO, ESL classes and a Spanish GED class. They, also, volunteered in the school, or chaperoned field trips. Approximately 50% of the parents and community members attended school related functions such as open house, family support

meetings/training, PTO meetings, fall festival, spring show, and field day. This has been sustained in the recent years. In previous years parental and community involvement averaged less than thirty persons. The recent success in the last few years is attributable to the district's goals for reconnecting parents and community to the schools.

Increased parental and community involvement continues to be a concern. Work schedules, language, day care needs, and limited transportation appears to hinder parent participation. To encourage parents to participate, notices of meetings and activities, along with timely reminders, will be sent with enough time for parents to plan. Workshops on TAAS and Stanford10/Aprenda objectives and strategies will be given to enable parents to become better acquainted with school curriculum. We have hired additional Spanish speaking personnel to help us reduce the language barrier.

Preschool transition is a key strategy to improve student achievement. The school works to recruit and enroll children in the Pre-Kindergarten program in order to transition to the elementary school program. For the 2002-2003 school year we plan to have mix-age Kindergarten and Pre-Kindergarten classrooms in order to create additional spaces for Pre-kindergarten student.

Special Programs and Funding

Bilingual Education /English as a Second Language is an integral part of the instructional program at Amigos. The maintenance bilingual program is utilized to serve children who have been identified as having a need for bilingual or ESL instruction. The process includes identification and placement; instruction by certified and or trained teachers using appropriate instruction, strategies, modifications, materials, texts, and assessments. However, by 2003-2004 the dual language type program will assist all learners to engage in a balance approach while enriching their lives.

Special Education is utilized to serve children (6%) who have been identified as having a need for special education services and or instruction. The process includes child find, identification and evaluation, placement; instruction and or modifications by certified and or trained teachers using appropriate instruction, materials, texts, methodologies, and assessed appropriately. The goal is least restrictive environment with inclusion in the mainstream.

Federal Title Programs and State Compensatory Education

Title I, Part A with other programs and funding increases all programs effectiveness, eliminates duplication and reduces the fragmentation of the instructional program. Our campus is a school wide Title I school, whereby all students may benefit. The parents, community members and teachers participate in the comprehensive needs assessment to identify areas of need and areas in which to utilize the supplemental instruction for students in need of intervention. The teachers identify the programs, funding sources, and instructional strategies to address the learning needs of the students. The teachers also have input to the grading, testing and assessments to be used, the frequency, the objective measured and the direction of the planning and staff development. The staff development is very important in order to retain and recruit the high-qualified teachers needed. The supplemental instruction to the foundational instruction provides for reading and mathematics supplemental instruction, technology instruction, tutorials, summer school, medical assessments/interventions, clothing vouchers, parent training in high standards of education,

parental involvement in decision-making. The teachers are involved in the decision making process and the needs assessment, as well as the intervention and assistance to students.

Other Title programs are all part of the integration and collaboration between the funds to help stop illiteracy, train and recruit highly qualified teachers and parents, stop drugs and violence, provide innovations, reduce the class size, and assess the needs of children, provide timely assistance, and accelerate instruction.

State Compensatory Education provides the additional resources for those students identified as at-risk of dropping out of school. The assistance is based upon criteria determined by the state. The students are assessed and identified in order to receive additional instructional assistance, attendance assistance, as well as lowering the student - teacher ratios. The students are tracked and their progress reported.

Our school has achieved many successes in the 2001-02 school year. Improvement on TAKS/TAAS were achieved through the implementation of TEKS, after-school and Saturday teacher training sessions, reading/language arts intervention teachers, an after-school enrichment program and summer school.

Student Attendance

Attendance rate for students during the 2001-02 school year according to PEIMS data was 97%. In 2002-2003 students have average 96% attendance rate.

Student Discipline

We are implementing a school-wide discipline plan in 2003-04 school year. It is our goal that this plan will have a direct and positive impact on student achievement. We wish to reduce the number of disciplinary actions for the 2003-04 school year to 5% or less of the total enrollment. To reinforce positive behavior incentives such as a Citizenship certificates will be awarded.

Compensatory Education Funds

This school receives a total of \$ 344,620 in compensatory education funds in its budget. The school utilizes these funds for instructional personnel (at \$100,000), which provide supplemental services in reading tutoring and reading skill reinforcement to students in grades 1, 2, 3, 4, 5, 6. The remaining \$244,620 is used to pay for extra duty pay, reading materials and staff development. The students are assessed on a continuous basis to determine their progress. The at-risk of dropping out of school students received accelerated instruction and intervention assistance.

Personnel Funded by State Compensatory Education Funds	Full-time Equivalents (FTE's)
Teachers and Instructional Aides	5.0

Staff Development Plans

Description of Presentation	Presenter & Affiliation
<p>June-July, 2003 * Teachers will attend reading Academy Aug. 11,2003 * Presentation of TEKS, reading, math, language arts, science, social studies, PE, health, and ESL objectives, and Superintendent's Vision and Goals * Analysis of TAKS/TAAS/Norm-Referenced Tests; Stanford/Aprenda data, State Developed Alternative Assessment (SDAA), RPTE, TPRI, and other assessments * Curriculum alignment and core curriculum TEKS * Bilingual, ESL, and Dual Language models, LPAC process. * Identification and support of special need populations (LEP, At-Risk of Dropping out of school, Special Education, Gifted and Talented, 504, migrant, immigrant) * Instruction, methodologies, strategies and appropriate modifications for at-risk, IAT, CAP, LEP, Special Ed. Dyslexia, 504, migrant, immigrant and DNQ.</p>	Faculty
<p>Aug. 12, 2003 * Review, SIP Goals and Objectives, evaluations and responsibilities and timelines * Curriculum alignment, core curriculum TEKS, objectives and targets. Support programs overview * Bilingual, ESL, and Dual language models. LPAC procedures. * Special Education Process; Time lines, initial services, ARD, least restrictive environment, related services, re-evaluations, transitions, appropriate modifications * Discipline Management Plan, Intervention & Development GEAR, SOS * PDAS overview and walk-through expectations * Lesson Plans, Documentation of Mastery * Safety plan; fire safety and emergency action * Class Lists, schedules, daily plans, attendance, free lunch, first day</p>	Faculty
<p>August 13, 2003 • Reading / Language Arts In-service; Reading instruction, & Writing integration. Selecting and creating an appropriate assessment. How to interpret data, and use it. • Mathematics / Problem Solving – Instruction strategies, assessments, integration with science and social studies and language arts</p>	Faculty

Description of Presentation	Presenter & Affiliation
Jan. 2004 <ul style="list-style-type: none"> • Presentation of TEKS, reading, math, language arts, science, social studies objectives, strategies • Grading, benchmarks, Spring assessments, promotion criteria, TAKS/SDAA/RPTE/ testing 	Faculty and team level members
Feb. 2004 <ul style="list-style-type: none"> * Discipline intervention, classroom management, conflict resolution * SIP assessment and progress evaluation * Technology training for teachers, staff implementation and integration of technology in the classroom * Safety plan; fire safety and emergency action plan review, and safe and secure schools, GEAR, SOS * PDAS review and requirements. 	Faculty and lead cluster teachers,
Mar. 2004 <ul style="list-style-type: none"> * Curriculum alignment, core curriculum TEKS, TAKS/TAAS, objectives and targets * Bilingual, ESL, and Dual Language models, instruction, methodologies, strategies and appropriate modifications, LPAC procedures * Identification and support of special need populations * Multi-cultural education 	Faculty and lead cluster teachers
Apr. 2004 <ul style="list-style-type: none"> * Overview and evaluation of SIP, Lesson Planning, Student Assessments, Professional Development, Instruction, Strategies, Initiatives, and Waivers • Sessions for identification and development of reading, writing and mathematics activities and instructional strategies /curriculum alignment, for improving instruction Reading/ Language Arts, Mathematics, Science, Social-Studies In-service 	Faculty and lead cluster teachers
May 2004 <ul style="list-style-type: none"> * Technology training, promotion / retention meetings, summer school training, disaggregation of test data 	Faculty and lead cluster teachers

AMIGOS POR VIDA-FRIENDS FOR LIFE OPEN ENROLMENT CHARTER SCHOOL

School Improvement Plan

CEO/Superintendent,
Rosalinda Mercado-Garza

Program Goals	Indication of Need	Campus Objectives
1. To assure safety on campus	Currently there is no general plan for campus safety, no plan for emergencies, and no separation of faculty parking from playground.	To develop and implement campus safety plan to monitor and assure safety for all.
2. To improve academic achievement	Lack of motivation to increase learning Texas Education Agency came to visit our campus on April 11-12, 2002 to review our special education and bilingual programs.	To create, implement, and evaluate celebrations designated as important to our school community.
3. To create a positive working and learning environment	Only one staff member is fully certified in her field. Cohesiveness is absent during faculty meetings or staff development trainings. Promote certification for all required positions	To develop leadership positions among staff To have 50-75% of the staff in an ACP program or completed their certification by the end of year 5 To recognize faculty, staff and students in their accomplishments monthly To develop and implement a calendar of social events
4. To ensure proper administrative practices are taking place	Unequal allocation of funds Student documents are misplaced	To create an administrative office that is functioning properly
5. To develop a school wide technology plan that supports academic achievement	Technology infrastructure does not exist	To create a planning and development committee

Goal 1: Assure safety on campus	
<p>Objective: To develop and implement campus safety plan to monitor and assure safety for all.</p>	<p>Major Strategies:</p> <ol style="list-style-type: none"> 1. To develop and implement evacuation plans and safety training to handle all emergencies 2. To create safe place for bus and car riders to be picked up 3. To develop safe area for parking of staff and visitors 4. To develop and implement plan for safe playground 5. To develop plan for general campus safety 6. To develop food services safety program 7. To improve effective use of classroom space 8. To improve Physical Education area 9. To bring campus library up to state standards 10. To improve campus cafeteria facility 11. To create an outdoor nature area to support science objectives

Strategy 1.1: Develop and implement evacuation plans and safety training to handle emergencies				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Develop two way communication system between front office and student/faculty areas(classrooms, cafeteria, and PE area)	Principal, Police Officers, Operations Manager	\$8,000	Completed -March 2003	Communication has improved, less incident reports
Install bell system to facilitate emergency warnings	Principal, Protection One	\$2,300	August-September 2003	System connected with the fire department
Develop evacuation plan, including system to ensure that everyone has exited building(s)	Safety Committee Member— Ms. Ortiz	None	May 2003	Fire escape route Create a network of personnel to contact which will sound alarm in each building in evacuations
Implement regular drills for fire, hurricane, lockdown emergencies	Operations Manager Safety Committee Representative— Ms Perez	None	Monthly	Fire Marshal Report
Install first aide kits and safety instructions in each public area (classrooms, cafeteria, offices, playground, PE area)	Operations Manager, Safety Committee	\$900	Completed-November 2002	Kits in place in kitchen area and front office

	Representative— Ms Perez			
Train staff in CPR, use of fire extinguisher, Heimlich maneuver, and first aid kit	Staff Development/ Safety Committees/ Red Cross	\$100 per team member	August 2003	Training certificates
Develop inspection and replenishment plan for fire extinguishers and first aide kits	Safety Committee—Ms. Rivera	\$500 year	Quarterly	Check list
Paint/install signs to designate emergency vehicle access to campus	Operations Manager	\$1,500	November 2003	Sign in place

Strategy 1.2: Create safe place for bus and car riders to be picked up				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Review plan for safety during arrival and dismissal of students	Safety Committee	None	On going as needed	Parents and students are connected daily
Review school procedures for early release of student, including designated adults who could pick up child	Safety Committee	None	Six half-days throughout the 2002-2003 year	Vertical and Horizontal alignment occurring throughout the year
Design a faculty/staff duty list to monitor pick up area and dismissal of students	Safety Committee	None	On going as needed	Duty Schedule
Develop covered pick-up area inside school gates to ensure safe pickup of child	Safety Committee	\$15,000	May 2004	Plans to build covered area

Strategy 1.3: Develop safe area for parking of staff and visitors				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Re-route parking to accommodate all staff	Safety Committee Rep.	None	August 2003	Outside parking designated for teachers
Develop system for controlled access of parking area	Safety Committee, Police	None	August 2002-2004	Police officer on duty

Strategy 1.4: Develop and implement plan for safe playground				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Install fence around play area	Operations Manager, Safety Committee Rep- Ms. Brown.	\$1,000	December 2003	Fence installed
Contract for professional safety inspection for playground equipment and area	CEO, Apartment Complex	\$1,500	December 2003	Inspection certificate date
Remove or repair unsafe playground equipment	Safety Committee Rep.- Ms Brown/ Operations Manager,, Apartment Complex	\$15,000	December 2003	Repairs needed to be made occurred
Create schedule and oversee the restoration of mulch in the playground	Operations Manager, Safety Committee Rep.- Ms. Brown	\$600	Bi-Annually	Placing mulch on playground area
Control of insects in school	Operations Manager, Safety Committee Rep- Ms Brown	None	Monthly	Pest control visits

Strategy 1.5: Develop plan for general campus safety				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Post signs to inform guests that no child under 8 years is allowed upstairs	Operations Manager, Safety Rep.- Ms Rivera	\$50	May 2003	Signs are in place
Install exit signs	Operations Manager, Safety Representative- Ms Perez	\$50	Completed August 2002	Signs are installed
Install bushes around school campus to control trespassing	Operations Manager	\$1,500	July 2003	Trespassing into school property has been limited

				and no indecent reports of damages to property
Create school patrol program in which students help monitor campus	Safety Patrol Sponsor, 5 th grade class members	\$300 year Stipend	September 2003	Students involved, and duties are performed throughout the year.
Control campus access: Enforce office sign in and wearing of identification by all staff and visitors passes by visitors	Secretary, Police Officers, Principal	None	December 2003	Office has tags available for visitors and name badges for staff members
Implement peer mediation training for conflict resolution	Principal, Student Achievement Committee, Family/Parent Project Coordinator	None	August 2002-May 2005	Research of a social skills/conflict resolution program to implement school wide.
Participate in safety awareness activities, including Say No to Strangers and lost child identification (fingerprinting and photograph) programs, and skits on handling dangerous situations (playmate discovers father's gun under pillow)	Guest Speaker, Police Officers , Family/Parent Project Coordinator	\$500	August 2002 –May 2007	Photos and samples of activities taking place.

Strategy 1.6: Develop food services safety program				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Coordinate kitchen/maintenance staff	Starr Catering, Food Service Director, Principal	None	Ongoing as needed	Memos between catering services and school
Train kitchen staff in proper attire while handling food	Food Service Director - Hector Pineda, Trainer consultant	\$100 per training per member	Ongoing as needed	Training certificate
Establish plan to improve traffic flow in cafeteria	Food Service Director, Hector Pineda	None	Once a year	Students have attended a cafeteria class with Food Service Director

Strategy 1.7: Improve effective use of classroom space				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is	Resources	Specific Time period for implementing	Evaluation of strategy/ activity and specific time periods for

	accomplished and evaluated		strategy/ activity	evaluating strategy/ activity
Reorganize and add new offices	Operations Manager, Food Service Coordinator, Technology Coordinator, Principal	None	July 2003	Office are ready to operate for business
Reorganize classrooms to meet team teaching structure	Operations Manager	None	July 2003	Classrooms are set up to facilitate team teaching
Remove carpet and install tile in classrooms	Operations Manager	\$5,000	December 2003	Large /efficient spaces are now available

Strategy 1.8: Improve Physical Education area				
Create building to store PE equipment	Operations Manager	\$2,500	December 2003	Pre-fabricated storage shack installed
Develop facility for PE in inclement weather	Principal, Operations Manager	\$15,000	August 2002-2004	Facility built

Strategy 1.9: Bring campus library up to state standards				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Seek funding to increase library collection by 20% each year	Librarian	\$5,000	2003 – 2007	Growth of library catalog
Employ a Librarian	CEO	\$18,200	Completed \$18,200	Qualified Librarian on premises in the Library
Develop lending from the Public Library (classroom sets)	Librarian	None	September-August	Availability of books in a more timely manner until we receive more of

				schools books
Expand existing Library	CEO	\$2,500	December 2003	Install Shelves/seating for waiting area
Free Standing Library	Librarian Committee	\$2,500	August 2005	Set until the Library reaches the State Standards
Strategy 1.10: Improve campus cafeteria facility				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Implement ways to decrease noise in cafeteria – acoustic ceiling, wall hangings to absorb sound	Food Service Director, Hector Pineda, Safety Committee Member-Ms Hernandez	\$3,000	August 2002-2004	Acoustic ceiling in place

Strategy 1.11: Create an outdoor nature area to support science objectives				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Plan alignment with use for education purposes to improve landscaping	Operations Manager, Lead teachers	None	August 2003	Environment of an “outdoor” classroom Incorporation of students creative abilities and learned skills

Goal 2: To improve academic achievement

Objectives:

- Increase passing of TAKS reading, writing, math and science to 70% by spring 2003, 80% by spring 2004, 85% by spring 2005, 87% by spring 2006, and 90% by spring 2007 for all student groups: at-risk, LEP, White, Hispanic, African American and Economically Disadvantaged.
- Increase the understanding of teachers, parents, and community leaders in grade level expectations for TEKS reading, writing, math, science and social studies.
- Create, implement, and evaluate celebrations designated as important to our school community.
- Define educational programs.
- Promote opportunities for increased involvement of parents and community in school-based activities, to increase their sense of welcome and importance in supporting the development and achievement of their child(ren).

Major Strategies:

1. Benchmark testing of students will occur in the areas of reading, writing, math and science.
2. Support accelerated vocabulary development by training parents to interact with books with their child(ren) and by providing ways for the child(ren) to interact with and demonstrate his/her knowledge of vocabulary.
3. Develop teacher and parent guides to assist with reading, writing, math and science TEKS objectives.
4. Create a drama club for students in grades 2-6.
5. Define bilingual, regular and special education programs through campus-based staff development.
6. PK-6 teachers will incorporate best instructional practices.
7. Collaborate with community-based organizations to increase community involvement and parental support.
8. Incorporate classes for parent in the evenings and weekends.
9. Involve faculty, parents and students in the Scholastic Book Fair.
10. Bring cultural events to the campus.
11. Site-based Decision Making (SBDM) Committee meets monthly to review and advice on progress in implementing campus programs (including grants), Campus Needs Assessment, Campus Improvement Plan, and progress in student achievement.
12. Hiring of additional staff and changing instructional arrangements to improve student academic performance.
13. Student Success Initiative is implemented.
14. Computer Literacy training will be provided for students and parents.
15. Book Reading Club will be formed in each classroom.

16. Funding support for Special Education Programs				
Strategy 2.1: Benchmark testing of students will occur in the areas of reading, writing, math and science.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Pre-and post-testing of students will occur at the beginning of the year and at the end of the year.	MONITOR: Reading/Math Coordinators, A. Cruz & J. Romero EVALUATION: Principal/CEO	None	Sept 2003 & May 2004	Testing protocols, testing and initial intervention plan; post testing and summary report
Train teachers in reading intervention strategies through the Texas Reading Initiative program.	MONITOR: Region IV ESC Texas Reading Initiative Specialist, Melanie Ross EVALUATION: Principal/CEO	\$500/day Region IV	Aug 2003-July 2004	Number of teachers trained; list of training sessions attended
Create mentor program for core group of teachers to gain experience in lesson planning, daily schedules and effective instructional practices.	MONITOR: Master Teacher, Judy Zachary and other Mentor Teachers PK-6 Teachers EVALUATION: Principal/CEO	\$10,000 for contracted services to pay mentors	August 2003-May 2004	Notes from mentor meetings and implementation of said activities in classroom; walkthroughs and PDAS evaluation.
Teachers develop skill in using benchmarks every nine weeks to monitor the development of reading, writing, math and science skills.	MONITOR: PK-6 Teachers; O. Castillo A. Cruz J. Romero EVALUATION: Principal/CEO	\$5,000 paper and copy supplies	Sept 2003-May 2004	Weekly notes from Bilingual/Reading/Math Coordinators' meetings. Use of benchmarks noted on classroom walkthroughs by Principal.

Strategy 2.2: Support childhood development by training parents to interact with books with their child(ren) and by providing ways for the child(ren) to interact with and demonstrate his/her knowledge of vocabulary.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/	Resources	Specific Time period for	Evaluation of strategy/ activity and specific

	activity is accomplished and evaluated		implementing strategy/ activity	time periods for evaluating strategy/ activity
Parents are provided with on-site training, workshops and referrals to other community based organizations. They are encouraged to borrow a book each week to read to their child. Children have opportunity to play computer game that allows child to practice vocabulary skills. Light refreshments are served.	MONITOR: Family Center Project Coordinator EVALUATION: Principal/CEO	None	Daily, M-F and some Saturdays	Parent sign-in sheet, percentage of graduates who are borrowing books from school or who complete public library card application; computer log; vocabulary list

Strategy 2.3: Develop teacher and parent guides to assist with reading, writing, math and science TEKS objectives.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Teachers examine PK curriculum, K-5 TEKS in the areas of reading, writing, math, science and social studies. The major TAKS objectives connected with the TEKS.	MONITOR: PK-5 Teachers Bilingual/Reading/Math Coordinators; Region IV ESC Education Specialist, EVALUATION: Principal/CEO	(None for teachers) \$500/day Region IV	August 2003	Lesson plans aligned PK Guidelines/ K-6 TEKS
Parent guide is created to indicate the major reading, writing, math and science objectives for each grading period and share helpful hints to assist their child(ren) with the learning process.	MONITOR: Maria Llamas Treneka Cothron EVALUATION: Principal/CEO	None	October 2003	Copy of parent guide and activity sheets sent home
Parent will receive packets of activities to achieve mastery of TAKS objectives.	MONITOR: Maria Llamas Treneka Cothron EVALUATION: Principal/CEO	None	End of every nine-week period	Copy of parent/teacher guides
6 times throughout the school year, parents are trained to use the activities to support reading and math objectives.	MONITOR: A. Cruz	\$800/yr. per person	6 PTO meetings	Parent night sign-in sheets

	J. Romero EVALUATION: Principal/CEO	\$300/person for supplies		
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Strategy 2.4: Create a Drama Club for students in grades 2-6				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Form drama club— to organize plays that will be presented to the faculty, staff and students on special occasions: <ul style="list-style-type: none"> • October—Columbus Day • November—Thanksgiving • December—Winter; Holidays/ Christmas Around the World • January—Martin Luther King/Civil Rights/ US Presidents • February—Go Western/Discover Texas • March-- Spring Festival • April—Earth Day • May—Cinco de Mayo/Mother’s Day—recognize campus moms • June-Flag Day/Father’s Day-recognize campus dads 	MONITOR: Drama Club Sponsor EVALUATION: Principal/CEO	\$300stipend/ teacher	Fall 2003	Organized events/activities

Strategy 2.5: Define bilingual, regular and special education programs through campus-based staff development.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Obtain technical assistance for training in the pedagogy of bilingual education; with emphasis in Dual Language	MONITOR: Region IV ESC Education Specialist, Carlos Villagran EVALUATION: Principal	\$500/day Region IV	Aug 2003	In-service Agenda

Review LPAC responsibilities; Exit students from LEP status Process in which LEP students are screened for Special Education eligibility	MONITOR: Olga Castillo, Bilingual Coor. EVALUATION: Principal	None	Documents reviewed and signed by LEP committee	Documentation signed by LPAC Committee
Obtain technical assistance for training in the pedagogy of regular education Special Education Referral Process	MONITOR: PK-5 Teachers; Region IV ESC Education Specialist, Dr. B. Maluchek EVALUATION: Principal	\$500/day Region IV	Aug 2003	In-service Agenda
Obtain technical assistance for training in the pedagogy of special education Special Education Modifications	MONITOR: Region IV ESC Education Specialist, Dr. Adrian Sorell EVALUATION: Principal	\$500/day Region IV	October 2003	In-service Agenda
Review CAP Matrix & Video to faculty/staff	MONITOR: Jean Scott, Special Ed Liaison EVALUATION: Principal/CEO	None	Aug 2003	In-service Agenda
Obtain technical assistance for Professional Development Appraisal System training. (New Teachers Only)	MONITOR: Region IV ESC Education Specialist, Dr. Jackie Cobbins EVALUATION: Principal	\$500/day Region IV	Aug 2003	In-service Agenda; PDAS documentation with summative and formative evaluations
After-school training sessions to receive guidance in campus improvement planning.	MONITOR: Region IV ESC Education Specialist, Sheldon Barr EVALUATION: Principal	\$500/day Region IV	Oct 2003	Certificate of Attendance; campus/school improvement plan
Early Release Days used to obtain more technical assistance through Region IV ESC and other contracted services in reading, writing, math and science.	MONITOR: Region IV ESC Education Specialists, Sheldon Barr, Melanie Ross, Carlos Villagran, Contracted services:	\$500/day Region IV	Oct 2003-April 2004	In-service Agenda; Lesson plans aligned PK Guidelines/ K-6 TEKS; Application of what was learned was observed in Evaluation; walkthroughs

	Dr. Gena Jerkins, Eva Sandoval EVALUATION: Principal			
Texas Reading Academy for all teaching staff.	Monitor: Region IV ESC Education Specialists EVALUATION: Principal	\$600 stipend/teacher	June 2003	In-service Agenda Certificate of Attendance
Texas Math Academy for teaching staff.	Monitor: Region IV ESC Education Specialists EVALUATION: Principal	\$600 stipend/teacher	June 2003	In-service agenda Certificate of Attendance
CPR Training	Monitor: Claudia Perez, Safety Coordinator Safia Ali, Nurse Services EVALUATION: Principal	\$70 per person for 2 day training	Aug. 14, 2003 – Jan, 2004	In-service Agenda Certificate of Attendance From American Red Cross (Trainer)
Special Education Modification Alignment For Students With Disabilities	Monitor: Jean Scott, Special Liaison Evaluation: Principal	\$70 per person for 1 day training	Aug. 11, 2003	In-service Agenda Professional Development Certificate of Attendance
Computer Literacy - Staff members will be trained to use Educational Computer Software, with will assist in classroom preparation.	Monitor: David Bohoquez, Campus Technology Coordinator Jose Alicea Evaluation: Principal	None	Aug. 2003- May 2004 (On going)	Campus In-services Professional Development Test will be given on Knowledge and Skills of Computer Techniques
Curriculum Scope and Sequence Training	Monitors: Jamie Romero, Math Coordinator, C. McDougle, Social Studies; Trini Cothron, Science Evaluation: Principal	None	Aug. 11, 2003	Campus In-services Professional Development

TBSI Training (Texas Behavioral Support Initiative)	Monitors: J. Scott, Special Education Liaison; T. Brown, Pre-K Assistant; R. Pineda, 3 rd Grade Bil.; A. Cruz, Title I Reading Coordinator Evaluation: Principal	\$690.00	Aug. 2003 (2 day training)	Campus In-service Certificate Professional Development
Effective Writing Instructions For All Students Pre-K through 5 th Emphasis on Vertical Alignment	Monitors: N. Gonzalez A. Bhatt A. Cruz, C. McDougle Evaluation: Principal	None	Nov. 24 & 25, 2003	Campus In-service Professional Development
Individual training for educators to attend. Individuals are responsible for providing training, give a report on the training and/or share with grade level staff the information he/she received.	Monitors: PK-5 Teachers Evaluation: Principal	\$1000/person	Aug. 2003 – May 2004	Professional Development Certificate of Attendance

Strategy 2.6: PK-6 teachers will incorporate best instructional practices.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Obtain technical assistance for training to incorporate scientifically based researched practices in the classroom	MONITOR: Region IV ESC Education Specialist, Sheldon Barr EVALUATION: Principal	\$500/day Region IV	Sept 2003	Certificate of Attendance
PK teachers acknowledge to reinforce the following activities/strategies in their instructional practices: LA READING <ul style="list-style-type: none"> • CONVERSATION • QUESTIONS ABOUT STORIES • MUSIC AND SONG – INCREASE VOCABULARY 	MONITOR: PK Teachers/PK LA Teacher/Aides (G.GONZALEZ, ARES, ORTIZ, TREJO, S. PINEDA, ALI, CASTILLO,	None	Sept 2003-May 2004	Lesson plans; walkthroughs; PDAS evaluation; nine week benchmarks

<ul style="list-style-type: none"> • USE OF VISUALS AND WORDS; WRITING • TRACING BROKEN LINES • SPACE WRITING • JOURNAL – DRAW PICTURE ABOUT STORY <p>MATH</p> <ul style="list-style-type: none"> • USING MANIPULATIVES (PATTERNS, COMPARING, INTRODUCE GRAPH) • IDENTIFICATION OF FIGURES • (COLORS, SHAPES) <p>CALENDAR – COUNTING (DAYS, WEEKS, ETC.)</p>	<p>ASCENCIO, CALDERON) EVALUATION: Principal</p>			
<p>K teachers acknowledge to reinforce the following activities/strategies in their instructional practices:</p> <p>READING/WRITING</p> <ul style="list-style-type: none"> • READING ALOUD BOOKS AND INDEPENDENT READING • PICTURE GRAPHS FOR SOUNDS • CHATS ON SYLLABLES. • DO JOURNALS • COPY DIRECTED WRITTEN TASK <p>MATH</p> <ul style="list-style-type: none"> • GRAPHS • MANIPULATIVES • PICTURE EXERCISES <p>SCIENCE / SOCIAL STUDIES</p> <ul style="list-style-type: none"> • CHARTS AND GRAPHS • SCIENCE EXPERIMENTS • MATCHING PICTURES • READING BOOKS RELATED TO TOPICS. 	<p>MONITOR: Kindergarten Teachers/Aides/Early Literacy Aide (SUAREZ, PEREZ, RIVERA, GISBERT, RODRIGUEZ) EVALUATION: Principal</p>	<p>None</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; walkthroughs; PDAS evaluation; nine week benchmarks; TPRI/Tejas LEE results</p>
<p>1st grade teachers acknowledge to reinforce the following activities/strategies in their instructional practices:</p> <p>READING/ LANGUAGE ARTS</p> <ul style="list-style-type: none"> • WORD WALLS • GROUPS • WORD BLENDING • DAILY ORAL READING • PHONEMIC AWARENESS • SYLLABLES • SOUNDING OUT LETTERS • SINGING THE SPELLED WORDS 	<p>MONITOR: 1st Teachers/Early Literacy Aide (BARR, JENKINS, MARTINEZ) EVALUATION: Principal</p>	<p>Reading/ESL/ Language Arts Training from Region IV; \$500/trainer/</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; walkthroughs; PDAS evaluation; nine week benchmarks; TPRI/Tejas LEE results</p>

<ul style="list-style-type: none"> • READING TO THEM AND ASKING THEM HYPOTHETICAL, INFERENTIAL AND OTHER TYPES OF QUESTIONS FOR COMPREHENSION • JOURNALS • FLASH CARDS <p>MATH</p> <ul style="list-style-type: none"> • COUNT ONE BY ONE, TWOS, FIVES, TENS (EVERY MORNING DRILL) • ODDS AND EVEN • PATTERNS • SHAPES • TENS AND ONES • ADDITION AND SUBTRACTION • PROBLEM SOLVING • GRAPHS • MEASUREMENTS/ ESTIMATES <p>{SINGING COUNTING OUT LOUD USING MANIPULATIVES CONCRETE/ABSTRACT PICTORIAL METHODS}</p>				
<p>2nd grade teachers acknowledge to reinforce the following activities/strategies in their instructional practices:</p> <p>READING</p> <ul style="list-style-type: none"> • MAKING PREDICTIONS • SPELLING - FLASHCARDS • DRAMATIZING • CHORAL READING • WEBS • GRAPHIC ORG. TO COMPARE STORIES <p>MATH</p> <ul style="list-style-type: none"> • CALENDAR MATH • PROBLEM OF THE DAY • BIRTHDAY GRAPH • GAMES (TIC, TAC, TOE, ROLLING, DICE, TRIANGLE) • LINE NUMBERS • FLASHCARDS ORDINALS = #S- +, -, /, * <p>1. 99 5 3 _ _ _ -53</p>	<p>MONITOR: 2nd Teachers/Early Literacy Aide (SOLER, SHIELDS, MOTZ, ASCENCIO, CASTILLO) EVALUATION: Principal</p>	<p>Reading/ESL/ Language Arts Training from Region IV; \$500/trainer</p> <p>Mathematics training from Region IV; \$500/trainer</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; walkthroughs; PDAS evaluation; nine week benchmarks; TPRI/Tejas LEE results</p>

<p>2. △ △</p> <p>WRITING</p> <ul style="list-style-type: none"> • STORY PRMPS • JOURNALS • POEM BOOK • MATH JOURNAL • MAKE POSTER • WORD BANK WORD • COMPUTER ACTIVITY 		<p>Writing Training from Region IV; two day training @ \$500/trainer</p>		
<p>3rd grade teachers acknowledge to reinforce the following activities/strategies in their instructional practices:</p> <p>READING</p> <ul style="list-style-type: none"> • HANGING WORD WALLS (VOCABULARY) • TOPICS THAT MATCH THE STORY • STORY MAPS CHARAC. SETTING PROBLEM PLOT EVENTS SOLUTION <p>MATH</p> <ul style="list-style-type: none"> • FLASH CARDS • COMPUTER CD'S (FROM LIBRARY) • MANIPULATIVES DOMINOS, POPSICLE STICKS, BLOCKS <p>WRITING</p> <ul style="list-style-type: none"> • GRAPHIC ORGANIZERS • BEGINNING, MIDDLE, ENDING • WRITING JOURNALS (PROMS) • OPEN-ENDED QUESTIONS WHAT? WHEN? WHERE? WHY? 	<p>MONITOR: 3rd Teachers/ Title I Reading & Math Instructors (McDOUGLE, PINEDA, CRUZ) EVALUATION: Principal/CEO</p>	<p>Reading/ESL/ Language Arts Training from Region IV; \$500/trainer</p> <p>Mathematics training from Region IV; \$500/trainer</p> <p>Writing Training from Region IV; two day training @ \$500/trainer</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; TAKS test results; walkthroughs; PDAS evaluation; nine week benchmarks; RPTE</p>
<p>4th grade teachers acknowledge to reinforce the following activities/strategies in their instructional practices:</p> <p>READING</p> <ul style="list-style-type: none"> • PRE TEACH- VOCABULARY WORDS, BRAINSTORM, PREDICTIONS, ETC. • LISTEN TO TAPE FIRST; THEN, READ STORY • ON - GOING QUESTIONS AND ANSWERS <p>MATH</p> <ul style="list-style-type: none"> • CONVERT DIFFICULT PROBLEMS INTO SIMPLE 	<p>MONITOR: 4th Teachers/Title I Reading & Math Instructors (BHATT & N. GONZLAEZ) EVALUATION: Principal/CEO</p>	<p>Reading/ESL/ Language Arts Training from Region IV; \$500/trainer</p> <p>Mathematics</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; TAKS test results; walkthroughs; PDAS evaluation; nine week benchmarks; RPTE</p>

<p>REAL LIFE SITUATIONS</p> <ul style="list-style-type: none"> • DRAWINGS FOR EASY UNDERSTANDING • USE REAL OBJECTS FOR TACTILE/VISUAL LEARNERS <p>WRITING</p> <ul style="list-style-type: none"> • GRAMMAR JINGLES TO MOTIVATE • USED OVERHEAD PROJECTOR FOR VISUAL LEARNERS • JOURNAL WRITING IS ENCOURAGED TO PROVIDE <p>MOTIVATION AND INTEREST & SHARE AN EXPERIENCE THROUGH WRITING (THEY GET TO WRITE TO EACH OTHER AND MAIL THEIR LETTERS)</p>		<p>training from Region IV; \$500/trainer</p> <p>Writing Training from Region IV; two day training @ \$500/trainer</p>		
<p>5th grade teacher acknowledges to reinforce the following activities/strategies in her instructional practices:</p> <p>SCIENCE</p> <ul style="list-style-type: none"> • ORAL READING/COMPREHENSION • EXPERIMENTS (SCIENTIFIC METHOD) • JOURNALS <p>MATH</p> <ul style="list-style-type: none"> • TEAMS – (4 STUDENTS) COOP. • SHOW YOUR WORK (PROBLEM SOLVING) • MANIPULATIVES • TAPES / CD'S/ COMPUTER GAMES • KIDS CREATION • REINFORCE (HANDOUTS) <p>LANG./LITERATURE</p> <ul style="list-style-type: none"> • ORAL READING/ COMPREHENSION • VENN DIAGRAMS • KWL =WHAT YOU KNOW • USE OF DICTIONARY INSTANT WORD RECOGNITION • PEER TUTORING 	<p>MONITOR: 5th Teachers/ESL Instructor/Title I Reading & Math Instructors (COTHRON, ROMERO, PETERSON, LLAMAS) EVALUATION: Principal/CEO</p>	<p>Reading/ESL/ Language Arts Training from Region IV; \$500/trainer</p> <p>Mathematics and Science training from Region IV; \$500/trainer</p> <p>Writing Training from Region IV; two day training @ \$500/trainer</p>	<p>Sept 2003-May 2004</p>	<p>Lesson plans; TAKS test results; walkthroughs; PDAS evaluation; nine week benchmarks; RPTE</p>
<p>Strategy 2.7: Collaborate with community-based organizations (CBO) to increase community involvement and parental support.</p>				
<p>Initiative/Activity/Strategy</p>	<p>Staff responsible for ensuring strategy/ activity is accomplished and evaluated</p>	<p>Resources</p>	<p>Specific Time period for implementing strategy/ activity</p>	<p>Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity</p>

Parent Liaison after hours time for phone calls and home visits to evaluate general referral as well as Special Education issues to CBO	MONITOR: Parent Liaison, Hector Pineda EVALUATION: Principal	None	Sept 2003-May 2004	Data collected for the number of phone calls made, home visits, and referrals made.
Arrange CBO speakers for PTO meetings	MONITOR: Parent Liaison, Hector Pineda; PTO President, Luz Garcia EVALUATION: Principal/CEO	None	Sept 2003-May 2004	Attendance at PTO meeting; List of speakers; attendance sign in of parents
Parent training on social services available through the CBO On-site Community Learning Center Provided by <u>Depelchin Children Center</u>	MONITOR: Parent Liaison, Hector Pineda EVALUATION: Principal/CEO	None	Sept 2003-May 2004	Report of number of referrals made
Provide information to parents on training opportunities through the CBO (computer literacy, word processing, internet use, job-training opportunities) (ICF funds will not pay for any computer or job training classes for parents.)	MONITOR: Parent Liaison, Hector Pineda EVALUATION: Principal/CEO	None	Sept 2003-May 2004	Number of flyers distributed to parents; number of parents enrolling in CBO training
Open House for Parents	Monitors: Claudia Perez, Suany Pineda, Hector Pineda, Jean Scott, Safia Ali Depelchin C.C.. Evaluation: Principal/CEO	None	Aug. 2003 Time: 5-7 p.m.	Parent Sign-in Sheet
Recruitment to Increase Enrollment	Monitors: Irma Pineda, Hector Pineda, Staff, and PTO members Evaluation: Principal	The cost of creating flyers, banners, school video and letters to the community.	Summer June 2003	Flyers, Literature about the school, what services are available, and offered here at the school.

Strategy 2.8: Incorporate classes for parents in the evenings and weekends.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
ESL classes taught by using classroom lessons are available to parents in the evenings and weekends.	MONITOR: LaToya Jenkins & Julio Martinez EVALUATION: Principal	\$1200 stipend/ ESL teacher \$250 paper supplies	Sept 2003	Sign-in sheets; copy results of parent exams
Parent literacy classes will be available for parent who wants to learn to read and write.	MONITOR: Jose Alicea EVALUATION: Principal	\$600 stipend/ GED teacher	Sept 2003	Sign-in sheets; copy results of parent exams

Strategy 2.9: Involve faculty, parents and students in the Scholastic Book Fair.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Students, parents and staff can purchase educational materials from the book fair.	MONITOR: PTO President, Luz Garcia; Olga Castillo EVALUATION: Principal/CEO	Time	Oct 2003 & April 2004	Sales sheet; donated books placed in school library

Strategy 2.10: Bring cultural events to the campus.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity

Amita Bhatt (fourth grade teacher) and Maria Llamas (ESL teacher) present their Art Gallery Show to students in all grades.	MONITOR: A. Bhatt M. Llamas EVALUATION: Principal	Time	Oct 2003	Student participation
Jaime Romero (Title I, Math teacher) presents self composed music through guitar.	MONITOR: J. Romero EVALUATION: Principal	Time	Sept 2003	Student participation

Strategy 2.11: Site-based Decision Making (SBDM) Committee meets monthly to review and advice on progress in implementing campus programs (including grants), Campus Needs Assessment, Campus Improvement Plan, and progress in student achievement.				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Grant Committee meets each grading period to review progress towards implementation of grant-funded activities and interim outcome data. If necessary, adjust activities to achieve goals and produce Action Plan. Copy Action Plan to each member of SDM, Principal and School Board.	MONITOR: SBDM Committee EVALUATION: Principal	Time	Oct 2003	Agenda, minutes, and reports from SBDM committee
The SBDM Committee reviews Spring 2003 TAKS data annually and recommends on corrective action plan.	MONITOR: SBDM Committee EVALUATION: Principal	Time	Sept/Oct 2003	Agenda item for meeting; report and recommendations in minutes.
Recruit parents, community businesspersons, and representatives of community organizations to participate in the SBDM committee.	MONITOR: SBDM Committee EVALUATION: Principal	Time	Aug 2003	Increased participation by parents, community businesspersons and community organization representatives

Grant Committee meets quarterly to hear report by SBDM Chairperson, PTO Rep., Bilingual Coordinator, Special Education Liaison, Technology Coordinator, and Principal	MONITOR: SBDM Committee EVALUATION: Principal	Time	Quarterly: Oct, Dec, 2003 Mar, June 2004	Agenda and minutes of the meetings, reports of the coordinators, the SDM committee, PTO, and principal. Copies of submitted reports and updated Campus Needs Assessment and Campus Improvement Plan
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Strategy 2.12: Hiring of additional staff and changing instructional arrangements to improve student academic performance.				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
A Certified Bilingual/ESL Language Arts teacher was arranged in PK so that students would be served by certified personnel as stated in the Bilingual Assurance form submitted to TEA. Emphasis will be on dual language.	MONITOR: O. Castillo EVALUATION: PK teachers Principal	Title I School Improvement: Salary & Benefits	Aug 2003- July 2004	Reports
Title I Reading/Math Instructors were hired to coordinate small group instruction, implement benchmarks in grades 3-6 and assign tutorial groups.	MONITOR: A. Cruz J. Romero EVALUATION: 3 rd -5 th teachers Principal	Title I, Part A: Salary & Benefits	Aug 2003- July 2004	Reports
ESL Instructor was hired to assist with recent immigrants and LEP students with Sheltered English instruction.	MONITOR: M. Llamas EVALUATION: 5 th teachers Principal	State Comp Ed: Salary & Benefits	Aug 2003- July 2004	Reports
Early Literacy Aide was hired to implement small group instruction to young children having difficulty with their reading skills.	MONITOR: M. Motz EVALUATION: K-2 nd teachers Principal	Title I School Improvement: Salary & Benefits	Aug 2003- July 2004	Reports

Kindergarten Aides were hired to assist teachers with small group instruction.	MONITOR: A. Calderon J. Rodriguez EVALUATION: Kinder teachers Principal	State Comp Ed: Salary & Benefits	Aug 2003- July 2004	Reports
Additional instructors to accommodate for upward growth in grade 2 (Note: Ms. Shields was formerly the 1 st grade teacher but moved to 2 nd .)	MONITOR: L. Jenkins EVALUATION: Principal	Foundation: Salary & Benefits	Aug 2003- July 2004	Reports
Technology Coordinator was hired to support teachers in implementing the new technology plan and organizing E-rate funds.	MONITOR: D. Bohorquez EVALUATION: Principal	Foundation: Salary & Benefits	Aug 2003- July 2004	Reports
Business Assistant was hired to support the administrative offices after removal of management company.	MONITOR: J. Alicea EVALUATION: Principal	Foundation: Salary & Benefits	Aug 2003- July 2004	Reports
Scope & Sequence has been developed and implemented.	MONITOR: C. McDougle, T. Cothron J. Romero A. Cruz EVALUATION: Principal	Time	Aug 2003	Scope & Sequence
After school & Enrichment teachers join programs together to motivate students to participate in a daily practice of studying, completing assignments and receiving assistance; then enjoying an afternoon of cultivating activities (i.e., chess, art, music, etiquette, sports, and dance).	MONITOR: <i>K-5 Teachers</i> Instructional Aides EVALUATION: Principal	Accelerated Reading Fund Grant & State Comp Ed, \$1200 stipend/tutor	Sept 2003- May 2004	TAKS test, RPTE, TPRI/Tejas LEE, Benchmarks
Saturday tutorial classes for students in grades 3 - 6 to enhance TAKS Reading and Mathematics instruction.	MONITOR: 3-5 Teachers A. Cruz J. Romero EVALUATION: Principal	State Compensatory Education, \$20/hour; 3 hours/ Saturday	Sept 2003- May 2004	TAKS test, RPTE, TPRI/Tejas LEE, Benchmarks

Strategy 2.13: Student Success Initiative is implemented.				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Parents of third grade students will be informed about new state standards.	MONITOR: PK-5 Teachers Instructional Aides EVALUATION: Principal	Paper/Copier Usage	Oct 2003	Letters sent to parents
Parents of kindergarten through second grade students will be informed about test results in early reading instruments.	MONITOR: PK-5 Teachers Instructional Aides EVALUATION: Principal	Paper/Copier Usage	Oct 2003	Test results; Letters sent to parents

Strategy 2.14: Computer Literacy training will be provided for students and parents.				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Technology Coordinator will provide computer technology training to teachers in order for teachers to utilize computer laboratory for educational purposes. Technology classes will also be provided to parents.	MONITOR: D. Bohorquez EVALUATION: Principal	Foundation: Salary & Benefits	Aug 2003- July 2004	Reports

Strategy 2.15: Book Reading Club will be formed in each classroom.				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity

Teachers give students tangible rewards (pencils, rulers, bookmarks, etc.) in order to promote reading at home on a daily basis.	MONITOR: K-5 Teachers Instructional Aides EVALUATION: Principal	Accelerated Reading Funds: \$100/teacher	Aug 2003- July 2004	TAKS test, RPTE, TPRI/Tejas LEE, Benchmarks
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Strategy 2.16: Funding support for Special Education Programs				
Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Special Education In-service Training - Modification, Strategies For Children with Disabilities, Timelines, and the Child-centered process	Special Education Liaison/Coordinator Region IV Campus In-services	Title I, School Improvement \$3,000	Aug. 2003 - May 2004	Agendas
Special Education Adaptive Technology	Special Education Services through Region IV Technology Coordinator SERS –Region IV	Special Education \$2,500	Aug. 11, 2003 – May 2004	Receipts
Special Education Speech and Counseling Services	Contracted Services Depelchin Children Center/Counseling Carrie Brown, Speech Pathologist Harris County Dept. Education	IDEA-B \$20,000	June 2003 – May 2004	Invoices

Goal 3: To create a positive working and learning environment	
Objective: To have a highly qualified staff per the No Child Left Behind Act of 2001.	Major Strategies: <ol style="list-style-type: none"> To develop leadership positions among staff To have 100% of the staff in an ACP program or completed their certification by year 5 To recognize faculty, staff and students in their accomplishments monthly To develop and implement a calendar of social events

Strategy 3.1: To develop leadership positions among staff				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Select teachers to manage a grade level or department	Lead Teacher, Principal	None	August 2002-May 2004	Lead teacher send reports to Principal.

Strategy 3.2: To have 50-75% of the staff in an ACP program or completed their certification by year 5				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Implement individual professional development and growth plan for all faculty	Non-certified staff	None	August 2002-May 2004	Growth plans

Strategy 3.3: Recognize faculty, staff and students in their accomplishments				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Pre-kindergarten and Kindergarten Recognition	Pre-kinder & Kinder Teachers and Assistants	\$500 year	May 2003-2008	Diplomas and Certificates
Fifth and Sixth grade Graduation Ceremony	Sixth grade teacher	\$500 year	May 2003	Program sheet and diplomas
Awards Assembly	Teachers	\$500 year	End of every 9 week period	List of students being recognized for honor roll, perfect attendance, most improved, etc...
Teachers of the Year	Principal, Faculty/Staff	\$400 year	May 2003-May 2008	Invoices for items purchased to recognize a bilingual and regular ed.

				Educator Teacher elected will receive one early release pass
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Strategy 3.4: Develop and Implement a calendar of social events				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Birthday Bash —monthly celebration for teachers birthday—something different every month—i.e. pot luck party during lunch, bagels and juice party/donut party, taco feast pizza party. All teachers participate with a donation.	Social Committee Members	\$25 monthly	Aug 2002-June 2008	Sign-up sheets of people bringing items to the events Teachers pay annual dues of \$20 a year and paraprofessional pay \$10
Fall Festival –for the whole campus with support of PTO in the month of October, charge an entrance fee and sell food.	Claudia Perez, Social Committee Rep. Luz Garcia, PTO President	\$1,200	October 2002-October 2007	Program sheet of event Pictures/Video of events
Christmas Dinner/Party for School Staff at a host's house or selected restaurant	Faculty/ Staff	\$100	December 2002- December 2007	Sign-up sheet of people bringing items to the events Pictures/Video of events
Spring Festival to raise funds for campus improvement — charge an entrance fee and sell food.	Faculty/ Staff	\$1,200	March 2003- March 2008 (before spring break)	Program sheet Pictures/Video of events
Family Night Out —for school staff and their family, a night at the ball park or Astroworld	Faculty/ Staff	\$1,000	April 2003- April 2008	Sign-up sheet Pictures/Video of events

Goal 4: To ensure proper administrative practices are taking place	
Objective: To create an administrative that is functioning properly	Major Strategies: 1.Establish policies and procedures to support local, state and federal programs

	2. Develop and provide training to meet local, state, and federal program guidelines 3. Ongoing review of students folders and PEIMS data
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Strategy 4.1: Establish policies and procedures to support local, state and federal programs				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
School board adopts local, state, and federal guidelines	School board, CEO	None	September-August	Policies adopted

Strategy 4.2: Develop and provide training to meet local, state, and federal program guidelines				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Office staff will attend training sessions on management efficiency	CEO, Office Staff	\$300 per staff member	August-May	Policies adopted

Strategy 4.3: Ongoing review of students folders and PEIMS data				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Review student folders every six weeks	PEIMS Service Provider, Secretary, Principal, Food Service Director	None	Every six weeks	Alignment found in permanent records and PEIMS data

Goal 5: To develop a school wide technology plan that develops achievement	
Objective To create a planning and development committee.	Major Strategies: <ol style="list-style-type: none"> 1. To develop a technology plan. 2. To provide systematic ongoing training. 3. To implement strategies to include the greater learning community (i.e., parent, teacher, students, community members). 4. To provide the infrastructure for technological advances through E-rate. 5. To obtain Board approval of policies.

Strategy 5.1: To develop a technology plan.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
To develop a technology plan.	Technology Committee	Time consuming	August 2002-May 2003	Technology plan approved by Region IV.

Strategy 5.2: To provide systematic ongoing training.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
To provide systematic ongoing training.	Technology Committee, Technology Coordinator	State Comp. Education Funds	August 2002-May 2003	Faculty is required to attend 8 hours of technology training.
To provide all teachers with a computer.	Technology Coordinator; All faculty/staff	State Comp. Education Funds \$27,448.00	November 2002	Purchase and installation of computers for all teachers.
To provide an 8 hour technical training to staff and teachers.	Technology Coordinator; All faculty/staff	State Comp. Education Funds	August 2002-May 2003	8 hours of technical training provided.

To provide an 8 hour internet training to staff and teachers.	Technology Coordinator; All faculty/staff	State Comp. Education Funds	2002-2005	8 hour of internet training provided
To provide technology integration sessions.	Technology Coordinator; All faculty/staff	State Comp. Education Funds	2002-2005	4 hour session of technology integration

Strategy 5.3: To implement strategies to include the greater learning community (i.e., parent, teacher, students, community members).				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
To reconnect interested individuals to Gulfton Community Learning Center's Computer Literacy Course.	CBO	None	August 2002-May 2003	Gulfton Referral Sheet

Strategy 5.4: To provide the infrastructure for technological advances through E-rate.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
School administrative offices and classrooms, will be equipped with telephones.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$3,600.00	December 2002	Telephone lines are installed in classrooms and office area.
Client software will be upgraded to keep pace with evolving Windows standards.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$4,000.00	December 2002	Client software installed in all computers.
Each classroom will have at least two 20-amp circuits.	Technology Committee, Technology Coordinator	State Comp. Education Funds \$1,100.00	December 2002	Certificate of current electrical capacity.
Each of the 19 K-6 school classrooms will have a full point to point T-1 line.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$10,190.00	December 2002	T-1 Line leased on a month basis service.
Private voice mailboxes will be accessible for administration and messages.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$2,500.00	December 2002	Voice mail port installed.

To provide 6 drop boxes to every classroom and administrative workspace.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$10,190.00	December 2002	Data drop boxes installed in each classroom.
To provide analog telephone lines.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$10,190.00	December 2002	Telephone lines leased on a month basis service.
To provide physical backbone connections and signal path for voice, data and video.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$10,190.00	December 2002	Fiber cable and drops installed.
To provide the primary printer server for the school.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$6,500.00	December 2002	Dell Print server installed
To provide UPS for each system.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$2,940.00	December 2002	UPS installed for each computer
To provide School Internet connection.	Technology Committee, Technology Coordinator	AT&T E-rate Grant \$19,000.00	August 2002	Internet service on a month basis.
School secretary will have a console to manage local telephone traffic.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$3,000.00	December 2002	Console installed.
Teachers and staff will have personal e-mail accounts.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$700.00	December 2002	e-mail accounts installed on the Web-server.
The currently over 120 workstations will be fully networked in the school.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$10,190.00	December 2002	Purchase of Network interface cards, installed and connected.
To Install HR-Ware Optima Attendance Controller software.	Technology Committee, Technology Coordinator	State Comp. Education Funds \$1,500.00	August 2002	HR-Ware Software installed and configured for Clock In/Out.
The Microsoft Office XP Professional suite will become the school standard.	Technology Committee, Technology Coordinator	State Comp. Education Funds \$1,300.00	December 2002	Purchase of Microsoft Office XP Professional software.
Voice mail, call forwarding, and voice messaging will be supported school-wide.	Technology Committee, Technology Coordinator	All-Tex Net E-rate Grant \$1,600.00	December 2002	Purchase of console and configured properly.
All buildings will have cable TV.	Technology Committee, Technology Coordinator	E-rate Grants	2003	CATV drops installed in all buildings.

Each building will have one or more VCRs and video monitors on portable carts.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Purchase of VCRs and video monitors on portable carts.
Group video conferencing system.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Purchase of video conferencing system.
Provide student records, fiscal and human resources databases on the server.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Purchase of software for student record.
The school will be provided one computer lab consisting of 30 computers.	Technology Committee, Technology Coordinator	State Comp. Education Funds	2003	Purchase of 30 computers and space preparation for computer laboratory.
The school will have cable television routed to all building classrooms.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Fiber Link installed in all buildings.
The school will have satellite dishes as the central administration building.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Purchase of satellite dish.
Decentralized, distributed processing, client-server model student record system that will reside on server with components at teacher desktop level.	Technology Committee, Technology Coordinator	State Comp. Education Funds	2003	Purchase of software for student record and installation on teachers workstation
The school will provide some sort of Internet filtering.	Technology Committee, Technology Coordinator	E-rate Grants	2003	Purchase of firewall with URL filtering.
World Wide Web presence.	Technology Committee, Technology Coordinator	State Comp. Education Funds	2003	WEB site developed and installed on a WEB server.
Provide materials concerning technology integration in the classroom.	Technology Committee, Technology Coordinator	Foundation Funds \$1,200.00	2002-2005	Purchase of material concerning technology integration.
Support software CAD, typing and keyboarding programs, drawing/desktop publishing programs, presentation programs, database management systems.	Technology Committee, Technology Coordinator	State Comp. Education Funds	2002-2005	Purchase of software for CAD, typing, keyboard, drawing, presentation, data base.

Strategy 5.5: To obtain Board approval of policies.				
Initiative/Activity/Strategy	Staff responsible for ensuring strategy/	Resources	Specific Time period for	Evaluation of strategy/ activity and specific

	activity is accomplished and evaluated		implementing strategy/ activity	time periods for evaluating strategy/ activity
Technology staff and teacher use policy.	Technology Committee, Technology Coordinator	Time consuming	August 2002-May 2003	Adoption of the Technology staff and teacher use Policy approved by school board.
Technology Student use policy.	Technology Committee, Technology Coordinator	Time consuming	August 2002-May 2003	Adoption of the Student use Policy approved by school board.
Internet Safety Policy for the school.	Technology Committee, Technology Coordinator	Time consuming	August 2002-May 2003	Adoption of the Internet Safety approved by school board.

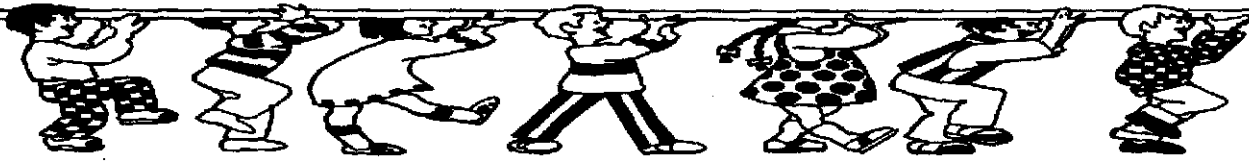
Appendix E
Five Year Strategic Plan

Amigos Por Vida – Friends for Life Public Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey ♦ Houston, TX 77081 ♦ (713) 349-9945 ♦ Fax: (713) 349-0671

Rosalinda Mercado-Garza, CEO/Superintendent
Carlos Villagrana, Principal



Five Year Strategic Plan

AMIGOS POR VIDA-FRIENDS FOR LIFE PUBLIC CHARTER SCHOOL

Five Year Strategic Plan

Principal, Carlos Villagrana

CEO/Superintendent, Rosalinda Mercado-Garza

Program Goals	Indication of Need	Campus Objectives
1. To assure safety on campus	Currently there is no general plan for campus safety, no plan for emergencies, and no separation of faculty parking from playground.	To develop and implement campus safety plan to monitor and assure safety for all.
2. To improve academic achievement	Lack of motivation to increase learning Texas Education Agency came to visit our campus on April 11-12, 2002 to review our special education and bilingual programs.	To create, implement, and evaluate celebrations designated as important to our school community.
3. To create a positive working and learning environment	Only one staff member is fully certified in her field. Cohesiveness is absent during faculty meetings or staff development trainings. Promote certification for all required positions	To develop leadership positions among staff To have 50-75% of the staff in an ACP program or completed their certification by the end of year 5 To recognize faculty, staff and students in their accomplishments monthly To develop and implement a calendar of social events
4. To ensure proper administrative practices are taking place	Unequal allocation of funds Student documents are misplaced	To create an administrative office that is functioning properly
5. To develop a school wide technology plan that supports academic achievement	Technology infrastructure does not exist	To create a planning and development committee

Goal 1: Assure safety on campus

<p>Objective: To develop and implement campus safety plan to monitor and assure safety for all.</p>	<p>Major Strategies:</p> <ol style="list-style-type: none"> 1. To develop and implement evacuation plans and safety training to handle all emergencies 2. To create safe place for bus and car riders to be picked up 3. To develop safe area for parking of staff and visitors 4. To develop and implement plan for safe playground 5. To develop plan for general campus safety 6. To develop food services safety program 7. To improve effective use of classroom space 8. To improve Physical Education area 9. To bring campus library up to state standards 10. To improve campus cafeteria facility 11. To create an outdoor nature area to support science objectives
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Strategy 1.1: Develop and implement evacuation plans and safety training to handle emergencies

Activity	Position responsible	Timeline	Effectiveness Indicators
Develop two way communication system between front office and student/faculty areas (classrooms, cafeteria, and PE area)	Principal, Social Committee, Police Officers	August 2002	Communication has improved, less incident reports
Install bell system to facilitate emergency warnings	Principal, Fire Department	August-September 2002	System connected with the fire department
Develop evacuation plan, including system to ensure that everyone has exited building(s)	Jean Scott	August 2002	Fire escape route
Implement regular drills for fire, hurricane, lockdown emergencies	Principal	Monthly	Fire Marshal Report
Install first aide kits and safety instructions in each public area (classrooms, cafeteria, offices, playground, PE area)	Principal	August 2002	Kits in place in kitchen area and front office
Train staff in CPR, use of fire extinguisher, Heimlich maneuver, and first aid kit	Staff Development/Safety Committees	September 2002	Training certificates

Develop inspection and replenishment plan for fire extinguishers and first aide kits	Safety Committee	Monthly	Check list
Paint/install signs to designate emergency vehicle access to campus	Principal	August 2002	Sign in place

Strategy 1.2: Create safe place for bus and car riders to be picked up			
Activity	Position responsible	Timeline	Effectiveness Indicators
Develop plan for safety during arrival and dismissal of students	Safety Committee	August 2002	Parents and students are connected daily
Establish school procedures for early release of student, including designated adults who could pick up child	Safety Committee	Six half-days throughout the 2002-2003 year	Vertical and Horizontal alignment occurring throughout the year
Designate responsible adult to monitor pick up area and students	Safety Committee	August 2002	Duty Schedule
Develop covered pick-up area inside school gates to ensure safe pickup of child	Safety Committee	August 2003	Plans to build covered area

Strategy 1.3: Develop safe area for parking of staff and visitors			
Activity	Position responsible	Timeline	Effectiveness Indicators
Physically separate playground and staff parking areas	Safety Committee Rep.	August 2002-May 2003	Fence or temporary separation
Develop sufficient parking area to accommodate all staff	Safety Committee Rep.	August 2002	Outside parking designated for teachers
Develop system for controlled access of parking area	Safety Committee, Police	August 2002	Police officer on duty

Strategy 1.4: Develop and implement plan for safe playground			
Activity	Position responsible	Timeline	Effectiveness Indicators
Install fence around play area	Principal/Apartment Complex	August 2002-May 2003	Fence installed
Contract for professional safety inspection for playground equipment and area	Principal/Apartment Complex	August 2002-September 2002	Inspection certificate date

Remove or repair unsafe playground equipment	Safety Committee Rep./Principal/Apartment Complex	September 2002	Repairs needed to be made occurred
Resurface concrete PE area with safer surface material	Principal/Apartment Complex	August 2002-May 2003	Blacktop cushioned
Create schedule for regular restoration of mulch and control of insects in play area	Principal	Monthly (pest control) Bi-annually (Mulch)	Pest control visits/placing mulch in playground evident

Strategy 1.5: Develop plan for general campus safety			
Activity	Position responsible	Timeline	Effectiveness Indicators
Post signs to inform guests that no child under 8 years is allowed upstairs	Principal	August 2002	Signs are in place
Install exit signs	Principal	August 2002	Signs are installed
Create school patrol program in which students help monitor campus	Safety Patrol Sponsor	September 2002	Students involved, and duties are performed throughout the year.
Control campus access: Enforce office sign in and wearing of identification by all staff and visitors passes by visitors	Secretary, Police Officers, Principal	August 2002	Office has tags available for visitors and name badges for staff members
Evaluate use of electronic surveillance system and monitoring by campus policeman	Principal, Safety Committee Rep.	August 2002-2003	Proposals are evaluated, system is ordered if and when all research has been completed.
Install communication system for two way communication between front office and public areas (classrooms, cafeteria, and PE area)	Principal	August 2002	Walkie Talkies are purchased for rooms and teachers that do not have access to an intercom system.
Implement peer mediation training for conflict resolution	Principal, Student Achievement Committee	August 2002-May 2003	Research of a social skills/conflict resolution program to implement school wide.
Participate in safety awareness activities, including Say No to Strangers and lost child identification (fingerprinting and photograph) programs, and skits on handling dangerous situations (playmate discovers father's gun under pillow)	Principal, Drug Awareness Counselor, Guest Speaker	August 2002 -May 2007	Photos and samples of activities taking place.

Strategy 1.6: Develop food services safety program			
Activity	Position responsible	Timeline	Effectiveness Indicators
Coordinate kitchen/maintenance staff	Starr Catering, Food Service Director, Principal	August 2002	Memos between catering services and school
Train kitchen staff in proper attire while handling food	Hector Pineda/trainer consultant	August 2002	Training certificate
Establish plan to improve traffic flow in cafeteria	Food Service Director, Hector Pineda	August 2002	Students have attended a cafeteria class with Food Service Director

Strategy 1.7: Improve effective use of classroom space			
Activity	Person responsible	Timeline	Evidence of accomplishment
Get architect/designers advice	Maintenance	8/2002	Large /efficient spaces are now available
Enlarge smaller rooms /redesign classrooms	Sub-committee Designer	8/2002	Large /efficient spaces are now available
Get input from apartment complex/ principal	Principal, Apartment complex staff	8/2002	Large /efficient spaces are now available

Strategy 1.8: Improve Physical Education area			
Activity	Person responsible	Timeline	Evidence of accomplishment
Create building to store PE equipment	Principal	10/1/02	Building built
Develop facility for PE in inclement weather	Principal	9/30/02	Facility built
Install water fountain for PE and recess use	Principal	1/1/02	Outdoor water fountain installed

Strategy 1.9: Bring campus library up to state standards			
Activity	Person responsible	Timeline	Evidence of accomplishment
Seek funding to increase library collection by 20% each year	Librarian	2003 - 2007	Growth of library catalog
Employ a Librarian	Principal	8/19/02	Qualified Librarian on premises in the Library
Develop lending from the Public Library (classroom sets)	Librarian	9/1/02	Availability of books in a more timely manner until we receive more of schools books
Acquire Portable Building to house Library	Principal	8/1/03	Portable building in place with plumbing and electricity set working
Free Standing Library	Librarian Committee	8/1/05	Set until the Library reaches the State Standards

Strategy 1.10: Improve campus cafeteria facility			
Activity	Person responsible	Timeline	Evidence of accomplishment
Implement ways to decrease noise in cafeteria – acoustic ceiling, wall hangings to absorb sound	Food Service Director, Hector Pineda	August 2002-2004	Acoustic ceiling in place

Strategy 1.11: Create an outdoor nature area to support science objectives			
Activity	Person responsible	Timeline	Evidence of accomplishment
Plan alignment with use for education purposes	Principal Committee Staff	8/2002	Environment of an “outdoor” classroom
Landscaping	Principal Sub- Committee	8/2002	Incorporation of students creative abilities and learned skills
Get landscape artist/ Mural artist	Principal Sub- Committee	8/2002	Beautiful campus which foster a pleasant and learning environment

Goal 2: Improve academic achievement

Objective:
 Increase passing of TAAS reading and math to
 70% by spring 2003,
 80% by spring 2004,
 85% by spring 2005,
 87% by spring 2006, and
 90% by spring 2007.

Increase the understanding of teachers, parents, and community leaders in grade-level expectations for TEKS reading and math

Create, implement, and evaluate celebrations designated as important to our school community.

Define bilingual, regular and special education programs

Promote opportunities for increased involvement of parents and community in school-based activities, to increase their sense of welcome and importance in supporting the development and achievement of their child(ren).

Major Strategies:

1. Summer reading institute in which a core group of teachers gain experience in reading strategies shown by NICHD research shows to be effective for 70% of the most severely impaired readers, with specific attention to problems of second language learners. Core group becomes resource for integrating this experience into campus planning and learning support.
2. Support accelerated vocabulary development by training parents to interact with (“read”) books with their child and by providing ways for the child to interact with and demonstrate his knowledge of vocabulary.
3. Develop Teacher’s Guide and Parent’s Guide to annual academic objectives (TEKS) in reading and math. Include representative activities that would demonstrate mastery of each major objective.
4. Create a Drama Club for students in grades 2-6
5. Define bilingual, regular and special education programs
6. Collaborate with a community-based organization to draw parents to school activities by providing parent training and referral for needed social services

Strategy 2.1: Summer reading institute in which a core group of teachers gain experience in reading strategies shown by NICHD research shows to be effective for 70% of the most severely impaired readers, with specific attention to problems of second language learners. Core group becomes resource for integrating this experience into campus planning and learning support.

Activities to Be Carried Out to Accomplish Strategy	Position Responsible	Timeline	Effectiveness Indicators
Pre-and post-testing of students for the summer staff development program in reading, to be conducted jointly at Amigos and at Campo Del Sol. Vocabulary and sound-symbol associations are testing in Spanish and English, in addition to the phonological skills needed to learn to read English. Twenty severely impaired readers will receive 2 hours of reading instruction daily, as the teachers learn and gain experience in strategies to deal with severe reading	Bilingual Coordinator, Reading coordinator	May - Aug 2002	Testing protocols, testing and initial intervention plan; post testing and summary report

difficulties. (Funded by Academics 2000.)			
Train core group of teachers in intensive reading intervention strategies – 20 hour training. Paper and general supplies will be needed for the teacher training. (Funded by Academic 2000.)	Reading coordinator, Bilingual coordinator	July 8-12, 2002	Number of teachers trained; pre- and post-assessment of knowledge and skills necessary for reading to develop
Mentor core group of teachers as they gain experience in intensive reading intervention of 20 students with severe reading difficulty. (Funded by Academics 2000.)	Reading coordinator, Bilingual coordinator	July 11-August 2, 2002	Reading consultant and bilingual coordinator observe appropriate use of teaching strategies during mentoring of teachers; reading gains on post testing.
Teachers develop skill in using benchmarks to monitor development of basic reading skills (Funded by Academic 2000.)	Core group of teachers; Reading coordinator	a) July 1-August 2, 2002; b) Sept 1, 2002 - May 30, 2003	a) Evaluation by reading coordinator. b) Use of benchmarks noted on classroom walkthroughs by Principal.

Strategy 2.2: Support accelerated vocabulary development by training parents to interact with (“read”) books with their child and by providing ways for the child to interact with and demonstrate his knowledge of vocabulary.

Activities to Be Carried Out to Accomplish Strategy	Position Responsible	Timeline	Effectiveness Indicators
Recruit parents of preschool children to participate in parent training (<i>Read with me, Lea conmigo</i>) and follow-up weekly group (preK club, Los Pequeños) to train parents and encourage reading to preschool children as a way to build vocabulary and language skills (Funded by Academics 2000.)	PTO representative	Monthly PTO meetings; flyer in school information packet	List of parents signing up for sessions; waiting list for future sessions
Order books for parent training sessions: Parent receives training manual (<i>Read with me, Lea conmigo</i>) and 1 children’s book per session to take home to read with pre-school children. Book cost: 8 annual cycles x 12 parents x 4 books x average \$10; <i>Lea conmigo</i> cost: photocopy of 60 pages (Funded by Academics 2000.)	Bilingual Social Worker	Prior to training sessions	Invoices
Prepare for and conduct <i>Lea conmigo</i> parent workshops (1.5 hour session weekly for 4 weeks, offered year-round each six weeks in groups of 12) to teach parents how to interact with books with their pre-school children. (Funded by Academics 2000.)	Bilingual Social Worker	Each six weeks, eight times annually	Parent sign-in sheet, consistent attendance

Lead follow-up sessions (Los Pequeños) with graduates of the parent training and their preschool children. Parents get help with any difficulties. They are encouraged to borrow a book each week to read to their child. Children have opportunity to play computer 'game' that monitors acquisition of vocabulary and concepts. Light refreshments are served. (Funded by Academics 2000.)	Bilingual Social Worker	Weekly	Parent sign-in sheet, percentage of graduates who are borrowing books from school or who complete public library card application; computer log showing growth in vocabulary known by child
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Strategy 2.3: Develop Teacher's Guide and Parent's Guide to annual academic objectives (TEKS) in reading and math. Include representative activities that would demonstrate mastery of each major objective.			
Activities to Be Carried Out to Accomplish Strategy	Position Responsible	Timeline	Effectiveness Indicators
Teachers examine year-to-year changes in K-6 TEKS reading and math objectives. Teacher's Guide summarizes the major reading and math objectives for each year. This guide includes representative activities that would demonstrate mastery of each goal.	Principal	June, 2002	Teachers can explain (e.g., to a parent) the major reading and math achievements expected for students entering and leaving their school year, and give example of representative activity that would indicate mastery of the objectives.
Teachers' guide is developed into a parent guide, indicating the major reading and math objectives for each grading period. This guide includes sample home activities that would demonstrate to the parent that the student is achieving mastery of each goal.	Principal, Core teachers	June, 2002	Review and comments by faculty and SBDM
Develop packets of activities for parents to use with their children at home.	Core teachers, Principal	July, 2002 – Aug 2002	Review and comments by faculty, SBDM
Each nine weeks parents are trained to use the activities to support math and reading objectives.	Core teachers	Aug 2002 – April 2003	Number of parents attending workshops; student achievement on reading and math benchmarks

Strategy 2.4: Create a Drama Club for students in grades 2-6

Activity	Person responsible	Timeline	Evidence of accomplishment
Form drama club— to organize plays that will be presented to the faculty, staff and students on special occasions: October—Columbus Day November—Thanksgiving December—Winter Holidays/ Christmas Around the World January—Martin Luther King/Civil Rights/ US Presidents February—Go Western/Discover Texas March-- Spring Festival April—Earth Day May—Cinco de Mayo/Mother’s Day—recognize campus moms	Drama Club Sponsor	August 2002- May 2008	Program sheets

Strategy 2.5: Define bilingual, regular and special education programs

Activity	Person responsible	Timeline	Evidence of accomplishment
Obtain technical assistance for training in the pedagogy of bilingual education	Region IV ESC	Fall In-service 2002	In-service Agenda
Obtain technical assistance for training in the pedagogy of regular education	Region IV ESC	Fall In-service 2002	In-service Agenda
Obtain technical assistance for training in the pedagogy of special education	Region IV ESC	Fall In-service 2002	In-service Agenda

Strategy 2.6: Collaborate with a community-based organization to draw parents to school activities by providing parent training and referral for needed social services			
Activities to Be Carried Out to Accomplish Strategy	Position Responsible	Timeline	Effectiveness Indicators
Teacher training on referral services available to families through community-based organization (CBO)	CBO social worker	Aug 2002	Sign-in attendance sheet, teacher questionnaire
Social Worker after hours time for phone calls and home visits to evaluate for referral to CBO	Bilingual social worker	May 2002 – May 31, 2003	Report of number of phone contacts, home visits, and referrals made
Encourage students to enroll in the Campo del Sol Summer Camp	Teachers	Mar-May 2002	Attendance at PTO meeting that discusses summer services; number of students enrolling in Campo del Sol
Arrange CBO speakers for PTO meetings	PTO president, bilingual social worker	May 2002 – May 2003	List of speakers; attendance sign in of parents
Parent training on social services available through the CBO	CBO social worker	Fall 2002 PTO meeting	Attendance sign in, parent questionnaire
Provide information to parents on training opportunities through the CBO (computer literacy, word processing, internet use, ESL, job-training opportunities) (ICF funds will not pay for any computer or job training classes for parents.)	CBO	May 2002 – May 2003	Number of flyers distributed to parents; number of parents enrolling in CBO training

Strategy 2.7: Site Based Decision Making (SBDM) Committee meets regularly with committees to review and advise on progress in implementing campus programs (including grants), Campus Needs Assessment, Campus Improvement Plan, and progress in student achievement.			
Activities to Be Carried Out to Accomplish Strategy	Position Responsible	Timeline	Effectiveness Indicators
SBDM meets each grading period to review progress towards implementation of grant-funded activities and interim outcome data. If necessary, adjust activities to achieve goals and produce Action Plan. Copy Action Plan to each member of SBDM, Principal and School Board. (Funded by Academics 2000)	Principal	Each grading period, fall 2002 – May 2003	Agenda, minutes, and reports from SBDM committee
The SBDM review TAAS and AEIS data annually and recommend corrective action.	Principal	Aug, 2002	Agenda item for meeting; report and recommendations in minutes.

Recruit parents, community businesspersons, and representatives of community organizations to participate in the SBDM.	Principal	May 2002, May 31, 2003	Increased participation by parents, community businesspersons and community organization representatives
Budget Committee meets quarterly to hear report by SBDM, PTO, Bilingual Coordinator, Special Education Coordinator, Professional Development Coordinator, Technology Coordinator, Grants Coordinator, and Principal; Campus Needs Assessment and Campus Improvement Plan are updated.	Superintendent	Quarterly: Oct, Dec. 2002, Mar, June 2003	Agenda and minutes of the meetings, reports of the coordinators, the SBDM committee, PTO, and principal. Copies of submitted reports and updated Campus Needs Assessment and Campus Improvement Plan

Goal 3: To create a positive working and learning environment	
Objective: Develop and implement campus safety plan to monitor and assure safety for all.	Major Strategies: <ol style="list-style-type: none"> 1. To develop leadership positions among staff 2. To have 50-75% of the staff in an ACP program or completed their certification by year 5 3. To recognize faculty, staff and students in their accomplishments monthly 4. To develop and implement a calendar of social events

Strategy 3.1: To develop leadership positions among staff			
Activity	Person responsible	Timeline	Evidence of accomplishment
Select teachers to manage a grade level or department	Lead Teacher	August 2002- May 2003	Lead teacher send reports to Principal.

Strategy 3.2: To have 50-75% of the staff in an ACP program or completed their certification by year 5			
Activity	Person responsible	Timeline	Evidence of accomplishment
Implement individual professional development and growth plan for all faculty	Non-certified staff	August 2002- May 2003	Growth plans

Strategy 3.3: Recognize faculty, staff and students in their accomplishments

Activity	Person responsible	Timeline	Evidence of accomplishment
Pre-kindergarten and Kindergarten Recognition	Pre-kinder & Kinder Teachers and Assistants	May 2003-2008	Diplomas and Certificates
Sixth grade Graduation Ceremony	Sixth grade teacher	May 2003-2008	Program sheet and diplomas
Awards Assembly	Teachers	End of every 9 week period	List of students being recognized for honor roll, perfect attendance, most improved, etc...
Teachers of the Year	Faculty/ Staff	May 2003-May 2008	Invoices for items purchased to recognize a bilingual and regular ed. educator

Strategy 3.4: Develop and Implement a calendar of social events

Activity	Person responsible	Timeline	Evidence of accomplishment
Birthday Bash —monthly celebration for teachers birthday—something different every month—i.e. pot luck party during lunch, bagels and juice party/donut party, taco feast pizza party. All teachers participate with a donation.	Claudia Perez, Social Committee Rep.	Aug 2002-June 2008	Sign-up sheets of people bringing items to the events
Fall Festival –for the whole campus with support of PTO in the month of October, charge an entrance fee and for food, but games are free.	Claudia Perez, Social Committee Rep. Luz Garcia, PTO President	October 2002-October 2007	Program sheet of event
Christmas Dinner/Party for School Staff at a host's house or selected restaurant	Faculty/ Staff	December 2002-December 2007	Sign-up sheet of people bringing items to the events
Spring Festival to raise funds for campus improvement — charge an entrance fee and sell food, but games are free	Faculty/ Staff	March 2003-March 2008 (before spring break)	Program sheet

Family Night Out—for school staff and their family, a night at the ball park or Astroworld	Faculty/ Staff	April 2003- April 2008	Sign-up sheet
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Goal 4: To ensure proper administrative practices are taking place

Objective: To create an administrative that is functioning properly	Major Strategies: 1. Establish policies and procedures to support local, state and federal programs 2. Develop and provide training to meet local, state, and federal program guidelines 3. Ongoing review of students folders and PEIMS data
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Strategy 4.1: Establish policies and procedures to support local, state and federal programs			
Activity	Person responsible	Timeline	Evidence of accomplishment
School board adopts local, state, and federal guidelines	School board, CEO	Fall 2002	Policies adopted

Strategy 4.2: Develop and provide training to meet local, state, and federal program guidelines			
Activity	Person responsible	Timeline	Evidence of accomplishment
Office staff will attend training sessions on management efficiency	CEO, Office Staff	Fall 2002	Policies adopted

Strategy 4.3: Ongoing review of students folders and PEIMS data			
Activity	Person responsible	Timeline	Evidence of accomplishment
Review student folders every six weeks	PEIMS Service Provider, Secretary, Principal, Food Service Director	Fall 2002	Alignment found in permanent records and PEIMS data

Goal 5: To develop a school wide technology plan that develops achievement

Objective

To create a planning and development committee.

Major Strategies:

1. To develop a technology plan.
2. To provide systematic ongoing training.
3. To implement strategies to include the greater learning community (i.e., parent, teacher, students, community members).

Strategy 5.1: To develop a technology plan.

Activity	Person responsible	Timeline	Evidence of accomplishment
To develop a technology plan.	Technology Committee	August 2002-May 2003	Draft of technology plan evident.

Strategy 5.2: To provide systematic ongoing training.

Activity	Person responsible	Timeline	Evidence of accomplishment
To provide systematic ongoing training.	Technology Committee, Technology Coordinator	August 2002-May 2003	Faculty is required to attend 8 hours of technology training.

Strategy 5.3: To implement strategies to include the greater learning community (i.e., parent, teacher, students, community members).

Activity	Person responsible	Timeline	Evidence of accomplishment
To reconnect interested individuals to Gulfon Community Learning Center's Computer Literacy Course	CBO	August 2002-May 2003	Gulfon Referral Sheet

Appendix F:
Letters of Correspondence between Texas Education
Agency and Amigos Por Vida-Friends for Life Public
Charter School

Name(s) of Person(s) with whom review was discussed: MS. ROSIE GARZA
HECTOR PINEDA

Schools visited AMIGOS

**TEXAS EDUCATION AGENCY
CHILD NUTRITION PROGRAMS**

School District AMIGOS POR VIDA

County/District # 101-819

Date of Review 10/9/02

Education Svc Cntr. 4

Critical Areas of Review

Findings applying to regulatory compliance have been marked. (X)

(1) COUNTING AND CLAIMING

- a. The school(s) reviewed did not have an accurate system for counting and recording meals claimed for reimbursement. ()
- b. The school(s) reviewed had a clerical error in the system for counting and recording meals claimed for reimbursement. (X)

Comments: *The Sept. '02 claim did not balance with the district's daily record because of a clerical error resulting from numerous category meal adjustments made by the district to reflect corrected application errors. The Sept. claim was corrected and resubmitted during the review.*

Recommendation: Reference Administrator's Reference Manual (ARM), Section 7. An accurate on-line count should be taken at the point of service on all serving lines where reimbursement is claimed. The procedure your school is using to account for the number of free, reduced-price and paid meals served to students should be carefully examined to ensure that the daily count of such meals reflects the actual number served to students.

- c. The district does not have a correct system for consolidating meal counts claimed for reimbursement. ()
- d. The district had a clerical error in the system for consolidating meal counts claimed for reimbursement. ()

Recommendation: Reference ARM, Section 7. The school/district should develop a system for correctly consolidating counts for paid, free and reduced-price meals claimed for reimbursement.

- e. Second meals served to students are being claimed for reimbursement. ()

Recommendation: Reference ARM, Section 7. Federal regulations prohibit reimbursement for second meals. Only one lunch/breakfast (paid, free or reduced-price) for each student may be claimed for reimbursement per day.

- f. The school claimed more meals than students in attendance for more than half of the serving days during the review period without documentation. ()

Recommendation: Reference ARM, Section 7.

Paid, reduced-price and free meals should not be claimed in excess of the attendance factor unless the school can document through other means that its meal counts are correct. Document any changes made to the daily count.

COMMENTS:

ENSURE ANY ALTERATIONS OR COMMENTS MADE ON THE APPLICATIONS ARE DATED AND INITIALED.

ELIGIBILITY CERTIFICATION

6 APPLICATIONS WERE CLARIFIED DURING THE REVIEW

- (2) 0 out of approximately 350 of the free and reduced price meal applications reviewed in the district were incorrectly approved/denied. "GREAT IMPROVEMENT" ()

Recommendation: Reference Administrator's Reference Manual (ARM), Section 4. Applications in each school should be reviewed to ensure that each application contains sufficient information to justify the action taken.

- (3) Free or reduced price meals were being claimed for reimbursement for students not directly certified and/or for those with no currently approved applications on file. ()

Recommendation: Reference ARM, Section 4. Reimbursement for free and reduced price meals can be claimed for only those students directly certified or those students with a currently approved application on file.

- (4) The procedure for temporary approval of applications does not meet program requirements. ESTABLISHED DURING REVIEW
- a. The district has no procedure for temporary approval of applications. ()
- b. The district has not correctly implemented the temporary approval of applications. ()

Recommendation: Reference ARM, Section 4. When zero income or temporary reduction in income is noted, the approving official should issue temporary approval of the application. At the end of the initial approval period, the school should contact the household to determine if the household circumstances have changed and document the contact. If the household circumstances have not changed, document the contact and extend the temporary approval for 30 days. If the household circumstances changed, secure a new application.

- (5) Direct certification by the district does not meet program regulations. N/A
- a. Direct Certification determinations were incorrectly applied. ()

Recommendation: Reference ARM, Section 4. Only students listed on the direct certification list are eligible to be directly certified for free meal benefits.

- b. Direct certification documentation is not maintained or updated by the district. ()

Recommendation: Reference ARM, Section 4.

A copy of the direct certification list, a prototype of the Notification of Direct Certification Eligibility letter and the dates the letters were sent to each household must be on file in the district. N/A

- c. Documentation of pre-determination letter is not on file. ()
- d. District added names to the direct certification list. ()

(6) Head Start Certification, Even Start, PEP or other programs used by the district do not meet program regulations. N/A ()

Recommendation: Reference ARM, Section 4.

BENEFIT ISSUANCE/UPDATING ELIGIBILITY

- (7) Applications were not processed within the required time frame. ()
- (8) Error(s) were discovered during a review of the names on the roster/list(s). (X)
Recommendation: Reference ARM, Section 7.
Each student whose name is on the roster should either be represented on the direct certification list or have an approved application on file.
- (9) Changes in eligibility status were not made within the required time frames. ()

Recommendation: Reference ARM, Section 7.

Changes in eligibility status should occur no later than 3 calendar days when benefits increase and no later than 10 calendar days from the final decision when benefits decrease.

COMMENTS:

1 APPLICATION (JONATHAN SIFAKAN) WAS DETERMINED AS
FREE BUT LISTED ON THE ROSTER AND CLAIMED AS REDUCED.

MEAL COMPONENTS/MENU ITEMS

- (10) Meals served do not meet meal requirements.
 - a. _____ lunch(es)/breakfast(s) observed on the day of the review were missing one or more components/menu items. ()
 - b. _____ lunch(es)/breakfast(s) observed on the day of the review were insufficient in one or more components/menu items. (X) omit
 - c. _____ lunch(es)/breakfast(s) observed on the day of the review which were claimed for reimbursement did not contain the required number of components/menu items. (Incomplete meals) ()

d. Food production records and/or invoices indicate that _____ days were missing one or more components/menu items. ()

*e. Food production records and/or invoices indicate that 12 BREAKFAST + 13 LUNCH days were insufficient in one or more components/menu items. (Portion sizes, quantity prepared, etc.) SEE ATTACHED LIST. (X)

Recommendation: Reference ARM, Section 8 & 9.
Meals served to students and claimed for reimbursement must include all components/menu items in sufficient quantity to meet requirements; otherwise, these meals must not be claimed for reimbursement. It is important that supporting records are adequate to justify reimbursement.

f. The number of servings of grains/breads did not meet the minimum weekly requirements for lunch. ()

Recommendation: Reference ARM, Section 8 & 9.
The daily lunch requirement of grains/breads for children ages 3 and over is a minimum of one full-sized serving per day and the required number of servings over a 5-day week. (Food-Based and Traditional only).

g. The number of servings of meat/meat alternate did not meet the weekly requirements for lunch. ()

Recommendation: Reference ARM, Section 8 & 9.
"Any Reasonable Approach for Menu Planning Systems" allows schools to offer meat/meat alternate as a weekly total with a minimum daily serving size of one ounce (or its equivalent for certain meat alternates).

h. All reimbursable items were not offered before the point of service. ()

Recommendation: Reference ARM, Section 8 & 9.
All reimbursable serving lines must include all components/menu items in sufficient quantity prior to the point-of-service to meet the requirements; otherwise, these meals cannot be claimed for reimbursement.

i. Nutrient analysis for Nutrient Standard Menu Planning option is not current/completed. ()

Recommendation: Reference ARM, Section 8 & 9.
Meals must be produced according to the specifications of a computer-based menu Planning system. Any changes need to be reanalyzed to assure that the Nutrient Standards are met.

* COMMENTS/OTHER: Better communication should take place between Star Catering and the district as the correct amount of food needed is sent and recorded on the production record. According to current production records the column for planned, prepared, served and leftovers indicate that not enough food (insufficient) was available to serve all students. This situation occurred on over 50% of the serving days in Sept. Ensure both parties know who will fill out various areas on the production records to properly document the actual food planned and

**TEXAS EDUCATION AGENCY
CHILD NUTRITION PROGRAMS**

General Areas of Review

Findings applying to regulatory compliance have been marked. (X)

FREE AND REDUCED-PRICE PROCESS

(1) Required documentation and implementation of the Free and Reduced-Price Meals Policy Statement in the district does not meet program regulations.

- a. The approved copy of the District's Free and Reduced-Price Meals Policy Statement was not available. ()

Recommendation: Reference ARM, Section 2.
If your policy statement is missing, duplicates may be obtained from the Texas Education Agency Child Nutrition Programs Division.

- b. The (reviewing official, hearing official, collection method, menu system) is/are not implemented as approved in your Free and Reduced-Price Meals Policy Statement. (Circle appropriate one/s.) ()

- c. The approved state prototype forms (letter to parents, meal applications) were not used. ()

- d. A current copy of the applicable sections of the ARM was not available to the Reviewing official(s) responsible for approving applications. ()

- e. A current copy of the applicable sections of the ARM was not available to the Verifying official(s) responsible for verifying applications. ()

Recommendation: Reference ARM Section, 2.
The Free and Reduced Price Meals Policy Statement should be implemented as approved. When a change in your procedure is desired, send an amendment form to the State Office so that your Policy Statement can be amended.

(2) The collection procedure being used for lunch/breakfast may cause overt identification of those students receiving free and reduced price meals at _____ School. ()

Recommendation: Reference ARM, Section 7.
Evaluate your collection procedure and contact the Child Nutrition Program Specialist at your Regional Education Service Center for assistance in conforming to your Free and Reduced Price Meals Policy Statement or developing an alternate system.

(3) The lost, stolen, misused ticket procedure was not implemented correctly. ()

Recommendation: Reference ARM, Section 7.
The U. S. Department of Agriculture has issued an instruction regarding the

handling of lost, stolen and misused paid, free and reduced-price meal tickets. Schools may establish their own procedures regarding this matter, except that any system which limits the number of tickets reissued must conform to the criteria in the ARM.

(4) A public announcement of the lunch program:

- a. The district did not publicly announce, on or at the beginning of the school year, that free and reduced-price meals are available for eligible students. ()
- b. The district provided incomplete information to the media. *MISSING APPLICATION FORM AND INCOME SCALE* (X)
- c. The district did not maintain documentation of submitted media release. ()
- d. The district did not submit a second public announcement for Provision 2 Schools where applicable. ()

Recommendation: Reference ARM, Section 2.

In order to comply with the provisions of your Free and Reduced Price Meals Policy Statement, a public announcement of the free lunch program is required. A copy of the materials (letter, application form and complete income scale) should be sent to the news media and a copy of the transmittal letter kept on file.

VERIFICATION

(5) The verification process was not completed according to regulations.

- a. The district did not conduct the verification process. *LAST YEAR* (X)
- b. An adequate number of applications was not selected based on the count of applications taken on October 31. ()
- c. The verification process was not completed by December 15th. ()
- d. The district did not have the summary verification report on file. ()
- e. The verification process is not supported by complete documentation
 - Monthly income ()
 - Social security number ()
 - Food stamps ()
 - Adult household member ()
 - Verification Record (page 6.35 in ARM) ()
- f. The determination made by the district was incorrect according to Documentation submitted by household. ()
- g. Other: *THIS YEAR'S VERIFICATION SUMMARY AND BACK UP DOCUMENTATION NEEDS TO BE SUBMITTED TO TEA BEFORE REVIEW CAN BE COMPLETED.*

Recommendation: Reference ARM, Section 6. *REVIEW CAN BE COMPLETED.*

All schools are required to verify a sampling of the approved applications on file as of October 31st. The minimum verification requirements must be completed by December 15th. A description of the verification effort must be on file. Social security numbers must be obtained from all adult household members on all income applications verified. Applications must be verified in the category in which they were approved.

MEAL PATTERNS

(6) No/Incomplete food production records are being kept of meals served and claimed for reimbursement.

a. Breakfast: () b. Lunch () c. Snacks ()

Comments:

Recommendation: Reference ARM, Section 8 & 9.
Information should include (a) menu, (b) serving/portion sizes, (c) amounts of foods used to prepare meals, (d) number served (e) the estimated number of servings short or long and (f) number planned/actual servings prepared.

(7) A variety of fluid milk was not offered. ()

Recommendation: Reference ARM, Section 8 & 9.
Schools are required to offer a variety of fluid milk .

(8) An alternate beverage was served as a substitution for milk. ()

Recommendation: Reference ARM, Section 8 & 9.
Schools are prohibited from charging extra for an alternate beverage for students who accept milk, while giving away an alternate beverage to those who refuse milk.

(9) Offer versus Serve does not meet requirements. *N/A*
Offer versus Serve has not been implemented properly at Breakfast/Lunch at _____ School. ()

Recommendation: Reference ARM, Section 8 & 9.
Schools that implement Offer versus Serve must continue to offer four food items at breakfast and five food items at lunch. The school district may not require that certain food items be taken. Students must be given the opportunity to decide which three items they will consume at breakfast and which three or four items they will consume at lunch.

(10) The Offer versus Serve regulations for senior high school students *N/A* (grades 9-12) have not been implemented. ()

Recommendation: Reference ARM, Section 8 & 9.
Since 1977, regulations have required that the Offer versus Serve provisions be implemented for senior high school students.

(11) Labels or product analysis sheets were not on file for products used and purchased that contribute to a reimbursable meal. (For Food Based and Traditional Meal patterns only).
a. Whole grain or enriched grains/breads: ()

Recommendation: Reference ARM, Section 9.

Before crediting any purchased-prepared or partially prepared food item as grains/breads in the reimbursable breakfast and/or lunch, first determine that the primary ingredient by weight is enriched or whole grain flour or meal. Retain the label or product analysis sheet as documentation (For Food Based and Traditional Meal patterns only).

b. Meat/meat alternate: _____

()

Recommendation: Reference ARM, Section 9.

"Convenience" meat items whose meat or fat content cannot be determined may not be counted toward meeting the meat/meat alternate component of the lunch. For each convenience meat/meat alternate item, obtain and keep on file a product analysis sheet signed by an official of the company or an independent laboratory or purchase meat items that have an approved CN label. If the product does not furnish two (2) ounces of cooked lean meat or meat alternate for each serving for grades 4-12; or 1 1/2 ounces for grades K-3, plan to include another menu item as a supplement to meet the meat/meat alternate requirement. (For Food Based and Traditional Meal patterns only).

c. Fruit/Vegetable: _____

()

Recommendation: Reference ARM, Section 9.

Read the labels to determine the appropriate portion size and contribution to the school lunch pattern. When in doubt about what contribution a particular food item makes to the school lunch patterns, always consult the Food Buying Guide.

d. Nutrient Standard meals planned are not meals served.

()

Recommendation: Reference ARM, Section 8 & 9.

Meals must be produced according to the specifications of the Nutrient Analysis.

(12) CIVIL RIGHTS

a. The district did not include or had the wrong nondiscrimination statement in printed program material. _____

()

b. The district did not display the nondiscrimination poster in a prominent place visible to students in the _____ School(s).

()

c. The district has not established procedures to receive complaints alleging discrimination.

()

d. Students are separated by race, color, sex, handicap, age or national origin at _____ School(s).

()

Recommendation: Reference ARM, Section 4.

Program benefits must be made available and provided to all children without discrimination on the basis of their race, color, sex, age, handicap or national origin.

- e. Disabled students are not provided program benefits as prescribed by regulations. ()

Recommendation: Reference ARM, Section 13.

Regulations require schools to make substitutions in foods listed in the meal patterns for those handicapped children who are unable to consume specific food items.

MONITORING RESPONSIBILITIES (ACCUCLAIM)

(13) The district failed to comply with the following Accuclaim regulations:

- a. On-site reviews were not performed and documented by February 1 at each serving site where meals are claimed for reimbursement. *N/A* ()
- b. Where accountability problems were found, a second review was not performed within 45 days following the 1st review. ()
- c. Successful corrective action was not taken on problems found during the initial on-site review. ()

Recommendation: Reference ARM, Section 7.

Accuclaim regulations require that an on-site review be performed and documented by school personnel by February 1 of each school year. If problems are found, a corrective action plan must be completed and a second review performed within 45 days.

(14) The district failed to comply with the following edit check.

- a. * Lunches (free, reduced-price and paid) claimed for reimbursement are not compared against data (ADA) and the number approved by category on a daily basis. ()
- b. Daily counts that exceed the attendance adjusted eligible edit check have not been evaluated prior to consolidation. ()
- c. Claimed more meals than students in attendance without documentation. ()
- d. The daily report of eligibles was not updated to reflect currently approved free and reduced-price students. ()

ENSURE A NOTATION IS MADE ON THE DAILY RECORD THAT ATTENDANCE FIGURES WERE VERIFIED WHEN ADA IS EXCEEDED.

Recommendation: Reference ARM, Section 7

Accuclaim edit checks must be performed and evaluated prior to the submission of a claim for reimbursement. Claims should be compared, at a minimum, to data such as the enrollment, attendance rosters and the number of children currently approved for free and reduced price lunches in that school.

(15) The district has not reviewed the After School Snack program at least twice a year.

- a. First review must occur during the first six (6) weeks of operation. ()
- b. Second review wasn't conducted. ()
- c. Follow-up must occur 45 days later, if applicable. ()

Recommendation: Reference ARM, Section 10.

To ensure that federal reimbursement is properly paid, at a minimum, school districts participating in the after school snack program must maintain documentation of twice a year reviews conducted at each After School Care Program site. The first review must be conducted during the first six weeks of operation. The second review should be conducted sometime during the year.

FINANCIAL

(16) The district is not in compliance with the State and Federal Procurement Standards including the requirements to:

- a. Use competitive procurement procedures on aggregate purchases of \$25,000 or more. (X)
- b. Purchase items as awarded. ()
- c. Contracts over \$100,000 do not include a statement requiring each responsive Bidder to include a Certificate of Debarment and Suspension, Certification Regarding Lobbying, and the Clean Air/Clean Water Act. ()
- d. **Recommendation:** Reference ARM, Section 17. Refer to Purchasing Module of the Texas Education Agency Financial Accountability System Resource Guide and/or the Handbook on Competitive Bidding for Texas Public Schools. Formal advertising and accepting bids for purchases of \$10,000 or more is required. Otherwise, records justifying negotiations must be maintained by the district. For information, contact the Audit Division, TEA: (512) 463-9095.

COMPETITIVE BIDS WERE NOT SOLICITED ON CATERING CONTRACT (200,000 PER YEAR)

- (17)
- a. The price of the adult lunch/breakfast/snack was not sufficient to cover the cost of the meal. ()
 - b. A clear audit trail was not maintained of the funds used to supplement the Child Nutrition fund. ()

Recommendation: Reference ARM, Section 15.

If your school district is not supplementing the cost of adult meals, you should increase the price charged adults as reimbursement and commodities are not received for them. This is to ensure that the school foodservice is not hampered by adult participation.

(18) District records do not clearly indicate:

- a. Separate recordkeeping for child nutrition (revenues/expenses). ()
- b. The total amount of money collected each day ()
- c. The amount collected from each source ()

- d. Deposits accrued to the Child Nutrition Fund ()
- e. Appropriate use of child nutrition funds. ()

Comments:

Recommendation: Reference ARM, Section 14.

The amount of money collected daily should be totaled and recorded according to source. Refer to Texas Education Agency form, ADM-041B, Daily Record of Income. A locally devised form may be used provided the required information is included. A bank-validated deposit slip should be available to support each entry in Column 12, ADM-041B, or in the appropriate column of locally devised form.

- (19) There is no record of interest from invested revenue being posted to the Child Nutrition account. ()

Recommendation: Reference ARM, Section 6.

Program regulations state, in part, that all revenues received by the school foodservice in any participating school district shall be used only for the operation or improvement of such foodservice. The regulations also define revenue as all monies received by or accruing to the school foodservice including, but not limited to, children's payments, earnings on investments, other local revenues, state revenues and federal cash reimbursements. If school lunch funds are used totally or in part for investment purposes, the interest earned from such investments must accrue to the school foodservice and may be used for authorized program purposes.

- (20) The Child Nutrition accounts net cash resources exceed three months' operating costs and the district did not submit an approved plan to TEA. ()

Recommendation: Reference ARM, Section 14.

The National School Lunch Program regulations require that participating school districts operate their foodservice program on a non-profit basis. Program regulations allow the accumulation of up to three months' operating expense in the program fund balance. If this level is exceeded, the need for and proposed use of the excess funds must be communicated to the Child Nutrition Programs of the Texas Education Agency.

- (21) The district is not reimbursing the Child Nutrition account its prorata share of the exclusive beverage and snack contract. ()

Recommendation: Reference ARM, Section 20.

according to Federal regulations (7 CFR 210.14 and OMB Circular A-87, Attachment A, and OMB Circulars A-102 and A-110), any rebates, commissions, scholarship fund contributions, or any other payments back to the school district, or district-related organizations, must be reimbursed to the school Child Nutrition account on a prorated basis.

- (22) The _____ School(s) was not in compliance with the Foods of Minimal Nutritional Value regulations. ()
-
-

Recommendation: Reference ARM, Section 20.

Regulations require that foods of minimal nutritional value (soda water, water ices, chewing gum and certain candies) shall not be sold in the foodservice area during the lunch, breakfast and snack periods.

(23) Other.

- a. The district has not implemented and documented a program of student/parent involvement. ()

Recommendation: Reference (ARM), Section 18.

Regulations require that schools devise a program of student involvement and promote activities to involve parents. Student council, youth advisory groups or PTA are a good source of involvement. A brief description of activities should be kept on file.

- b. The AMIKOS School(s) has not been inspected by a state or local health department at least once during the past year. (X)

CHECK WITH HEALTH DEPT. IF INSPECTION IS

Recommendation: Reference ARM, Section 17. REQUIRED.

OTHER/SUGGESTIONS/COMMENTS:

A SIGNIFICANT IMPROVEMENT FROM INITIAL REVIEW,
ESPECIALLY WITH APPLICATIONS.

THE STAFF WAS VERY CORDIAL AND WILNING TO CORRECT
ANY NOTED DEFICIENCY.

DOCUMENTATION WAS WELL ORGANIZED AND EASY TO OBTAIN.

Due to the clerical counting and chaining error and the lack of verification records all documentation will be reviewed at the State office to ascertain if an additional visit will be required and if funds can be fully released.

Based on September's collected monthly meal counts previous monthly claims will be recalculated, as well as taking into consideration previous application and meal component errors from the initial review, could result in fiscal adjustments to previous claims

Suggest district apply for severe need additional (.23) breakfast reimbursement funds.

Dennis Higgins
Program Specialist

10/9/02
Date

Espen Strickter
Program Specialist

10/9/02

Terri Whitley

LUNCH

9/13 Turkey Ham planned 325 prepared 216
Served 328 + 10 seconds = 348

Apples planned 325 prepared 325
Served 328 + 25 LO = 353

9/19 Fruit Blast planned 335 prepared 335
Served 334 + 10 seconds = 344

Roll planned 335 prepared 336
Served 334 + 17 LO = 351

9/20 Charbroiled Patty Planned 335 prepared 331
Served 330 + 10 LO = 340

Cheese Planned 335 prepared 328
Served 330 + 8 LO = 338

9/24 Steak fingers Planned 335 prepared 335
Served 341 + 14 LO

9/25 Pineapple Tidbits Planned 335 Prepared 337.5
Served 332 + 12 pan LO

Roll planned 335 prepared 336
Served 339 + 10 LO

9/26 Turkey Planned 335 prepared 222
Served 347 + 2 slices LO

Mix Veg Planned 335 prepared 342.9
Served 347 + 12 LO

9/27 Meatballs Planned 335 14 meatballs
Label states serve 6 = 223 serve
Served 328 + 3 drop + 3 thrown + 1/2 pan LO

* Needs label ** Recipe

3/02 Potato, Mashed scoop/serve & portion don't match
enough prepared

14 Lettuce & tomato Amit prepared = planned
325 planned served 327 + 8 LO

15 * Chicken Fried Steak Amit prepared = 325 planned
Served 334 + 1 LO + 2 drop = 337

Roll 325 prepared = planned
Served 334 + 15 LO = 350

2/10 * Burrito Label shows 1 lb H/MA 2 g/b.
Prepared 325, served 337

NC - Cheese = 163 serving

NC - Chile = ground beef 339 1g

Applesauce Prepared 333 Served 337

Rice Planned 325 - prepared = 300
Served 337

9/11 - Apples, sliced Planned 325 - prepared 327
Served 338

Dinner Roll Planned 325 - prepared 325
Serve - 338 + 14 LO = 352

9/12 Spaghetti/Meat Sauce
Planned 325 prepared 337
Served 337 + 2 serving seconds

Applesauce Planned 325 prepared 327
Served 337 + 14 pan LO

Rolls Planned 325 prepared 328
Served 337 + 15 LO = 352

B

Breakfast

d up

122 sev.

9 sev

10 short egg

5 short bread

3 sev.

18 sev.

138 sev.

4 sev

8 sev

27 sev.

OK

OK

OK

140

128

Inefficiencies:

- 9/3/02 B/G Cinn. roll too small ^{need 1.8} _{1.5}
- 9/5/02 B/G Pop tarts - amount questionable
- 9/9/02 B/G pancake - " " "
- 9/10/02 M/M/L eggs - short & brought out some cereal ^{not a right bread for Cared}
- 9/11/02 M/M/L had ~~empty~~ sent but ^{number} left towns _{missed short of quality cheese}
- 9/17/02 F/V fruit juice
- 9/17/02 B/G Cinn. roll too small
- 9/19/02 B/G 1 short of juice - 4 short muffin
- 9/20/02 M/M/L ~~pancake~~ sausage on stack ^{130 sev} _{128 sev.} 10 left over
- 9/25/02 B/G eggs
- 9/26/02 - typo on FPR = ^{sup sent 335 (should} _{been 135)}
- 9/27/02 - ~~no FPR~~
- 9/30/02 - ~~no FPR~~
- 9/23/02 B/G Cinnamon roll too small
- 9/16/02 B/G Cinnamon roll too small

~~9/20 - missing label for Pancake/~~
 OK Sausage

Need copies: Cinn. roll label
 FPR



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Felipe T. Alanis
Commissioner of Education

October 17, 2002

101-819

4

Ms. Rosey M. Garza, Principal
Amigos Por Vida-Friends for Life Charter
5500 El Camino Del Rey
Houston, TX 77081

Dear Ms. Garza:

A second follow-up review of the Child Nutrition Programs was conducted in your district on October 9, 2002, by Dennis O'Higgins, Eyvone Stricklin, and Geri Whitley. The purpose of this review was to evaluate the corrective action taken by the district following the compliance monitoring review conducted on November 14, 2000, and the first follow-up review conducted on October 17, 2001.

Based on the positive action the district has taken to correct previously addressed findings, especially in the critical areas of counting and claiming, application processing and benefit issuance, I have released all funds presently on hold.

Enclosed is the Corrective Action form listing the findings observed during this second follow-up review. Please document the district's corrective action for each finding and date accordingly in the designated column. Submit a signed copy to this office to be included with your district's file. **Please respond by November 6, 2002.** Please note federal regulations stipulate that failure to submit a satisfactory response by the due date will result in future reimbursement funds being held.

Any fiscal action required as a result of findings identified during this, as well as previous reviews, will be determined upon the receipt of your corrective action plan. If fiscal action is required you will be notified in writing.

For technical assistance in completing the district response and ensuring that corrective action has been implemented, I recommend that you contact Nancy Alford, Region IV Education Service Center (ESC) Child Nutrition Program Specialist. Her expertise and knowledge would be very beneficial to the district with regard to ensuring that corrective action has been implemented.

If you have any questions or if I may be of assistance in the future, please feel free to call me at 512-997-6570.

Sincerely,

John D. Perkins, Director
Child Nutrition Programs

JDP:awb

Enclosures

cc: Child Nutrition Director
ESC Child Nutrition Program Specialist

Name of School District Amigos Por Vida

Finding(s)	Article III. Corrective Action Taken	Date of Corrective Action
<p>4. A public announcement of the free lunch program:</p> <ul style="list-style-type: none"> a. The district provided incomplete information to the media. Missing application form and income guidelines. <p>5. <u>VERIFICATION</u> The verification process was not completed according to regulations.</p> <ul style="list-style-type: none"> a. The district did not conduct verification "last year". <ul style="list-style-type: none"> • This year's verification summary and back up documentation needs to be submitted to TEA before review can be completed. <p>6. <u>FINANCIAL</u> The district is not in compliance with the State and Federal Procurement Standards including the requirements to:</p> <ul style="list-style-type: none"> b. Use competitive procurement procedures on aggregate purchases of \$25,000 or more. <ul style="list-style-type: none"> • Competitive Bids were not solicited on catering contract. (\$200,000 per year). <p>7. The Amigos Por Vida Charter School(s) has not been inspected by a state or local health department at least once during the past year.</p>		

AMIGOS POR VIDA LUNCH INSUFFICIENTS

DATE	ITEM	PLAN	PREPARE	SERVED	INSUFFICIENT
9/3/02	POTATOES, MASHED	325 - ½ C. USING #16 SCOOP	325 ¼ C. SERVING	321-1/4 C. + ½ PAN LO	
9/4/02	LETTUCE & TOMATO	325-3/8 C.	325	327 + 8 LO=335	10 MEALS
9/5/02	CHICKEN FRIED STEAK	325	325	334+1 LO + 2 DROP =337	12 MEALS
	ROLL	325	325	334 + 15 LO =350	25 MEALS
9/10/02	BURRITO	325	325	337	PRODUCT LABEL SHOWS ONLY CONTRIBUTED 1 OZ. M/MA
	CHEESE	325	163	337	NOT CLAIM TO CONTRIBUTE
	CHILI-USDA D-20	325	325	337	NOT CLAIM TO CONTRIBUTE
	APPLESAUCE	325	333	337	4 MEALS
	RICE	325	300	337	37 MEALS
9/11/02	APPLES, SLICED	325	327	338	11 MEALS
	DINNER ROLL	325	325	338+14 LO = 352	27 MEALS
9/12/02	SPAGHETTI/MEA T SAUCE	325	337	337 + 2 SECONDS	2 MEALS
	APPLESAUCE	325	327	337 + ¼ PAN LO	
	ROLLS	325	328	337 +15 LO = 352	24 MEALS
9/13/02	TURKEY HAM	325	216	328 + 10 SECONDS = 348	132 MEALS
	APPLES	325	325	325 + 25 LO = 353	28 MEALS
9/19/02	FRUIT BLAST	335	335	334 +10 SECONDS = 344	9 MEALS
	ROLL	335	336	334 + 17 LO = 351	15 MEALS
9/20/02	CHARBROIL PATTY	335	331	330 + 10 LO = 340	10 MEALS
	CHEESE	335	328	330 + 8 LO = 338	10 MEALS

DATE	ITEM	PLAN	PREPARE	SERVED	INSUFFICIENT
9/24/02	STEAK FINGERS	335	335	341 + ¼ PAN LO	
9/25/02	PINEAPPLE TIDBITS	335	337	339 + ½ PAN LO	
	ROLL	335	336	339 + 10 LO = 349	13 MEALS
9/26/02	TURKEY	335	222	347 + 2 SLICES LO	125 MEALS
	MIX VEGETABLES	335	342	347 + ½ PAN LO	
9/27/02	MEATBALLS	335/4 EACH	LABEL STATES THAT 6 = 2 OZ. SERVE	328 + 3 DROPPED + 3 THROWN + ½ PAN LO	328

AMIGOS POR VIDA BREAKFAST INSUFFICIENTS

DATE	ITEM	PLAN	PREPARE	SERVED	INSUFFICIENT
9/3/02	CINNAMON ROLL				122 SERVE, TOO SMALL, SERVED 1.5 SHOULD BE 1.8 (122 SERVE B/G)
9/5/02	POP-TARTS				9 SERVE-AMN'T QUESTIONNABLE (B/G)
9/6/02	CINNAMON ROLL				SAME AS ABOVE (128 SERVE B/G)
9/9/02	PANCAKES				AMOUNT QUESTIONNABLE (B/G)
9/10/02	EGGS/CEREAL				10 SHORT - EGGS 15 SHORT-CEREAL
9/11/02	GRILLED CHEESE				3 SERVE M/MA
9/17/02	FRUIT JUICE				18 SERVE F/V
	CINNAMON ROLL				138 SERVE B/G
9/19/02	MUFFIN				4 SERVE B/G
	JUICE				4 SERVE F/V
9/25/02	EGGS				27 SERVE M/MA
9/23/02	CINNAMON ROLL				140 SERVE B/G



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Felipe T. Alanis
Commissioner of Education

December 17, 2002

Co. Dist # 101-819
Region 04

Mrs. Rosey Garza, Interim Superintendent
Amigos Por Vida-Friends for Life Charter School
5500 El Camino Del Rey
Houston, Texas 77081

Dear Mrs. Garza:

A Coordinated Review Effort (CRE) review of the Child Nutrition Programs in your district was concluded on October 09, 2002. The review indicated there were Performance Standard Findings, which necessitated fiscal action. Our finance department has taken the appropriate fiscal action to reclaim the district's \$13,533.18 overclaim. This action coupled with the district's documented action plan, due in this office November 06, 2002 actually was received in the office on December 05, 2002 has been approved as submitted. Please accept this letter as confirmation that the CRE has been officially closed.

On behalf of the reviewer(s) and the entire compliance unit, I wish to thank you and your staff for the cooperation and hospitality extended during the course of the review.

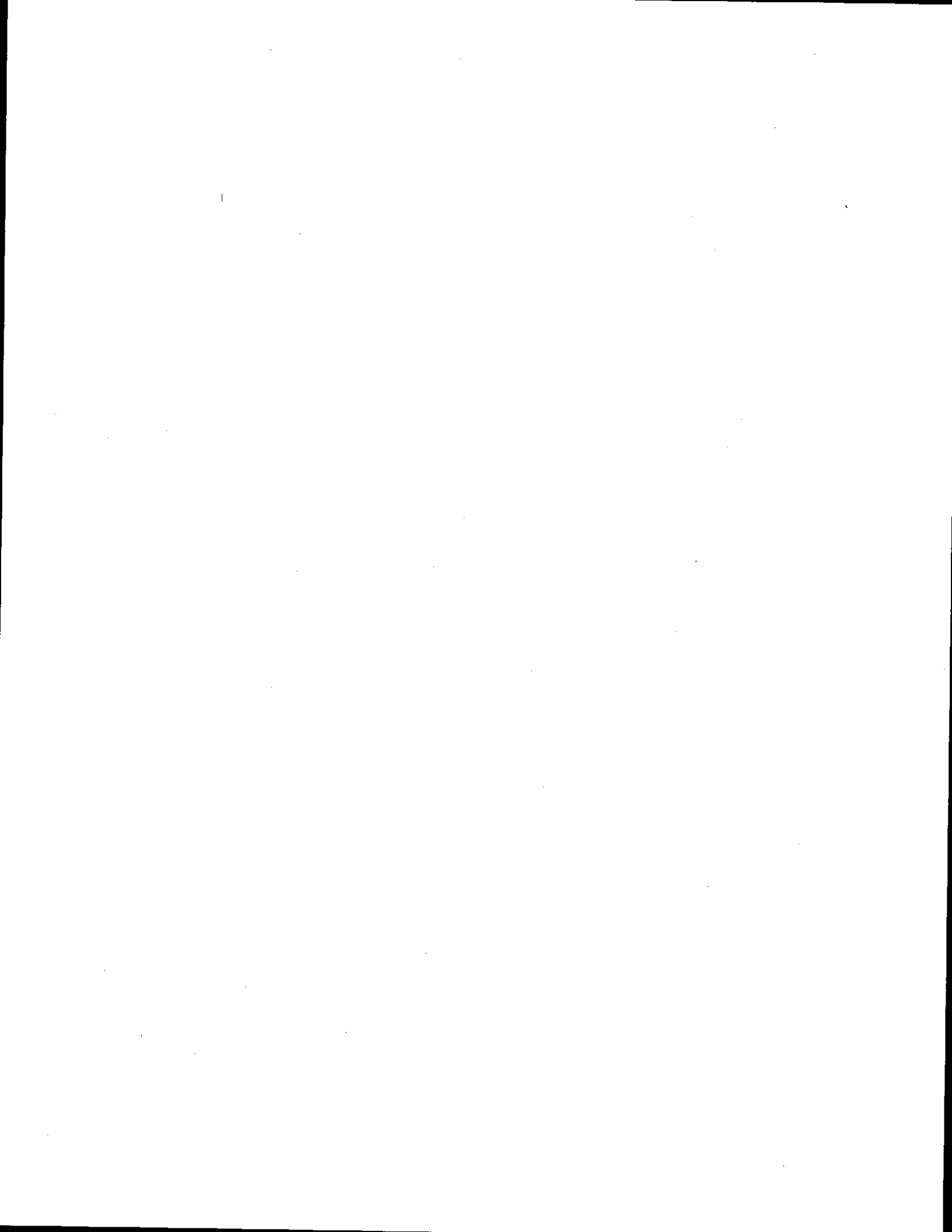
Should you have any questions concerning this review, or the finding, please contact us at (512) 997-6580.

Sincerely

Patricia Hosemann
Director, Compliance & Monitoring
Child Nutrition Programs

Appeals Process Included

cc: Child Nutrition Director
ESC CNP Specialist





TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Felipe T. Alanis
Commissioner of Education

January 10, 2003

101-819
2002-2003

Mrs. Rosey M. Garza, Superintendent
Amigos Por Vida-Friends for Life Charter School
5500 El Camino Del Rey
Houston, Texas 77081

Dear Mrs. Garza:

Enclosed is the Charter School Accreditation Report of the on-site review visit to Amigos Por Vida-Friends for Life Charter School from the Division of Accountability Evaluations, Texas Education Agency, conducted November 18-22, 2002. Please review the findings closely.

It is the policy of the Division of Accountability Evaluations to provide school districts 15 working days in which to respond to the review team's findings. If the district disagrees with the report, the district must request resolution by submitting the objections in writing. The Receipt of Report form must be returned on or before January 31, 2003, and should be mailed to the Compliance Activity Tracking System Unit, Division of Accountability Development and Support.

We appreciate the assistance given to our team during the on-site visit. If you have questions, please call us at (512) 463-9667.

Sincerely,

Ismael Cantu, Program Specialist
Accountability Evaluations

John E. Matysek, Senior Director
Accountability Evaluations

IC:JEM:ja
Enclosures

cc: William L. McKinney, Executive Director
Region IV Education Service Center

Amigos Por Vida - Friends for Life Open Enrollment Charter School

An Amigos Por Vida, Friends for Life Housing and Education Corporation School

5500 El Camino Del Rey • Houston, TX 77081 • (713) 349-9945 • Fax: (713) 349-0671
Rosalinda (Rosey) Mercado-Garza, CEO/Superintendent



January 28, 2003

Compliance Activity Tracking System Unit
Division of Accountability Development and Support
Texas Education Agency
1700 North Congress Ave.
Austin, Texas 78701

To Whom It May Concern:

Enclosed you will find documents to support the reason why the school disagrees with a point made in the report. On page twenty under the sub-heading entitled "School Data Analysis: TAAS Student Performance" the early findings from your November 18-22, 2002 visit indicated that twenty-five percent or more of the students identified in the low-performing group did not pass TAAS (Reading and/or Mathematics) the next year. After further research I have found this statement to be inaccurate of our students' performance in 2002.

An increase in student performance is evident based on the Academic Excellence Indicator System (AEIS) report from 2001- 2002. The section labeled "Progress of Prior Year TAAS Failures" indicate that 44 percent of students who failed TAAS Reading previously in 2001 were able to pass it in 2002. The percentage of students who failed Mathematics last year improved to 83.3% passing in 2002. These numbers indicate that more than 25% of students performed better the following year.

A few typographic errors were found on the report, as well. On page twenty one the report recommended that the school needed to "intensify its efforts to ensure that students identified in the low performance group pass the 2003 Texas Assessment of Academic Skills (TAKS)." The acronym was correct but the test name was not. Also, on page twenty three the report read that the school has ninety eight percent as the number of students who were considered to be at-risk. However, on page two of the report the Student Category Table shows the percentage of students who are at-risk is one hundred. Page two of the report has the correct percentage.

I thank you in advance for looking into these concerns and look forward to hearing from your team.

Sincerely,

Rosalinda M. Garza / with permission
Rosalinda (Rosey) Mercado-Garza
CEO/Superintendent

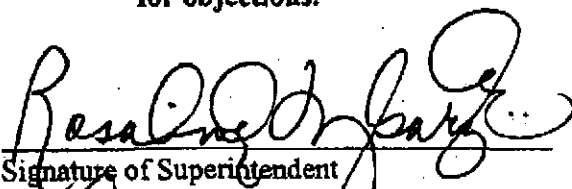
Enclosures

RECEIPT OF REPORT
Charter School Accreditation Visit
Amigos Por Vida-Friends for Life Charter School (101-819-001)

The charter school must complete this form by selecting only one of the two options as its response to the report of the recent visit conducted by a review team from the Division of Accountability Evaluations at the Texas Education Agency.

1. The charter school agrees with the contents of the report. If this form is not received within 30 days after the due date, this report will be considered as accepted by the district superintendent with no further alterations.

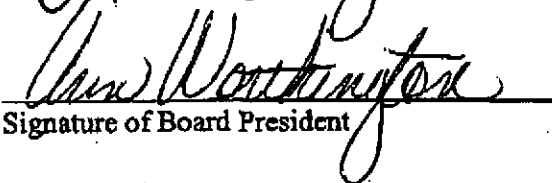
2. The charter school disagrees with the contents of the report and is submitting those objections in writing. Supporting documentation must be submitted and attached for objections.



 Signature of Superintendent

1/22/03

 Date



 Signature of Board President

1/28/03

 Date

Amigos Por Vida-Friends for Life Charter School
 Name of Charter School

101-819
 County-District Number

**This Receipt of Report form is due to the Texas Education Agency
 on or before: January 31, 2003**

Return this form to:
 Compliance Activity Tracking System Unit
 Division of Accountability Development and Support
 Texas Education Agency
 1701 North Congress Avenue
 Austin, Texas 78701-1494

District Name: AMIGOS POR VIDA -FRIENDS F
 Campus Name: AMIGOS POR VIDA-FRIENDS F
 Campus #: 101819001

TEIAS EDUCATION AGENCY
 Academic Excellence Indicator System
 2001-02 Campus Performance

Total En
 Grade Sp
 School T

Accountability Rating: LOW PERFORMING

This is a charter school.

		State	District	Campus Group	Campus	African American	Hispanic	White	Native American	Asian/Pac.Is.	Male	Female
TAAS % Passing Grade 3 (English)												
Reading	2002	88.0%	66.7%	82.7 %	66.7%	*	63.6%	-	-	-	80.0%	57.1%
	2001	86.8%	63.6%	82.7 %	63.5%	*	60.0%	-	-	-	*	62.5%
Math	2002	87.4%	16.7%	82.1 %	16.7%	*	18.2%	-	-	-	40.0%	0.0%
	2001	83.1%	9.1%	80.6 %	9.1%	*	10.0%	-	-	-	*	12.5%
All Tests	2002	82.3%	16.7%	74.1 %	16.7%	*	18.2%	-	-	-	40.0%	0.0%
	2001	78.2%	9.1%	74.2 %	9.1%	*	10.0%	-	-	-	*	12.5%
TAAS % Passing Grade 3 (Spanish)												
Reading	2002	76.8%	36.0%	83.3 %	36.0%	-	36.0%	-	-	-	23.1%	50.0%
	2001	76.7%	60.0%	85.3 %	60.0%	-	60.0%	-	-	-	40.0%	80.0%
Math	2002	87.3%	56.0%	93.1 %	56.0%	-	56.0%	-	-	-	69.2%	41.7%
	2001	83.5%	30.0%	92.6 %	30.0%	-	30.0%	-	-	-	20.0%	40.0%
All Tests	2002	73.9%	24.0%	81.8 %	24.0%	-	24.0%	-	-	-	15.4%	33.3%
	2001	71.5%	30.0%	77.8 %	30.0%	-	30.0%	-	-	-	20.0%	40.0%
TAAS % Passing Grade 4 (English)												
Reading	2002	92.5%	80.0%	88.9 %	80.0%	-	80.0%	-	-	-	83.3%	*
	2001	90.8%	20.0%	90.3 %	20.0%	*	14.3%	-	-	-	0.0%	60.0%
Writing	2002	89.8%	70.0%	88.6 %	70.0%	-	70.0%	-	-	-	100.0%	40.0%
	2001	89.2%	81.3%	92.2 %	81.3%	*	78.6%	*	-	-	70.0%	100.0%

Math	2002	94.1%	77.8%	92.5 %	77.8%	-	77.8%	-	-	83.3%	*
	2001	91.3%	66.7%	90.3 %	66.7%	*	71.4%	-	-	70.0%	60.0%
All Tests	2002	84.7%	63.6%	78.7 %	63.6%	-	63.6%	-	-	83.3%	40.0%
	2001	81.6%	12.5%	79.5 %	12.5%	*	7.1%	*	-	0.0%	33.3%

**TAAS % Passing
Grade 4 (Spanish)**

Reading	2002	73.2%	55.6%	73.0 %	55.6%	-	55.6%	-	-	*	83.3%
	2001	66.4%	*	81.6 %	*	-	*	-	-	*	-
Writing	2002	85.1%	55.6%	96.3 %	55.6%	-	55.6%	-	-	*	83.3%
	2001	76.0%	*	96.4 %	*	-	*	-	-	*	-
Math	2002	92.2%	55.6%	100.0 %	55.6%	-	55.6%	-	-	*	83.3%
	2001	89.3%	*	100.0 %	*	-	*	-	-	*	-
All Tests	2002	69.1%	44.4%	70.8 %	44.4%	-	44.4%	-	-	*	66.7%
	2001	59.5%	*	75.0 %	*	-	*	-	-	*	-

**TAAS % Passing
Grade 5 (English)**

Reading	2002	92.7%	37.5%	90.7 %	37.5%	-	37.5%	-	-	20.0%	66.7%
	2001	90.2%	41.7%	87.8 %	41.7%	-	41.7%	-	-	20.0%	57.1%
Math	2002	96.2%	82.4%	97.7 %	82.4%	-	82.4%	-	-	80.0%	85.7%
	2001	94.6%	66.7%	93.8 %	66.7%	-	66.7%	-	-	60.0%	71.4%
All Tests	2002	91.3%	41.2%	90.7 %	41.2%	-	41.2%	-	-	20.0%	71.4%
	2001	88.2%	33.3%	84.3 %	33.3%	-	33.3%	-	-	20.0%	42.9%

**TAAS % Passing
Grade 5 (Spanish)**

Reading	2002	79.5%	60.0%	89.3 %	60.0%	-	60.0%	-	-	*	*
	2001	71.8%	-	92.0 %	-	-	-	-	-	-	-
Math	2002	91.3%	80.0%	100.0 %	80.0%	-	80.0%	-	-	*	*
	2001	87.1%	-	100.0 %	-	-	-	-	-	-	-
All Tests	2002	77.9%	60.0%	88.2 %	60.0%	-	60.0%	-	-	*	*
	2001	69.6%	-	80.4 %	-	-	-	-	-	-	-

**TAAS % Passing
Grade 6 (English)**

Reading	2002	88.2%	85.7%	?	85.7%	-	85.7%	-	-	-	100.0%	75.0%
	2001	85.6%	22.2%	?	22.2%	-	28.6%	-	-	*	*	28.6%
Math	2002	93.8%	100.0%	?	100.0%	-	100.0%	-	-	-	100.0%	100.0%
	2001	91.4%	77.8%	?	77.8%	-	85.7%	-	-	*	*	71.4%
All Tests	2002	86.0%	85.7%	?	85.7%	-	85.7%	-	-	-	100.0%	75.0%
	2001	82.7%	11.1%	?	11.1%	-	14.3%	-	-	*	*	14.3%

**TAAS % Passing
Grade 6 (Spanish)**

Reading	2002	65.0%	*	?	*	-	*	-	-	-	*	*
	2001	50.3%	-	?	-	-	-	-	-	-	-	-
Math	2002	72.6%	*	?	*	-	*	-	-	-	*	*
	2001	69.6%	-	?	-	-	-	-	-	-	-	-
All Tests	2002	59.2%	*	?	*	-	*	-	-	-	*	*
	2001	47.0%	-	?	-	-	-	-	-	-	-	-

**Progress of Prior Year TAAS Failers
Sum of 4-8 & 10**

Average TLI Growth

Reading	2002	11.81	13.00	13.7 9	13.00	-	13.00	-	-	-	14.00	*
	2001	10.89	*	11.0 2	*	-	*	-	-	*	-	*
Math	2002	10.45	17.00	13.2 5	17.00	-	17.00	-	-	-	*	*
	2001	10.97	*	13.5 6	*	*	*	-	-	*	-	*

Percent of Failers Passing TAAS

Reading	2002	58.9%	44.4%	65.2 %	44.4%	-	44.4%	-	-	-	40.0%	*
	2001	52.2%	*	55.3 %	*	-	*	-	-	*	-	*
Math	2002	61.6%	83.3%	75.0 %	83.3%	-	83.3%	-	-	-	*	*
	2001	57.4%	*	70.4 %	*	*	*	-	-	*	-	*

Link to: Progress of Prior Year TAAS Failers - by Grade Level

TAAS % Passing (Sum of 3-8 & 10)
Accountability Subset ***

Reading	2002	91.3%	54.8%	86.0 %	54.8%	*	54.3%	-	-	-	46.7%	62.5%
	2001	88.9%	39.0%	86.9 %	39.0%	*	38.2%	-	-	*	18.5%	56.3%
Writing	2002	88.7%	63.2%	88.1 %	63.2%	-	63.2%	-	-	-	62.5%	63.6%
	2001	87.9%	72.2%	89.9 %	72.2%	*	68.8%	*	-	-	58.3%	100.0%
Math	2002	92.7%	64.5%	91.6 %	64.5%	*	65.2%	-	-	-	68.9%	60.4%
	2001	90.2%	50.8%	88.2 %	50.8%	*	52.7%	-	-	*	51.9%	50.0%
All Tests	2002	85.3%	43.2%	80.7 %	43.2%	*	43.6%	-	-	-	40.0%	46.0%
	2001	82.1%	18.3%	77.9 %	18.3%	*	18.2%	*	-	*	7.4%	27.3%

*** The Accountability Subset for this Campus includes 0 students in 2002, and 0 students in 2001 who qualified for End-of-Course exam credit and did not take the exit-level TAAS test.

2002 TAAS Participation
Grades 3-8 & 10

Tested	96.2%	100.0%	97.9 %	100.0%	*	100.0%	-	-	-	100.0%	100.0%
Acct Subset	85.0%	92.2%	85.9 %	92.2%	*	94.0%	-	-	-	93.8%	90.9%
Mobile Subset	4.5%	7.8%	4.2 %	7.8%	*	6.0%	-	-	-	6.3%	9.1%
Science Only	0.0%	0.0%	0.0 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
SDAA only	6.7%	0.0%	6.3 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
Not Tested	3.8%	0.0%	2.1 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
Absent	0.7%	0.0%	0.0 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
ARD Exempt	1.1%	0.0%	0.0 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
LEP Exempt	1.4%	0.0%	0.8 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%
Other	0.6%	0.0%	0.3 %	0.0%	*	0.0%	-	-	-	0.0%	0.0%

Total Count	2,193,137	103	296	103	3	100	0	0	0	48	55
2001 TAAS Participation											
Grades 3-8 & 10											
Tested	96.2%	100.0%	98.5%	100.0%	*	100.0%	*	-	*	100.0%	100.0%
Acct Subset	85.0%	75.9%	86.4%	75.9%	*	84.6%	*	-	*	79.4%	75.0%
Mobile Subset	4.8%	24.1%	5.0%	24.1%	*	15.4%	*	-	*	20.6%	25.0%
Science Only	0.0%	0.0%	0.0%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
SDAA only	6.4%	0.0%	8.3%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
Not Tested	3.8%	0.0%	1.6%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
Absent	0.6%	0.0%	0.0%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
ARD Exempt	1.1%	0.0%	0.0%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
LBP Exempt	1.4%	0.0%	0.6%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
Other	0.7%	0.0%	0.4%	0.0%	*	0.0%	*	-	*	0.0%	0.0%
Total Count	2,156,695	79	231	79	2	65	1	0	2	34	44

*** The Accountability Subset for this Campus includes 0 students in 2002, and 0 students in 2001 who qualified for End-of-Course exam credit and did not take the exit-level TAAS test.

Attendance Rate											
2000-01	95.5%	96.4%	96.7%	96.4%	96.4%	96.5%	*	-	*	96.5%	96.4%
1999-2000	95.6%	97.1%	96.8%	97.1%	*	97.1%	*	-	-	97.4%	96.8%

TEXAS EDUCATION AGENCY

District Name: AMIGOS POR VIDA - FRIENDS F Academic Excellence Indicator System Total
 Campus Name: AMIGOS POR VIDA - FRIENDS F 2001-02 Campus Profile Grade
 Campus #: 101819001 School

STUDENT INFORMATION

	-----Campus-----		Campus Group	District
	Count	Percent		
Total Students:	366	100.0%	25,784	366
Students By Grade:				
Early Childhood Education	0	0.0%	0.5%	0.0%
Pre-Kindergarten	98	26.8%	8.7%	26.8%
Kindergarten	63	17.2%	13.8%	17.2%
Grade 1	60	16.4%	15.6%	16.4%
Grade 2	37	10.1%	15.0%	10.1%
Grade 3	38	10.4%	15.2%	10.4%
Grade 4	24	6.6%	14.3%	6.6%
Grade 5	24	6.6%	13.5%	6.6%
Grade 6	22	6.0%	3.4%	6.0%
Grade 7	0	0.0%	0.0%	0.0%
Grade 8	0	0.0%	0.0%	0.0%
Grade 9	0	0.0%	0.0%	0.0%
Grade 10	0	0.0%	0.0%	0.0%
Grade 11	0	0.0%	0.0%	0.0%
Grade 12	0	0.0%	0.0%	0.0%
Ethnic Distribution:				
African American	11	3.0%	1.3%	3.0%
Hispanic	353	96.4%	96.4%	96.4%
White	2	0.5%	1.8%	0.5%
Asian/Pac. Islander	0	0.0%	0.2%	0.0%
Native American	0	0.0%	0.2%	0.0%
Mobility (2000-01)	57	28.5%	21.7%	28.5%
Economically Disadvantaged	342	93.4%	91.7%	93.4%
Limited English Proficient (LEP)	143	39.1%	46.7%	39.1%
Number of Students per Teacher	24.4	n/a	16.8	24.4
Students w/Disciplinary Placements (2000-01)	0	0.0%	0.3%	0.0%

Retention Rates by Grade:	-----Non-Special Education Rates-----				-----Special Educa	
	Campus	Campus Group	District	State	Campus	Campus Group
Kindergarten	1.6%	0.9%	1.6%	2.6%	100.0%	3.6%
Grade 1	7.1%	8.5%	7.1%	5.8%	0.0%	14.8%
Grade 2	0.0%	5.2%	0.0%	3.5%	-	6.4%
Grade 3	4.5%	4.3%	4.5%	2.5%	-	4.1%
Grade 4	0.0%	3.6%	0.0%	1.4%	-	1.3%
Grade 5	0.0%	0.7%	0.0%	0.8%	-	2.3%
Grade 6	14.3%	0.4%	14.3%	1.5%	-	4.3%

Grade 7
Grade 8

2.5%
1.9%

CLASS SIZE INFORMATION

(Derived from teacher responsibility records.)

Class Size Averages by Grade and Subject:

	Campus	Campus Group	District
Elementary: Kindergarten	20.0	20.5	20.0
Grade 1	20.0	18.4	20.0
Grade 2	-	19.4	-
Grade 3	20.0	19.6	20.0
Grade 4	-	20.9	-
Grade 5	20.0	22.6	20.0
Grade 6	20.0	25.7	20.0
Mixed Grades	-	39.7	-
Secondary: English/Language Arts	-	-	-
Foreign Languages	-	-	-
Mathematics	-	-	-
Science	-	-	-
Social Studies	-	-	-

? Indicates that the data for this item were missing, statistically improbable, or were reported outside a reason

STAFF INFORMATION

	Campus		Campus Group	District
	Count	Percent		
Professional Staff:	15.0	100.0%	83.1%	100.0%
Teachers	15.0	100.0%	71.0%	100.0%
Professional Support	0.0	0.0%	8.7%	0.0%
Campus Admin. (School Leader.)	0.0	0.0%	3.4%	0.0%
Educational Aides:	0.0	0.0%	16.9%	0.0%
Total Staff:	15.0	100.0%	2,162.3	15.0

Total Minority Staff: 14.0 93.8% 72.1% 93.8%

Teachers By Ethnicity and Sex:

Females	11.2	75.0%	86.2%	75.0%
Males	3.7	25.0%	13.8%	25.0%
African American	5.6	37.5%	9.7%	37.5%
Hispanic	7.5	50.0%	58.2%	50.0%
White	0.9	6.3%	31.2%	6.3%
Asian/Pacific Islander	0.9	6.3%	0.5%	6.3%
Native American	0.0	0.0%	0.3%	0.0%

Teachers by Years of Experience:

Beginning Teachers	0.0	0.0%	9.3%	0.0%
1- 5 Years Experience	7.5	50.0%	29.3%	50.0%
6- 10 Years Experience	5.6	37.5%	16.7%	37.5%
11- 20 Years Experience	0.9	6.3%	22.1%	6.3%
Over 20 Years Experience	0.9	6.3%	22.6%	6.3%

	Campus	Campus Group	District
Average Years Experience of Teachers:	7.2 yrs.	11.8 yrs.	7.2 yrs.
Average Years Experience of Teachers with District:	1.6 yrs.	9.4 yrs.	1.6 yrs.

Average Teacher Salary by Years of Experience:

Beginning Teachers	-	\$32,257	-
1- 5 Years Experience	\$28,852	\$34,689	\$28,852
6- 10 Years Experience	\$28,852	\$37,337	\$28,852
11- 20 Years Experience	\$28,852	\$44,054	\$28,852
Over 20 Years Experience	\$28,852	\$52,359	\$28,852

Average Actual Salaries (regular duties only):

Teachers	\$28,852	\$40,971	\$28,852
Professional Support	-	\$44,847	-
Campus Administration (School Leadership)	-	\$60,279	-

Contracted Instructional Staff (not incl. above): 0.0 1.3 0.0

? Indicates that the data for this item were missing, statistically improbable, or were reported outside a reason

BUDGETED OPERATING EXPENDITURE INFORMATION

	-----Campus-----		---- Campus Grp. ----		-----District-----		Am
	Amount	Pct.	Amount	Pct.	Amount	Pct.	
Total Campus Budget	\$1,467,418	100.0%	\$115,730,817	100.0%	\$1,467,418	100.0%	\$20,43
By Function:							
Instruction	\$760,926	51.9%	\$84,495,580	73.0%	\$760,926	51.9%	\$14,55
Instruct. Leadership	\$0	0.0%	\$1,963,949	1.7%	\$0	0.0%	\$31
School Leadership	\$64,857	4.4%	\$8,710,178	7.5%	\$64,857	4.4%	\$1,49
Other Campus Costs	\$641,635	43.7%	\$20,561,110	17.8%	\$641,635	43.7%	\$4,06

-----Average Costs per Campus -----

Per Pupil:	-----Campus-----		--w/in Campus Grp--		---w/in District ---	
	Amount	Pct.	Amount	Pct.	Amount	Pct.
Total	\$4,009		\$4,488		\$4,009	
Instruction (incl. Inst. Leader.)	\$2,079		\$3,353		\$2,079	
School Leadership	\$177		\$338		\$177	
Other Campus Costs	\$1,753		\$797		\$1,753	

PROGRAM INFORMATION

	-----Campus-----		Campus Group	District
	Count	Percent		
Student Enrollment by Program:				
Bilingual/ESL Education	144	39.3%	43.2%	39.3%
Career & Technology Education	0	0.0%	0.0%	0.0%
Gifted & Talented Education	0	0.0%	5.4%	0.0%
Special Education	0	0.0%	8.5%	0.0%
Teachers by Program (population served):				
Bilingual/ESL Education	8.4	56.3%	38.5%	56.3%
Career & Technology Education	0.0	0.0%	-	0.0%
Compensatory Education	0.0	0.0%	2.1%	0.0%
Gifted & Talented Education	0.0	0.0%	2.7%	0.0%
Regular Education	6.6	43.8%	49.1%	43.8%

Special Education	0.0	0.0%	7.6%	0.0%
Other	0.0	0.0%		0.0%
Budgeted Instruct. Oper. Exp. by Program:				
Bilingual/ESL Education	\$0	0.0%	19.6%	0.0%
Career & Technology Education	\$0	0.0%	0.0%	0.0%
Compensatory Education	\$279,957	36.8%	5.2%	36.8%
Gifted & Talented Education	\$0	0.0%	0.6%	0.0%
Regular Education	\$478,643	62.9%	63.4%	62.9%
Special Education	\$2,326	0.3%	11.2%	0.3%

The Special Revenue Funds (incl. SSA) and the Capital Projects Funds are not reported for budgeted data.

? Indicates that the data for this item were missing, statistically improbable, or were reported outside a reason

- [Link to 2001-02 Comparable Improvement Report](#)
- [Link to 2001-02 Accountability Data Table](#)
- [Link to 2000-01 AEIS Report](#)

[Performance Reporting](#) | [TEA Home](#)

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FROM :

FAX NO. :

Apr. 05 2002 06:27AM P12



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Felipe T. Alanis
Commissioner of Education

February 18, 2003

101-819
2002-2003

Mrs. Rosey M. Garza, Superintendent
Amigos Por Vida-Friends for Life Charter School
5500 El Camino Del Rey
Houston, Texas 77081

Dear Mrs. Garza:

Texas Education Agency staff has reviewed the written objections and request for reconsideration of the points made in the Charter School Accreditation Report dated January 10, 2003 that was sent to Amigos Por Vida-Friends for Life Charter School. Our determinations are described below.

Justification for Acceptance: Documentation and review of information submitted to TEA supports the acceptance of the request for reconsideration.

Changes: On page 20, the No marked under Student Performance (A) has been changed to Yes. On page 21 the recommendation has been removed. On page 23 the 98% has been changed to 100% as reflected on page 2 of the report.

Enclosed is a copy of the Charter School Accreditation Report which reflects the approved changes.

The contents and indicator citations in this report are considered final. If we can be of any further assistance, please contact Ana Deter at 512-475-0639.

Sincerely,

Karen Nobles, Senior Director
Division of Accountability Development and Support



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Felipe T. Alanis
Commissioner of Education

Corrected Report

February 14, 2003

101-819
2002-2003

Mrs. Rosey M. Garza, Superintendent
Amigos Por Vida-Friends for Life Charter School
5500 El Camino Del Rey
Houston, Texas 77081

Dear Mrs. Garza:

Enclosed is the Charter School Accreditation Report of the on-site review visit to Amigos Por Vida-Friends for Life Charter School from the Division of Accountability Evaluations, Texas Education Agency, conducted November 18-22, 2002. Please review the findings closely.

It is the policy of the Division of Accountability Evaluations to provide school districts 15 working days in which to respond to the review team's findings. If the district disagrees with the report, the district must request resolution by submitting the objections in writing. The Receipt of Report form must be returned on or before January 31, 2003, and should be mailed to the Compliance Activity Tracking System Unit, Division of Accountability Development and Support.

We appreciate the assistance given to our team during the on-site visit. If you have questions, please call us at (512) 463-9667.

Sincerely,

Ismael Cantu, Program Specialist
Accountability Evaluations

John E. Matysek, Senior Director
Accountability Evaluations

IC:JEM:ja
Enclosures

cc: William L. McKinney, Executive Director
Region IV Education Service Center

CHARTER SCHOOL ACCREDITATION REPORT

School Name: Amigos Por Vida-Friends For Life
School Identification Number: 101-819-001
Director/CEO/Principal: Rosey Garza
Accountability Rating: Low Performing, 2002
Previous Rating(s): Low Performing, 2001
Condition of Performance: TAAS Reading: All Students, 54.8 Percent Passing; Hispanic Students, 54.3 Percent Passing; and Economically Disadvantaged Students, 54.8 Percent Passing

Review Team

TEA Chairperson

Ismael Cantu

TEA Staff Member(s)

Sylvia Lewis

Dates of Visit

November 18-22, 2002

**Department of Quality, Compliance, and Accountability Reviews
Division of Accountability Evaluations
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494
(512) 463-9667**

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Introduction

The accreditation of a school is based primarily on the annual overall performance by all student populations on specific criteria as delineated in the state-adopted Academic Excellence Indicator System (AEIS). Accreditation ratings released in August 2002 indicated that the rating of Amigos Por Vida-Friends for Life Charter School is Low Performing. Consistent with accountability system procedures, a review team visited Amigos Por Vida-Friends for Life Charter School during the week of November 18-22, 2002. This report includes the findings of the review team during that visit.

Purpose of Visit

Based on the Accountability Rating System for Texas Public Schools, Amigos Por Vida-Friends for Life Charter School was rated Low Performing in TAAS Reading. The state acceptable standard for Texas Assessment of Academic Skills (TAAS) is at least 55 percent passing in Reading, Writing, and Mathematics for All Students and each student group and at least 50 percent passing in Social Studies for All Students (Grade 8 only). The acceptable dropout rate is 5 percent or less for All Students and each student group.

The Low-Performing rating for Amigos Por Vida-Friends for Life Charter School was the result of the spring 2002 TAAS Reading passing rate for the All Students, Hispanic and Economically Disadvantaged student groups. The TAAS Reading passing rate was 54.8 percent for the All Students student group, 54.3 percent for the Hispanic student group, and 54.8 percent for the Economically Disadvantaged student group.

As a result of the Low-Performing rating, a review team visited Amigos Por Vida-Friends for Life Charter School to review efforts to improve student performance in TAAS Reading through implementation of initiatives that impacted the condition of performance. The team also reviewed support for this Low-Performing campus; the federal Title I, Part A program; and significant factors that impacted the performance of the specific student group(s). The review consisted of examination of relevant documents and interviews with school staff members. The content of this report was determined by consensus of the review team.

School Description

Amigos Por Vida-Friends for Life Charter School is located in Harris County in the southeastern area of Texas. It is approximately 20 miles from the Region IV Education Service Center (ESC) located in Houston, Texas. Current enrollment for this campus is 353 students. Student demographic information and TAAS performance are depicted in the following tables.

Ethnicity	Number	Percent
African American	19	5.4
Asian	0	0.0
Hispanic	331	93.8
Native American	0	0.0
White	2	0.6
Other	1	0.3
Total Campus Enrollment	353	100.0
Source of Data: District Data		

Student Category	Number	Percent
Economically Disadvantaged	340	96.3
Limited English Proficient	318	90.1
At Risk of Dropping Out of School	353	100.0
Migrant	0	0.0
Special Education	6	1.7
Source of Data: District Data		

TAAS Data Chart for All Student Groups*

Year	Condition of Performance	All Students	African American	Hispanic	White	Economically Disadvantaged
2002	Mathematics	64.5	**	65.2	NA	64.5
	Reading	54.8	**	54.3	NA	54.8
	Writing	63.2	NA	63.2	NA	63.2
	Social Studies	NA	Applicable to Grade 8 only			
2001	Mathematics	50.8	**	52.7	NA	50.8
	Reading	40.0	**	38.2	NA	40.0
	Writing	72.2	**	68.8	**	72.2
2000	Mathematics	100.0	NA	100.0	NA	100.0
	Reading	100.0	NA	100.0	NA	100.0
	Writing	**	NA	**	NA	**

*Low performance is indicated by bold, shaded type.

**Fewer than 5 students.

School Planning Process

Each charter school that is rated second-year low performing is required to have a school improvement plan. The purpose of the school improvement plan is to guide school staff members

in the improvement of student performance for all student groups in order to attain state standards in respect to the academic excellence indicators adopted under Texas Education Code (TEC) §39.051.

As part of the on-site evaluation process, the review team reviewed the school improvement plan and verified the implementation of the plan through interviews, roundtable discussions, and document reviews.

- 1. Has the school improvement plan been developed and reviewed by the school administration with input from other staff members for the purpose of improving student performance for all student populations, including students in special education programs, with respect to the academic excellence indicators and any other appropriate performance measures for special needs populations?**

Finding: Yes No NA

- 2. Does the school improvement plan (1) assess the academic achievement for each student in the school using the AEIS as described by TEC §39.051 and (2) address each academic excellence indicator for which the school's performance is unacceptable?**

Finding: Yes No NA

- 3. Does the school improvement plan set school performance objectives based on the AEIS with objectives for special needs populations, including students in special education programs?**

Finding: Yes No NA

Recommendation(s): The review team recommends that Amigos Por Vida-Friends for Life Charter School set performance objectives in its school improvement plan based on the AEIS with objectives for special needs populations, including students in special education programs.

- 4. Does the school improvement plan identify how the school goals will be met for each student?**

Finding: Yes No NA

- 5. Does the school improvement plan determine (identify) the resources needed to implement the plan?**

Finding: Yes No NA

Recommendation(s): The review team recommends that Amigos Por Vida-Friends for Life Charter School consistently identify resources within the school improvement plan.

6. Does the school improvement plan identify staff needed to implement the plan?

Finding: Yes No NA

7. Does the school improvement plan set timelines for reaching the goals?

Finding: Yes No NA

8. Does the school improvement plan periodically measure progress toward the performance objectives to ensure that the plan is resulting in academic improvement?

Finding: Yes No NA

9. Does the school improvement plan include goals and objectives for violence prevention and intervention on campus?

Finding: Yes No NA

10. Does the school improvement plan provide for a program to encourage parental involvement at the campus?

Finding: Yes No NA

Recommendations From Previous Reports

Through a review of school documents, roundtable discussions, and staff interviews, the review team determined that there no recommendations from the previous school year.

Quality Points Impacting Instruction

1. High Expectations:

A. Is emphasis placed on high expectations for identified low-performing student groups?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

B. Is the curriculum differentiated to challenge individual students and to address their needs?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

C. Is there an instructional plan to improve the performance of low-performing students (i.e., strategies, instructional arrangements, etc.)?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

D. Teachers and staff have communicated high expectations for students.

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

2. School Climate:

A. Is there an orderly, purposeful, business-like atmosphere?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

B. Is the learning environment maintained by engaging students and promoting a sense of community in the classroom?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

C. Is the school community working together to achieve purposeful performance objectives?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

D. Does the school reflect an academic environment (i.e., student work displayed, etc.)?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|---|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input checked="" type="checkbox"/> other: <u>classroom observation</u> | |

3. Parental Involvement:

A. Do parents and community members understand the school's basic mission?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

B. Do parents feel comfortable coming to school?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|---|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input checked="" type="checkbox"/> other: <u>on-site observation</u> | |

C. Is there a plan in place to improve parental involvement?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

D. Are all parent groups actively engaged in the learning environment?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|--|--|--|
| <input type="checkbox"/> district roundtable | <input type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

4. Instructional Focus:

A. Have instructional goals, assessment procedures, and accountability been prioritized to help the low-performing groups meet the school's basic mission?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

B. Have the teachers provided input into modifications of the curriculum to address the needs of the low-performing students?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

C. Have teachers received staff development training to address the needs of all students including students identified as at risk?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input checked="" type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

D. Are time allocations balanced to maximize instructional time during the day to optimize student learning (i.e., varied instructional arrangements, student-directed and teacher-directed learning, cooperative learning, etc.)?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

Recommendation(s): The review team recommends that Amigos Por Vida-Friends for Life Charter School explore options for implementing flexible grouping arrangements to meet the variety of instructional needs and teaching capabilities of staff.

5. Monitoring and Evaluation:

A. Is the academic progress of the low-performing group(s) measured frequently through a variety of assessment procedures?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|---|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input checked="" type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

B. Does the school use a variety of measures to assess student performance?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

C. Are there formative or periodic evaluations established to measure student progress?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

D. Are the performance evaluations used frequently to modify and revise instructional strategies to ensure improved performance?

Quality Point Finding: Yes No

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> parent roundtable |
| <input checked="" type="checkbox"/> campus roundtable | <input type="checkbox"/> charter school student data | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> board interviews |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> other: _____ | |

Recommendation(s): The review team recommends that Amigos Por Vida-Friends for Life Charter School use performance evaluations to modify instructional strategies on a continuous basis to improve student performance.

School Initiatives Impacting the Condition of Performance

In the context of this report, an initiative may be defined as an innovative approach within the educational program designed to substantially impact student outcomes in areas of low performance. It may address instructional practices, curriculum, scheduling, or comprehensive use of instructional technology. Initiatives are comprehensive, broad-based, and focused on identified student needs. Initiatives involve a substantial commitment of staff, time, and resources to ensure success. An initiative should also address the condition(s) of performance and be relatively new

(less than two years). Through interviews, document review, and roundtable discussions the review team learned that the campus has implemented the following initiatives to address the condition of performance.

Initiative: Student Success Initiative

1. Has the initiative been implemented within the last two years?

Finding: Yes No

2. Have sufficient resources been allocated for the effective implementation of the initiative?

Finding: Yes No

3. Has the campus provided teachers with staff development to ensure effective implementation of the initiative?

Finding: Yes No

4. Has the initiative with appropriate instructional strategies been included in the campus improvement plan?

Finding: Yes No

5. Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?

Finding: Yes No

6. Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?

Finding: Yes No

Recommendation(s): The review team recommends that the school continue to use formative evaluations to determine if the initiative is improving the condition of performance. Current student performance results are not indicative that the Student Success Initiative is positively impacting student performance results.

Initiative: Staff Development

1. Has the initiative been implemented within the last two years?

Finding: Yes No

2. Have sufficient resources been allocated for the effective implementation of the initiative?

Finding: Yes No

3. Has the campus provided teachers with staff development to ensure effective implementation of the initiative?

Finding: Yes No

4. Has the initiative with appropriate instructional strategies been included in the campus improvement plan?

Finding: Yes No

5. Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?

Finding: Yes No

6. Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?

Finding: Yes No

Recommendation(s): The review team recommends that the school continue to use formative evaluations to determine if the initiative is improving the condition of performance. Current student performance results are not indicative that the staff development initiative is positively impacting student performance results.

Initiative: Additional Staff

1. Has the initiative been implemented within the last two years?

Finding: Yes No

2. **Have sufficient resources been allocated for the effective implementation of the initiative?**

Finding: Yes No

3. **Has the campus provided teachers with staff development to ensure effective implementation of the initiative?**

Finding: Yes No

4. **Has the initiative with appropriate instructional strategies been included in the campus improvement plan?**

Finding: Yes No

5. **Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?**

Finding: Yes No

6. **Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?**

Finding: Yes No

Recommendation(s): The review team recommends that the school continue to use formative evaluations to determine if the initiative is improving the condition of performance. Current student performance results are not indicative that the staff development initiative is positively impacting student performance results.

Initiatives from Previous Reports

Through a review of charter school documents, roundtable discussions, and staff interviews, the review team determined the following initiatives from previous reports.

2001-2002

Initiative: Bilingual Education Program

According to the 2001 Charter School Initial On-Site Review Report, Amigos Por Vida-Friends for Life Charter School did not receive bilingual education funds for the 2000-2001 school year. Furthermore, although the school had a limited English proficiency (LEP) student population last year of 54.2 percent of the total school enrollment, Amigos Por Vida Charter School did not provide bilingual education services. However, for the 2001-2002 school year, the school is in the process of implementing a bilingual program and, according to the Accountability Profile, the school received \$94,072 in bilingual education funds for the 2001-2002 school year. A bilingual education coordinator has been employed who has bilingual education certification. The coordinator works with 10 teachers who are providing bilingual instruction in Grades PK-3. Since the bilingual teachers are not certified, the coordinator meets with the bilingual teachers each day and models the instructional methods outlined in the teachers' lesson plans. Bilingual instruction is delivered through small-group instruction for 55 minutes each day. The program focuses on the development of vocabulary. Interviews revealed that the average student in Grade 2 knows 6,000 root words. The goal of the program is for each student, by the end of Grade 2, to know 80 percent of the Grade 2 vocabulary words, 40 percent of the Grade 3 vocabulary words, and 20 percent of the Grade 4 vocabulary words.

Recommendations: The review team recommends that the bilingual coordinator continue to work closely with the bilingual teachers. The team recommends that the bilingual teachers be encouraged to obtain bilingual education certification. The team also recommends that the bilingual teachers receive extensive staff development from the Region IV ESC in bilingual instructional methodologies and learning styles. Finally, the review team recommends that the coordinator conduct periodic assessments of the bilingual education program throughout the school year to ensure that student needs are being met.

Finding: Yes No

Initiative: Parental Involvement

Interviews revealed that improving parental involvement is a major initiative being implemented at Amigos Por Vida-Friends for Life Charter School. For the 2001-2002 school year, a Parent-Teacher Organization (PTO) has been formed, and interviews revealed that about 100 parents have become members. The review team learned through interviews that 76 parents attended the last PTO meeting. At the parent roundtable, parents related that the school

needs to continue encouraging parents to attend PTO meetings since many parents work and must care for several children at home. Parents also stated that the school and PTO are working to increase the number of parent volunteers working in the school. Interviews revealed that parents are encouraged to accompany their children on field trips. A T-shirt logo contest is being conducted to increase parent involvement, and a carnival is being planned to encourage parents to visit the school. Since many parents have not completed high school, the school plans to conduct classes for parents to improve reading and writing skills. Parenting classes are being planned to instruct young parents in proper childcare.

Recommendations: The review team recommends that the school and PTO continue to collaborate closely to improve parental involvement. Additional strategies should be developed and implemented to increase parental involvement, including conducting programs that feature students at PTO meetings; holding an open house for parents to meet teachers; having teachers conduct home visits; performing a student play for parents; and holding covered-dish suppers at the school periodically during the year for teachers, parents, and students. Childcare services using parent volunteers could be provided at PTO meetings. Finally, the review strongly recommends that the school implement the parent classes to better educate parents and to improve the quality childcare.

Finding: Yes No

Initiative: After-School Program

Amigos Por Vida-Friends for Life Charter School has implemented an after-school program that consists of a variety of student-centered activities. Tutorials are conducted for students from 3-4 p.m., Monday through Thursday. Students participate in soccer, cheerleading, guitar class, karate, and art and dance classes. Staff interviews revealed that as an incentive to improve student performance, students must be passing all classes in order to participate in the after-school program. The review team noted that the school does not have a library or media center. Comments from staff disclosed that the lack of space prevents the charter school from having a school library.

Recommendations: The review team recommends that the school continue to offer the after-school program and, if possible, expand the number of after-school activities. Additional organized sports, such as basketball, could be offered. Reading clubs could be organized, and appropriate movies could be shown after school. Additionally, book fairs could be conducted as an after-school activity.

Finding: Yes No

Initiative: Improving School Climate

Interviews revealed that Amigos Por Vida-Friends for Life Charter School is implementing several strategies designed to improve the school climate. A Halloween dance was held in October. A Christmas party with Santa Claus was being planned for the children. The review team learned at the parent roundtable discussion that the PTO is working to improve school safety by instructing parents in the proper procedures for picking up children after school. A student council has been organized. A food drive was being conducted for Thanksgiving; and a Valentine dance was being planned, as well as clown face painting.

Recommendations: The review team recommends that community resources be used to improve the school climate. Police officers could visit with students about safety and drug awareness. Business representatives could be invited to talk with students about various career fields. Reward and incentive programs could be developed to reward attendance and academic achievement. A good citizen award could be given each month, and student safety patrols could be organized before and after school.

Finding: Yes No

Title I, Part A Initiative(s)

Initiative: Additional Staff

1. **Has the initiative been implemented within the last two years?**

Finding: Yes No

2. **Have sufficient resources been allocated for the effective implementation of the initiative?**

Finding: Yes No

3. **Has the campus provided teachers with staff development to ensure effective implementation of the initiative?**

Finding: Yes No

4. **Has the initiative with appropriate instructional strategies been included in the campus improvement plan?**

Finding: Yes No

5. Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?

Finding: Yes No

6. Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?

Finding: Yes No

Recommendation: The review team recommends that the school continue to use formative evaluations to determine if the initiative is improving the condition of performance. Current student performance results indicate that the Additional Staff initiative is not positively impacting student performance results.

Initiative: Summer School

1. Has the initiative been implemented within the last two years?

Finding: Yes No

2. Have sufficient resources been allocated for the effective implementation of the initiative?

Finding: Yes No

3. Has the campus provided teachers with staff development to ensure effective implementation of the initiative?

Finding: Yes No

4. Has the initiative with appropriate instructional strategies been included in the campus improvement plan?

Finding: Yes No

5. Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?

Finding: Yes No

6. Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?

Finding: Yes No

Initiative: Staff Development

1. Has the initiative been implemented within the last two years?

Finding: Yes No

2. Have sufficient resources been allocated for the effective implementation of the initiative?

Finding: Yes No

3. Has the campus provided teachers with staff development to ensure effective implementation of the initiative?

Finding: Yes No

4. Has the initiative with appropriate instructional strategies been included in the campus improvement plan?

Finding: Yes No

5. Has the initiative been frequently or periodically evaluated to assess effectiveness in addressing the condition of performance?

Finding: Yes No

6. Do the results of the formative evaluations indicate that the initiative is improving the condition of performance?

Finding: Yes No

Recommendation(s): The review team recommends that the school continue to use formative evaluations to determine if the initiative is improving the condition of performance. Current student performance results indicate that the staff development initiative is not positively impacting student performance results.

Title I, Part A Initiatives From Previous Reports

Through a review of charter school documents, roundtable discussions, and staff interviews, the review team determined the following findings regarding Title I, Part A initiatives from previous reports.

2001-2002

Initiative: The review team learned through document review and staff interviews that Amigos Por Vida-Friends for Life Charter School received a Title I, Part A Schoolwide entitlement of approximately \$63,768 for the 2001-2002 school year. Financial records indicated that approximately \$50,000 is designated for payroll costs; \$6,377 is designated for professional and contracted services; and \$7,391 is designated for materials and supplies. The school recently received an additional amount of approximately \$17,000 in Title I, Part A funds.

The stated purpose of the Title I, Part A funds is to improve students' reading skills in all grades. The charter school has implemented an after school tutorial program, Monday-Thursday, from 3 p.m. to 4 p.m. Classroom teachers provide the after-school tutorial services for students in all content areas as needed, with an intense emphasis on reading. Additionally, Amigos Por Vida-Friends for Life Charter School recently implemented a reading initiative that includes the involvement of Dr. Eldo Bergman and the Texas Reading Institute. The primary focus of the initiative is vocabulary development for students in Grades PK-6.

According to support staff interview comments, students who attend Amigos Por Vida-Friends for Life Charter School are poor readers who have difficulty speaking and transitioning from their native language of Spanish to English; and they lack the experiences of having parents or others who read fluently to the students from the ages of three and four. Based on these stated concerns, the school is introducing the Peabody Picture Vocabulary, which includes the basic 6,000 root words recognized by the average Grade 2 student. These words are considered as nonsense words, which will be introduced to the students in small-group settings for the purpose of transitioning from the Spanish language to the English language. Students will participate in these structured settings each day for a 55-minute block of time. Classroom teachers, students from the Texas Reading Institute, and volunteers will be responsible for working with the students during the scheduled 55-minute block of time. Plans are in place to have students work at computers in the near future. Dr. Bergman is the person responsible for the overall implementation of this reading initiative. In addition, the school is exploring ways to involve parents in learning to read and interact with their children. Currently, the school has set a goal of getting at least 15 percent of parents involved in the reading initiative.

Staff development for teachers is a critical aspect of the reading initiative. Teachers are engaged in related training with Dr. Bergman after school and on Saturdays. Several teachers commented during classroom interviews and staff roundtable discussion that they had attended

reading and writing workshops at the Region IV ESC. However, other teachers had not attended any related reading training at the Region IV ESC or at other locations outside of school. It was evident to the review team during classroom visits that teachers would benefit from attending training that would assist them in acquiring teaching strategies, pedagogy, methodology, and skills. Much of the instruction observed by the on-site team included whole-group, lecture-type instruction, implying that all students are functioning at the same learning level and that the students all learn in the same way. In most cases, teachers did not deliver instruction using a variety of strategies to fully engage all students in the expected tasks. Time on task for some students was minimal; and in very few instances were students afforded the opportunity to participate in hands-on activities.

The review team determined that due to the early stages of development of the reading initiative, no evaluations had occurred at the time of the on-site visit. Further support staff comments revealed that it takes at least five years to develop good vocabulary. However, students' spring 2002 TAAS results will be one tool used to evaluate the effectiveness of the reading initiative. In addition, the school will use the results from the Texas Primary Reading Inventory (TPRI) and the Stanford 9 Achievement Test to measure the effectiveness of the new reading initiative.

Recommendations: The review team strongly recommends that the school administration and teaching staff work collaboratively in developing an annual staff development plan for teachers, with the assistance of staff at the Region IV ESC. The review team acknowledges the efforts of Dr. Bergman of the Texas Institute of Reading in working with the students and teachers at Amigos Por Vida-Friends for Life Charter School in the area of reading; however, classroom teachers have the responsibility of delivering instruction to students. Additionally, teachers are charged with acquiring the necessary basic teaching skills and strategies to assist in the effective delivery of instruction that engages all students in the learning process, as well as meets the individual needs of all students.

Finding: Yes No

School Data Analysis: TAAS Student Performance

1. Student Performance:

A. Did 25 percent or more of the students identified in the low-performing group pass TAAS (Reading and/or Mathematics) the next year?

Finding: Yes No NA

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input checked="" type="checkbox"/> charter school documents | <input type="checkbox"/> program staff interview |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> student folder review | <input checked="" type="checkbox"/> accountability profile |
| <input checked="" type="checkbox"/> teacher interview | <input type="checkbox"/> parent roundtable | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> charter school student data | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> state document review |
| <input type="checkbox"/> other: _____ | | |

Teacher Staffing Patterns Impacting Student Performance

Teachers	Low-Performing Campus		Charter School**	
	Number	Percent	Number	Percent
Total number of classroom teachers	20	100		
Number of fully certified* classroom teachers	1	5		
Number of classroom teachers on emergency permit	0	0		
Number of beginning classroom teachers	1	5		
Number of classroom teachers with 1-5 years of experience	16	80		
Number of classroom teachers with 6-10 years of experience	1	5		
Number of classroom teachers with 11-20 years of experience	1	5		
Number of classroom teachers with 20 or more years of experience	0	0		

*Fully certified classroom teachers are teachers whose teaching certificate is on file with the charter school.

**Not applicable to single-campus charter schools.

B. Is the percent of fully certified classroom teachers on the low-performing campus comparable (within 5 percent) to the percent of fully certified classroom teachers in the charter school?

Finding: Yes No NA

Sources of Documentation:

- | | | |
|---|--|--|
| <input type="checkbox"/> district roundtable | <input type="checkbox"/> charter school documents | <input type="checkbox"/> program staff interview |
| <input checked="" type="checkbox"/> principal interview | <input type="checkbox"/> student folder review | <input type="checkbox"/> accountability profile |
| <input type="checkbox"/> teacher interview | <input type="checkbox"/> parent roundtable | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> charter school student data | <input checked="" type="checkbox"/> superintendent interview | <input type="checkbox"/> state document review |
| <input type="checkbox"/> other: _____ | | |

C. Is the percent of beginning classroom teachers on the low-performing campus comparable (within 5 percent) to the percent of beginning classroom teachers in the charter school?

Finding: Yes No NA

Sources of Documentation:

- | | | |
|---|---|--|
| <input type="checkbox"/> district roundtable | <input type="checkbox"/> charter school documents | <input type="checkbox"/> program staff interview |
| <input checked="" type="checkbox"/> principal interview | <input checked="" type="checkbox"/> student folder review | <input type="checkbox"/> accountability profile |
| <input type="checkbox"/> teacher interview | <input type="checkbox"/> parent roundtable | <input type="checkbox"/> financial data |
| <input checked="" type="checkbox"/> charter school student data | <input type="checkbox"/> superintendent interview | <input type="checkbox"/> state document review |
| <input type="checkbox"/> other: _____ | | |

Significant Factors Impacting the Condition of Performance

2002-2003

Significant Factor: Governance and Leadership

The review team determined through document review, roundtable discussions, and staff interviews that Amigos Por Vida-Friends for Life Charter School has been challenged by governance and leadership issues that have overshadowed the focus on student performance. In spring 2002, a newly appointed school board replaced the management company responsible for the governance and leadership problems. The new board also replaced the superintendent and hired a new superintendent who is much more responsive to the needs of students and other stakeholders. The superintendent has taken steps to correct the nonprovision of special education services to eligible students by initiating speech disorder contracted services and taking steps to provide other services mandated by federal law. This superintendent, along with the staff, has undertaken a needs assessment to determine a course of action focused on student performance and staff development.

Recommendation(s): The review team recommends the Amigos Por Vida-Friends for Life Charter School continue to implement the school plan for improving student achievement and

increasing the staff's capacity to meet the needs of low-performing students through consistent and appropriate staff development

Significant Factor: Student Population

The review team determined through document review, roundtable discussions, and teacher/administrator interviews that 92 percent of the students are LEP, 93.4 percent are economically disadvantaged, and 100 percent are at risk. Approximately 98 percent of the students come from homes where Spanish is the dominant language. These students are in classes where the teacher's dominant language is Spanish, especially in Grades PK-2. The staff believes that a significant number of students are in home environments where parents are not literate in Spanish or English. These circumstances create an environment where many students have limited exposure to sufficient models of spoken or written English.

Recommendation(s): The review team recommends that the Amigos Por Vida-Friends for Life Charter School continue its efforts to provide the adult literacy programs for parents, including the General Educational Development (GED) program, as well as the English literacy and parenting programs. It is also recommended that Amigos Por Vida-Friends for Life Charter School continue to collaborate with the PTO to provide training for parents that will enhance their ability to reinforce learning at home. The review team further recommends that this charter school continue its efforts to attract certified staff proficient in English and Spanish to provide strong models of spoken English in the school environment. Lastly, it is recommended that students' background, language, ethnicity, or socioeconomic status not be deterrents to the provision of educational equity and success of these students or inhibit the beliefs behind the No Child Left Behind Act.

Significant Factors From Previous Reports

Through a review of charter school documents, roundtable discussions, and staff interviews, the review team determined the following findings regarding significant factors from previous reports.

2001-2002

Significant Factor: Changes in Administrative Leadership

The review team determined through observations and comments from school staff members and parents that the recent appointment of the interim principal has had a positive impact on the school's climate and morale. However, interviews disclosed that the board does not support the charter school or the interim principal. The interim principal is perceived as an individual who is "child-focused" and "pro-child." Since her appointment by the board in April 2001, the interim principal has worked very hard to establish a warm, inviting atmosphere throughout the school. The team saw evidence that the interim principal, along with teachers and other school support staff, has a vision of excellence in education and a willingness to do what it takes to make Amigos Por Vida-Friends for Life Charter School a better place for children to learn and grow. The review team acknowledges the interim principal and staff members for exploring

ways to improve student achievement in the area of reading, in addition to mathematics, writing, and general respect. It is the belief of the review team that only the sustained, combined efforts of all stakeholders, including the board, will improve student performance significantly. The review team challenges the charter school to this commitment and wishes the school well in its efforts.

Recommendations: While governance issues were not under the purview of this accreditation visit, it was determined that the governance issue was impacting the charter school in significant ways. The review team recommends that the board work cooperatively with the interim principal and school staff and direct attention to the seriousness of the school's accountability rating. Supporting and providing resources for the Low-Performing charter school, especially its new interim principal and school staff, should be top priority for the board. It is hoped that the board makes the decision to provide guidance and support to Amigos Por Vida-Friends for Life Charter School.

Finding: Yes No NA

Significant Factor: Student Population

Amigos Por Vida-Friends for Life Charter School has a student enrollment of approximately 315 students. The majority of the students, at least 95 percent, are native Spanish speakers from low-income homes where parents have little or no formal education and are themselves predominately Spanish speakers. The students have limited experiences outside of their neighborhood, and they enter school in many cases functioning two to three grades levels below the expected level for instruction. Some students have come directly from Mexico and are functioning at a much lower level than the Spanish-speaking student who was born in the United States. The students are poor readers and have much difficulty in learning the syntax of English, making the transition from Spanish to English very difficult. However, despite the stated deficiencies of the students that impact student learning, the review team observed students who are eager to learn and who demonstrate an excitement for learning.

Recommendations: The review team strongly recommends that the administration and school staff members not allow the students' background, ethnicity, and socioeconomic condition to be deterrents to the students receiving the best quality education at Amigos Por Vida-Friends for Life Charter School. Parents need a better way of life for their children, and the key to achieving a better life is a good education.

Finding: Yes No NA

Significant Factor: Instructional Resources

Throughout the on-site visit, the review team learned that instructional supplies, materials, and manipulatives were readily available, unlike the previous school year. Additionally, all staff members voiced appreciation to the interim principal for ordering the appropriate state-adopted textbooks, which the school lacked during the 2000-2001 school year. The review team acknowledges the efforts of the interim principal in providing the needed resources to help teachers and other support staff members in their quest to enhance performance for all students.

Recommendations: The review strongly encourages the administration to continue to assess the needs of teachers and other support staff members to ensure that they have the appropriate instructional materials and supplies to enhance the instructional delivery for teachers, thereby leading to improved student achievement.

Finding: Yes No NA

CHARTER HOLDER SPECIAL EDUCATION ASSURANCES

DIRECTIONS:

- Type or print the name of the charter holder and the charter school in the General Assurance Statement below.
- The Chairperson of the Board of the Charter Holder must initial each of the section titles on the lines below AND check each of the selected cites in the boxes below to indicate the charter holder's assurance of compliance with each of the specific cites.
- The Chairperson of the Board of the Charter Holder must sign the document in the space provided on the final page of the assurances.
- Mail the original signed document to the **Charter Schools Division, Texas Education Agency, 1701 N. Congress, Austin, TX 78701.**

NOTE:

The rules and regulations have been slightly modified to clarify the charter holder's responsibility. Changes to actual regulations are indicated by brackets. Empty brackets indicate deletions. Brackets around words indicate paraphrased or changed wording.

General Assurance Statement

Amigos Por Vida,

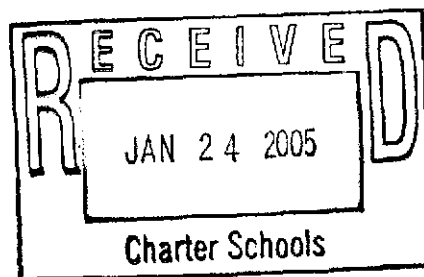
Friends for Life Housing

Amigos Por Vida -FFL

& Education Corporation, charter holder for Open Enrollment Charter School, assures that it has policies and procedures in place that ensure implementation of all federal regulations, Texas laws, State Board of Education (SBOE) rules, and commissioner rules related to students with disabilities, including those initiated and checked below, and further assures that any future amendments to the regulations, laws, and rules will be incorporated and implemented.

A. Child Find

Initial: mk



34 CFR §300.125. Child Find.

(a) General requirement.

(1) The [charter holder] shall have in effect policies and procedures to ensure that—

- (i) All children with disabilities, [enrolled in the charter school or who contact the charter school regarding enrollment], regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated; and
- (ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

(2) The requirements of paragraph (a)(1) of this section apply to—

- (i) Highly mobile children with disabilities (such as migrant and homeless children); and
- (ii) Children who are suspected of being a child with a disability under [CFR 34] §300.7 and in need of special education, even though they are advancing from grade to grade.

[(c) The charter holder will notify the local ECT program of all children suspected of having a disability, from birth through the age of two, within 2 working days. The charter holder will maintain documentation of the referral and that the individual evaluation occurred within 45 calendar days.]

- (e) Confidentiality of child find data. The collection and use of data to meet the requirements of this section are subject to the confidentiality requirements of §§300.560-300.577.

B. Confidentiality

Initial: mk

TEC §26.004. Access to Student Records.

[The charter holder recognizes] that a parent is entitled to access to all written records of a school district [or charter holder] concerning the parent's child, including:

- (1) attendance records;
- (2) test scores;
- (3) grades;
- (4) disciplinary records;
- (5) counseling records;
- (6) psychological records;
- (7) applications for admission;
- (8) health and immunization information;
- (9) teacher and counselor evaluations; and
- (10) reports of behavioral patterns.

19 TAC §89.1050(f)(3) [Transfer of Records].

- (f) (3) In accordance with TEC §25.002, the school district [or charter school] in which the student was previously enrolled will furnish the new school district [or charter school] with a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student was enrolled in the new school []. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., §1232g, does not require the student's current and previous school districts [or charter schools] to obtain parental consent before requesting or sending the student's special education records if the disclosure is conducted in accordance with 34 CFR, §99.31(a)(2) and §99.34.

34 CFR §300.127. Confidentiality of personally identifiable information.

- (a) The [charter holder] must have on file in detail the policies and procedures [] to ensure protection of the confidentiality of any personally identifiable information, collected, used, or maintained under Part B of the [IDEA].

34 CFR §300.560. Definitions.

As used in §§300.560-300.577—

- (a) Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- (b) Education records means the type of records covered under the definition of "education records" in 34 CFR part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974).
- (c) Participating agency means any agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the [IDEA].

34 CFR §300.561. Notice to parents.

- (a) The [charter holder] shall give notice that is adequate to fully inform parents about the requirements of §300.127, including—

- (1) A description of the extent that the notice is given in the native languages of the various population groups in the State;

- (2) A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the [charter holder] intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
 - (3) A summary of the policies and procedures that the [charter holder] must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and
 - (4) A description of all of the rights of parents and children regarding this information, including the rights under the Family Educational Rights and Privacy Act of 1974 and implementing regulations in 34 CFR part 99.
- (b) Before any major identification, location, or evaluation activity, the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents of the activity.

34 CFR §300.562. Access rights.

- (a) [The charter holder] shall permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the [charter holder] under this part. The [charter holder] shall comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to §§300.507 and 300.521-300.528, and in no case more than 45 days after the request has been made.
- (b) The right to inspect and review education records under this section includes—
 - (1) The right to a response from the [charter holder] to reasonable requests for explanations and interpretations of the records;
 - (2) The right to request that the [charter holder] provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
 - (3) The right to have a representative of the parent inspect and review the records.
- (c) [The charter holder] may presume that the parent has authority to inspect and review records relating to his or her child unless the [charter holder] has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

34 CFR §300.563. Record of access.

[The charter holder] shall keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the [IDEA] (except access by parents and authorized employees of the [charter holder]), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

34 CFR §300.564. Records on more than one child.

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

34 CFR §300.565. List of types and locations of information.

[The charter holder] shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the [charter holder].

34 CFR §300.566. Fees.

- (a) [The charter holder] may charge a fee for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.
- (b) [The charter holder] may not charge a fee to search for or to retrieve information under this part.

34 CFR §300.567. Amendment of records at parent's request.

- (a) A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child may request the [charter holder] that maintains the information to amend the information.
- (b) The [charter holder] shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
- (c) If the [charter holder] decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a hearing under §300.568.

34 CFR §300.568. Opportunity for a hearing.

The [charter holder] shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

34 CFR §300.569. Result of hearing.

- (a) If, as a result of the hearing, the [charter holder] decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.
- (b) If, as a result of the hearing, the [charter holder] decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the [charter holder].
- (c) Any explanation placed in the records of the child under this section must—
 - (1) Be maintained by the [charter holder] as part of the records of the child as long as the record or contested portion is maintained by the [charter holder]; and
 - (2) If the records of the child or the contested portion is disclosed by the [charter holder] to any party, the explanation must also be disclosed to the party.

34 CFR §300.570. Hearing procedures.

A hearing held under §300.568 must be conducted according to the procedures under 34 CFR 99.22

34 CFR §300.571. Consent.

- (a) Except as to disclosures addressed in §300.529(b) for which parental consent is not required by Part 99, parental consent must be obtained before personally identifiable information is—
 - (1) Disclosed to anyone other than officials of participating agencies collecting or using the information under this part, subject to paragraph (b) of this section; or
 - (2) Used for any purpose other than meeting a requirement of this part.
- (b) An educational agency or institution subject to 34 CFR Part 99 may not release information from education records to participating agencies without parental consent unless authorized to do so under part 99.

34 CFR §300.572. Safeguards.

- (a) [The charter holder] shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- (b) One official at [the charter school] shall assume responsibility for ensuring the confidentiality of any personally identifiable information.
- (c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under §300.127 and 34 CFR part 99.
- (d) [The charter holder] shall maintain, for public inspection, a current listing of the names and positions of those employees within the [charter school] who may have access to personally identifiable information.

34 CFR §300.573. Destruction of information.

- (a) The [charter holder] shall inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child.
- (b) The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

34 CFR §300.574. Children's rights.

- (a) The [charter holder] shall provide policies and procedures regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.
- (b) Under the regulations for the Family Educational Rights and Privacy Act of 1974 (34 CFR 99.5(a)), the rights of parents regarding education records are transferred to the student at age 18.

- (c) If the rights accorded to parents under Part B of the [IDEA] are transferred to a student who reaches the age of majority, consistent with §300.517, the rights regarding educational records in §§300.562-300.573 must also be transferred to the student. However, the [charter holder] must provide any notice required under section 615 of the [IDEA] to the student and the parents.

34 CFR Part 99

[The charter holder assures that it will abide by the Family Education Rights and Privacy Act (FERPA).]

C. Procedural Safeguards

Initial: mf

34 CFR §300.504. Procedural safeguards notice.

- (a) General. A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents, at a minimum—
- (1) Upon initial referral for evaluation;
 - (2) Upon each notification of an IEP meeting;
 - (3) Upon reevaluation of the child; and
 - (4) Upon receipt of a request for due process under §300.507.
- (b) Contents. The procedural safeguards notice will include a full explanation of all of the procedural safeguards available under §§300.403, 300.500-300.529, and 300.560-300.577, and the State complaint procedures available under §§300.660-300.662 relating to—
- (1) Independent educational evaluation;
 - (2) Prior written notice;
 - (3) Parental consent;
 - (4) Access to educational records;
 - (5) Opportunity to present complaints to initiate due process hearings;
 - (6) The child's placement during pendency of due process proceedings;
 - (7) Procedures for students who are subject to placement in an interim alternative educational setting;
 - (8) Requirements for unilateral placement by parents of children in private schools at public expense;
 - (9) Mediation;
 - (10) Due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - (11) State-level appeals (if applicable in that State);
 - (12) Civil actions;
 - (13) Attorneys' fees; and
 - (14) The State complaint procedures under §§300.660-300.662, including a description of how to file a complaint and the timelines under those procedures.
- (c) Notice in understandable language. The notice required under paragraph (a) of this section must meet the requirements of §300.503(c).

[The charter holder will use the most current edition of the Notice of Procedural Safeguards, Issued by the Texas Education Agency, to meet the requirement under 34 CFR §300.504(b) and (c).]

D. NoticeInitial: ML 19 TAC §89.1015. Time Line for All Notices.

"Reasonable time" required for the written notice to parents under 34 Code of Federal Regulations (CFR), §300.503, is defined as at least five school days, unless the parents agree otherwise.

 34 CFR §300.503. Prior notice by the [charter holder]; content of notice.

(a) Notice.

- (1) Written notice that meets the requirements of paragraph (b) of this section must be given to the parents of a child with a disability a reasonable time before the [charter holder] —
 - (i) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
 - (ii) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.
- (2) If the notice described under paragraph (a)(1) of this section relates to an action proposed by the [charter holder] that also requires parental consent under §300.505, the [charter holder] may give notice at the same time it requests parent consent.

(b) Content of notice. The notice required under paragraph (a) of this section must include—

- (1) A description of the action proposed or refused by the [charter holder];
- (2) An explanation of why the [charter holder] proposes or refuses to take the action;
- (3) A description of any other options that the [charter holder] considered and the reasons why those options were rejected;
- (4) A description of each evaluation procedure, test, record, or report the [charter holder] used as a basis for the proposed or refused action;
- (5) A description of any other factors that are relevant to the [charter holder's] proposal or refusal;
- (6) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and
- (7) Sources for parents to contact to obtain assistance in understanding the provisions of this part.

(c) Notice in understandable language.

- (1) The notice required under paragraph (a) of this section must be—
 - (i) Written in language understandable to the general public; and
 - (ii) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.
- (2) If the native language or other mode of communication of the parent is not a written language, the [charter holder] shall take steps to ensure—
 - (i) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
 - (ii) That the parent understands the content of the notice; and
 - (iii) That there is written evidence that the requirements in paragraphs (c)(2) (i) and (ii) of this section have been met.

 34 CFR §300.345. Parent participation.

(a) [Charter holder] responsibility—general. The [charter holder] shall take steps to ensure that one of both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate, including—

- (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and

- (2) Scheduling the meeting at a mutually agreed on time and place.
- (b) Information provided to parents.
- (1) The notice required under paragraph (a)(1) of this section must—
- (i) Indicate the purpose, time, and location of the meeting and who will be in attendance; and
 - (ii) Inform the parents of the provisions in §300.344(a)(6) and (c) (relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child).
- (2) For a student with a disability beginning at age 14, or younger, if appropriate, the notice must also—
- (i) Indicate that a purpose of the meeting will be the development of a statement of the transition services needs of the student required in §300.347(b)(1); and
 - (ii) Indicate that the [charter holder] will invite the student.
- (3) For a student with a disability beginning at age 16, or younger, if appropriate, the notice must—
- (i) Indicate that a purpose of the meeting is the consideration of needed transition services for the student required in §300.347(b)(2);
 - (ii) Indicate that the [charter holder] will invite the student; and
 - (iii) Identify any other agency that will be invited to send a representative.

TEC §26.0081. Right to Information Concerning Special Education.

- (a) The agency [(TEA)] shall produce and provide to school districts [and charter holders] sufficient copies of a comprehensive, easily understood document [*The Guide to the ARD Process*] that explains the process by which an individualized education program is developed for a student in a special education program and the rights and responsibilities of a parent concerning the process. The document must include information a parent needs to effectively participate in an admission, review, and dismissal committee meeting for the parent's child.
- (b) [The charter holder will provide] the document required under this section to the parent as provided by 20 U.S.C. §1415(b):
- (1) as soon as practicable after a child is referred to determine the child's eligibility for admission into the [charter school's] special education program, but at least five school days before the date of the initial meeting of the admission, review, and dismissal committee; and
 - (2) at any other time on reasonable request of the child's parent.
- (c) The agency [(TEA)] shall produce and provide to school districts [and charter holders] a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of the parent's child for special education services under §29.004. Each school year, [beginning with the 2004-2005 school year, the charter holder] shall provide the written explanation to a parent of each [charter school] student by including the explanation in the student handbook or by another means.

19 TAC §89.1045. Notice to Parents for Admission, Review, and Dismissal (ARD) Committee Meetings.

- (a) [The charter holder] shall invite the parents and adult student to participate as members of the admission, review, and dismissal (ARD) committee by providing written notice in accordance with 34 Code of Federal Regulations (CFR), §§300.345, 300.503, and 300.505, and Part 300, Appendix A.

E. Consent

Initial: ML

34 CFR §300.500. General responsibility of public agencies; definitions.

- (a) [] [Each charter holder] establishes, maintains, and implements procedural safeguards that meet the requirements of §§300.500-300.529.
- (b) Definitions of "consent," [] As used in this part --
- (1) Consent means that --

- (i) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
- (ii) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
- (iii) (A) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime.
(B) If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

34 CFR §300.505. Parental consent.

(a) General.

- (1) Subject to paragraphs (a)(3), (b) and (c) of this section, informed parent consent must be obtained before—
 - (i) Conducting an initial evaluation or reevaluation; and
 - (ii) Initial provision of special education and related services to a child with a disability.
- (2) Consent for initial evaluation may not be construed as consent for initial placement described in paragraph (a)(1)(ii) of this section.
- (3) Parental consent is not required before—
 - (i) Reviewing existing data as part of an evaluation or a reevaluation; or
 - (ii) Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.
- (b) Refusal. If the parents of a child with a disability refuse consent for initial evaluation or a reevaluation, the [charter holder] may continue to pursue those evaluations by using the due process procedures under §§300.507-300.509, or the mediation procedures under §300.506 if appropriate, except to the extent inconsistent with State law relating to parental consent.
- (c) Failure to respond to request for reevaluation.
 - (1) Informed parental consent need not be obtained for reevaluation if the [charter holder] can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond.
 - (2) To meet the reasonable measures requirement in paragraph (c)(1) of this section, the [charter holder] must use procedures consistent with those in §300.345(d).
- (d) Additional State consent requirements. In addition to the parental consent requirements described in paragraph (a) of this section, a State may require parental consent for other services and activities under this part if it ensures that each public agency in the State establishes and implements effective procedures to ensure that a parent's refusal to consent does not result in a failure to provide the child with FAPE.
- (e) Limitation. [The charter holder] may not use a parent's refusal to consent to one service or activity under paragraphs (a) and (d) of this section to deny the parent or child any other service, benefit, or activity of the [charter holder], except as required by this part.

TEC §29.0041. Information and Consent for Certain Psychological Examinations or Tests.

- (a) On request of a child's parent, before obtaining the parent's consent under 20 U.S.C. §1414 for the administration of any psychological examination or test to the child that is included as part of the evaluation of the child's need for special education, [the charter holder] shall provide to the child's parent:
 - (1) the name and type of the examination or test; and
 - (2) an explanation of how the examination or test will be used to develop an appropriate individualized education program for the child.
- (b) If the [charter holder] determines that an additional examination or test is required for the evaluation of a child's need for special education after obtaining consent from the child's parent under Subsection (a), the [charter holder] shall provide the information described by Subsections (a)(1) and (2) to the child's parent regarding the additional examination or test and shall obtain additional consent for the examination or test.
- (c) The time required for the [charter holder] to provide information and seek consent under Subsection (b) may not be counted toward the 60 calendar days for completion of an evaluation under Section 29.004. If a parent does not give consent under Subsection (b) within 20 calendar days after the date the [charter holder] provided to the parent the information required by that subsection, the parent's consent is considered denied.

F. EvaluationInitial: ML **19 TAC §89.1011. Referral for Full and Individual Initial Evaluation.**

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of the [charter holder's] overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial, remedial, compensatory, and other services. If the student continues to experience difficulty in the general classroom after the provision of interventions, [charter holder] personnel must refer the student for a full and individual initial evaluation. This referral for a full and individual initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student.

 TEC §29.004. Full Individual and Initial Evaluation.

- (a) A written report of a full individual and initial evaluation of a student for purposes of special education services shall be completed not later than the 60th calendar day following the date on which the [charter holder], in accordance with 20 U.S.C. §1414(a), as amended, receives written consent for the evaluation, signed by the student's parent or legal guardian.
- (b) The evaluation shall be conducted using procedures that are appropriate for the student's most proficient method of communication.

 TEC §29.0041. Information and Consent for Certain Psychological Examinations or Tests.

- (a) On request of a child's parent, before obtaining the parent's consent under 20 U.S.C. §1414 for the administration of any psychological examination or test to the child that is included as part of the evaluation of the child's need for special education, [the charter holder] shall provide to the child's parent:
 - (1) the name and type of the examination or test; and
 - (2) an explanation of how the examination or test will be used to develop an appropriate individualized education program for the child.
- (b) If the [charter holder] determines that an additional examination or test is required for the evaluation of a child's need for special education after obtaining consent from the child's parent under Subsection (a), the [charter holder] shall provide the information described by Subsections (a)(1) and (2) to the child's parent regarding the additional examination or test and shall obtain additional consent for the examination or test.
- (c) The time required for the [charter holder] to provide information and seek consent under Subsection (b) may not be counted toward the 60 calendar days for completion of an evaluation under §29.004. If a parent does not give consent under Subsection (b) within 20 calendar days after the date the [charter holder] provided to the parent the information required by that subsection, the parent's consent is considered denied.

 34 CFR §300.531. Initial evaluation.

[The charter holder] shall conduct a full and individual initial evaluation, in accordance with §§300.532 and 300.533, before the initial provision of special education and related services to a child with a disability under Part B of the [IDEA].

 34 CFR §300.532. Evaluation procedures.

[The charter holder] shall ensure, at a minimum, that the following requirements are met:

- (a) (1) Tests and other evaluation materials used to assess a child under Part B of the [IDEA]—
 - (i) Are selected and administered so as not to be discriminatory on a racial or cultural basis; and
 - (ii) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so; and
- (2) Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.
- (b) A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be

involved in and progress in the general curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining—

- (1) Whether the child is a child with a disability under §300.7; and
 - (2) The content of the child's IEP.
- (c) (1) Any standardized tests that are given to a child—
- (i) Have been validated for the specific purpose for which they are used; and
 - (ii) Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.
- (2) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.
- (d) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- (e) Tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
- (f) No single procedure is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
- (g) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- (h) In evaluating each child with a disability under §§300.531--300.536, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- (i) The [charter holder] uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- (j) The [charter holder] uses assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

34 CFR §300.533. Determination of needed evaluation data.

- (a) Review of existing evaluation data. As part of an initial evaluation (if appropriate) and as part of any reevaluation under Part B of the [IDEA], a group that includes the individuals described in §300.344, and other qualified professionals, as appropriate, shall—
- (1) Review existing evaluation data on the child, including-
 - (i) Evaluations and information provided by the parents of the child;
 - (ii) Current classroom-based assessments and observations; and
 - (iii) Observations by teachers and related services providers; and
 - (2) On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine—
 - (i) Whether the child has a particular category of disability, as described in §300.7, or, in case of a reevaluation of a child, whether the child continues to have such a disability;
 - (ii) The present levels of performance and educational needs of the child;
 - (iii) Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and
 - (iv) Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum.
- (b) Conduct of review. The group described in paragraph (a) of this section may conduct its review without a meeting.
- (c) Need for additional data. The [charter holder] shall administer tests and other evaluation materials as may be needed to produce the data identified under paragraph (a) of this section.
- (d) Requirements if additional data are not needed.

- (1) If the determination under paragraph (a) of this section is that no additional data are needed to determine whether the child continues to be a child with a disability, the [charter holder] shall notify the child's parents—
 - (i) Of that determination and the reasons for it; and
 - (ii) Of the right of the parents to request an assessment to determine whether, for purposes of services under this part, the child continues to be a child with a disability.
- (2) The [charter holder] is not required to conduct the assessment described in paragraph (d)(1)(ii) of this section unless requested to do so by the child's parents.

19 TAC §89.1040. Eligibility Criteria.

- (a) Special education services. To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 Code of Federal Regulations (CFR), §300.7(a), subject to the provisions of 34 CFR, §300.7(c), the Texas Education Code (TEC), §29.003, and this section. The provisions in this section specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law.
- (b) Eligibility determination. The determination of whether a student is eligible for special education and related services is made by the student's admission, review, and dismissal (ARD) committee. Any evaluation or re-evaluation of a student shall be conducted in accordance with 34 CFR, §§300.530-300.536. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility must include, but is not limited to, the following:
 - (1) a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in the area of the disability; or
 - (2) a licensed or certified professional for a specific eligibility category defined in subsection (c) of this section.

34 CFR §300.534. Determination of eligibility.

- (a) Upon completing the administration of tests and other evaluation materials—
 - (1) A group of qualified professionals and the parent of the child must determine whether the child is a child with a disability, as defined in §300.7; and
 - (2) The [charter holder] must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.
- (b) A child may not be determined to be eligible under this part if—
 - (1) The determinant factor for that eligibility determination is—
 - (i) Lack of instruction in reading or math; or
 - (ii) Limited English proficiency; and
 - (2) The child does not otherwise meet the eligibility criteria under §300.7(a).
- (c) (1) [The charter holder] must evaluate a child with a disability in accordance with §§300.532 and 300.533 before determining that the child is no longer a child with a disability.
- (2) The evaluation described in paragraph (c)(1) of this section is not required before the termination of a student's eligibility under Part B of the [IDEA] due to graduation with a regular high school diploma, or exceeding the age eligibility for FAPE under State law.

34 CFR §300.535. Procedures for determining eligibility and placement.

- (a) In interpreting evaluation data for the purpose of determining if a child is a child with a disability under §300.7, and the educational needs of the child, [the charter holder] shall—
 - (1) Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
 - (2) Ensure that information obtained from all of these sources is documented and carefully considered.
- (b) If a determination is made that a child has a disability and needs special education and related services, an IEP must be developed for the child in accordance with §§300.340-300.350.

34 CFR §300.536. Reevaluation.

[The charter holder] shall ensure—

- (a) That the IEP of each child with a disability is reviewed in accordance with §§300.340-300.350; and

- (b) That a reevaluation of each child, in accordance with §§300.532-300.535, is conducted if conditions warrant a reevaluation, or if the child's parent or teacher requests a reevaluation, but at least once every three years.

34 CFR §300.540. Additional team members.

The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in §300.7, must be made by the child's parents and a team of qualified professionals which must include—

- (a) (1) The child's regular teacher; or
- (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
- (3) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
- (b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

34 CFR §300.541. Criteria for determining the existence of a specific learning disability.

- (a) A team may determine that a child has a specific learning disability if—
- (1) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a)(2) of this section, if provided with learning experiences appropriate for the child's age and ability levels; and
- (2) The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:
- (i) Oral expression.
- (ii) Listening comprehension.
- (iii) Written expression.
- (iv) Basic reading skill.
- (v) Reading comprehension.
- (vi) Mathematics calculation.
- (vii) Mathematics reasoning.
- (b) The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of—
- (1) A visual, hearing, or motor impairment;
- (2) Mental retardation;
- (3) Emotional disturbance; or
- (4) Environmental, cultural or economic disadvantage.

34 CFR §300.542. Observation.

- (a) At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.
- (b) In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

34 CFR §300.543. Written report.

- (a) For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility, as required by §300.534(a)(2), must include a statement of—
- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination;
- (3) The relevant behavior noted during the observation of the child;
- (4) The relationship of that behavior to the child's academic functioning;
- (5) The educationally relevant medical findings, if any;

- (6) Whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and
- (7) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.
- (b) Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

G. Development and Implementation of the Individualized Education Program (IEP);

Transfer Students; Transition; Extended School Year (ESY) Services;

Restraint, Seclusion, and Time-Out

Parent Placements in Private Schools

Initial: MLK

19 TAC §89.1050(a). [ARD committee]

- (a) [The charter holder] shall establish an admission, review, and dismissal (ARD) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted pursuant to §89.1011 of this title (relating to Referral for Full and Individual Initial Evaluation). The ARD committee shall be the individualized education program (IEP) team defined in federal law and regulations, including, specifically, 34 Code of Federal Regulations (CFR), §300.344. The [charter holder] shall be responsible for all of the functions for which the IEP team is responsible under federal law and regulations and for which the ARD committee is responsible under state law, including, specifically, the following:
- (1) 34 CFR, §§300.340-300.349, and Texas Education Code (TEC), §29.005 (Individualized Education Program);
 - (2) 34 CFR, §§300.400-300.402 (relating to placement of eligible students in private schools by a school district [or charter holder]);
 - (3) 34 CFR, §§300.452, 300.455, and 300.456 (relating to the development and implementation of service plans for eligible students in private school who have been designated to receive special education and related services);
 - (4) 34 CFR, §§300.520, 300.522, and 300.523, and TEC, §37.004 (Placement of Students with Disabilities);
 - (5) 34 CFR, §§300.532-300.536 (relating to evaluations, re-evaluations, and determination of eligibility);
 - (6) 34 CFR, §§300.550-300.553 (relating to least restrictive environment);
 - (7) TEC, §28.006 (Reading Diagnosis);
 - (8) TEC, §28.0211 (Satisfactory Performance on Assessment Instruments Required; Accelerated Instruction);
 - (9) TEC, §28.0212 (Personal Graduation Plan);
 - (10) TEC, §28.0213 (Intensive Program of Instruction);
 - (11) TEC, Chapter 29, Subchapter I (Programs for Students Who Are Deaf or Hard of Hearing);
 - (12) TEC, §30.002 (Education of Children with Visual Impairments);
 - (13) TEC, §30.003 (Support of Students Enrolled in the Texas School for the Blind and Visually Impaired or Texas School for the Deaf);
 - (14) TEC, §33.081 (Extracurricular Activities);
 - (15) TEC, Chapter 39, Subchapter B (Assessment of Academic Skills); and
 - (16) TEC, §42.151 (Special Education).

19 TAC §89.1050(d). [30-day timeline]

- (d) ARD committee shall make its decisions regarding students referred for a full and individual initial evaluation within 30 calendar days from the date of the completion of the written full and individual initial evaluation report. If the 30th day falls during the summer and school is not in session, the ARD committee shall have until the first day of classes in the fall to finalize decisions concerning the initial eligibility determination, the IEP, and placement, unless the full and

individual initial evaluation indicates that the student will need extended school year (ESY) services during that summer.

19 TAC §89.1045(b). Notice to Parents for Admission, Review, and Dismissal (ARD) Committee Meetings.

- (b) A parent may request an ARD committee meeting at any mutually agreeable time to address specific concerns about his or her child's special education services. The [charter holder] must respond to the parent's request either by holding the requested meeting or by requesting assistance through the Texas Education Agency's mediation process. The [charter holder] should inform parents of the functions of the ARD committee and the circumstances or types of problems for which requesting an ARD committee meeting would be appropriate.

34 CFR §300.342. When IEPs must be in effect.

- (a) General. At the beginning of each school year, [the charter holder] shall have an IEP in effect for each child with a disability within its jurisdiction.
- (b) Implementation of IEPs. [The charter holder] shall ensure that—
- (1) An IEP—
 - (i) Is in effect before special education and related services are provided to an eligible child under this part; and
 - (ii) Is implemented as soon as possible following the meetings described under §300.343;
 - (2) The child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and
 - (3) Each teacher and provider described in paragraph (b)(2) of this section is informed of—
 - (i) His or her specific responsibilities related to implementing the child's IEP; and
 - (ii) The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

19 TAC §89.1050(b). [IFSP/IEP]

- (b) For a child from birth through two years of age with visual and/or auditory impairments, an individualized family services plan (IFSP) meeting must be held in place of an ARD committee meeting in accordance with 34 CFR, §§303.340-303.346, and the memorandum of understanding between the Texas Education Agency (TEA) and Texas Interagency Council on Early Childhood Intervention. For students three years of age and older, the [charter holder] must develop an IEP.

19 TAC §89.1050(f). For a student who is new to a [charter school]:

- (f) (1) when a student transfers within the state, the ARD committee may, but is not required to, meet when the student enrolls and a copy of the student's IEP is available, the parent(s) indicate in writing that they are satisfied with the current IEP, and the [charter holder] determines that the current IEP is appropriate and can be implemented as written; or
- (2) if the conditions of subsection (f)(1) of this section are not met, then the ARD committee must meet when the student enrolls and the parents verify that the student was receiving special education services in the previous school district or [charter school], or the previous school verifies in writing or by telephone that the student was receiving special education services. At this meeting, the ARD committee must do one of the following:
- (A) the ARD committee may determine that it has appropriate evaluation data and other information to develop and begin implementation of a complete IEP for the student; or
 - (B) the ARD committee may determine that valid evaluation data and other information from the previous school district [or charter school] are insufficient or unavailable to develop a complete IEP. In this event, the ARD committee may authorize the provision of temporary special education services pending receipt of valid evaluation data from the previous school district [or charter school] or the collection of new evaluation data by the current [charter holder]. In this situation, a second ARD committee meeting must be held within 30 school days from the date of the first ARD committee meeting to finalize or develop an IEP based on current information.
- (3) In accordance with TEC, §25.002, the school district [or charter school] in which the student was previously enrolled shall furnish the new school district [or charter holder] with a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student was enrolled in the new school district [or charter school]. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., §1232g, does not require the student's current and previous school districts [or charter holders] to obtain parental consent before requesting or sending the student's special education records if the disclosure is conducted in accordance with 34 CFR, §99.31(a)(2) and §99.34.

34 CFR §300.121. Free appropriate public education (FAPE).

- (a) General. [] [The charter holder] has in effect a policy that ensures that all children with disabilities aged 3 through 21 enrolled in the [charter school] have the right to FAPE, including children with disabilities who have been suspended or expelled from school.
- (b) Required information. The information described in paragraph (a) of this section must--
- (2) Show that the policy--
- (i) (B) Is consistent with the requirements of §§300.300-300.313; and
- (ii) Applies to all children with disabilities, including children who have been suspended or expelled from school.
- (c) FAPE for children beginning at age 3.
- (1) [The charter holder] shall ensure that--
- (i) The obligation to make FAPE available to each eligible child [enrolled in the charter school] begins no later than the child's third birthday; and
- (ii) An IEP [] is in effect for the child by that date, in accordance with §300.342(c).
- (2) If a child's third birthday occurs during the summer, the child's IEP [] team shall determine the date when services under the IEP will begin.
- (d) FAPE for children suspended or expelled from school.
- (1) The [charter holder] need not provide services during periods of removal under §300.520(a)(1) to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if services are not provided to a child without disabilities who has been similarly removed.
- (2) In the case of a child with a disability who has been removed from his or her current placement for more than 10 school days in that school year, the [charter holder], for the remainder of the removals, must--
- (i) Provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP, if the removal is--
- (A) Under the school personnel's authority to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519(b) (§300.520(a)(1)); or
- (B) For behavior that is not a manifestation of the child's disability, consistent with §300.524; and
- (ii) Provide services consistent with §300.522, regarding determination of the appropriate interim alternative educational setting, if the removal is--
- (A) For drug or weapons offenses under §300.520(a)(2); or
- (B) Based on a hearing officer determination that maintaining the current placement of the child is substantially likely to result in injury to the child or to others if he or she remains in the current placement, consistent with §300.521.
- (3) (i) School personnel, in consultation with the child's special education teacher, determine the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed under the authority of school personnel to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519 (§300.520(a)(1)).
- (ii) The child's IEP team determines the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed because of behavior that has been determined not to be a manifestation of the child's disability, consistent with §300.524.
- (e) Children advancing from grade to grade.
- (1) The [charter holder] will ensure that FAPE is available to any individual child with a disability [enrolled in the school] who needs special education and related services, even though the child is advancing from grade to grade.
- (2) The determination that a child [] is eligible under this part, must be made on an individual basis by the group responsible within the child's [charter school] for making those determinations [(e.g., the ARD committee)]

34 CFR §300.343. IEP meetings.

- (a) General. [The charter holder] is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising the IEP of a child with a disability

- (b) Initial IEPs; provision of services.
- (1) [The charter holder] shall ensure that within a reasonable period of time following the [charter holder's] receipt of parent consent to an initial evaluation of a child—
 - (i) The child is evaluated; and
 - (ii) If determined eligible under this part, special education and related services are made available to the child in accordance with an IEP.
 - (2) In meeting the requirement in paragraph (b)(1) of this section, a meeting to develop an IEP for the child must be conducted within 30-days of a determination that the child needs special education and related services.
- (c) Review and revision of IEPs. [The charter holder] shall ensure that the IEP team—
- (1) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and
 - (2) Revises the IEP as appropriate to address—
 - (i) Any lack of expected progress toward the annual goals described in §300.347(a), and in the general curriculum, if appropriate;
 - (ii) The results of any reevaluation conducted under §300.536;
 - (iii) Information about the child provided to, or by, the parents, as described in §300.533(a)(1);
 - (iv) The child's anticipated needs; or
 - (v) Other matters.

34 CFR §300.344. IEP team.

- (a) General. The [charter holder] shall ensure that the IEP team for each child with a disability includes—
- (1) The parents of the child;
 - (2) At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
 - (3) At least one special education teacher of the child, or if appropriate, at least one special education provider of the child;
 - (4) A representative of the [charter holder] who—
 - (i) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - (ii) Is knowledgeable about the general curriculum; and
 - (iii) Is knowledgeable about the availability of resources of the [charter holder];
 - (5) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a)(2) through (6) of this section;
 - (6) At the discretion of the parent or the [charter holder], other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
 - (7) If appropriate, the child.
- (b) Transition services participants.
- (1) Under paragraph (a)(7) of this section, the [charter holder] shall invite a student with a disability of any age to attend his or her IEP meeting if a purpose of the meeting will be the consideration of—
 - (i) The student's transition services needs under §300.347(b)(1);
 - (ii) The needed transition services for the student under §300.347(b)(2); or
 - (iii) Both.
 - (2) If the student does not attend the IEP meeting, the [charter holder] shall take other steps to ensure that the student's preferences and interests are considered.
 - (3) (i) In implementing the requirements of §300.347(b)(2), the [charter holder] also shall invite a representative of any other agency that is likely to be responsible for providing or paying for transition services.
 - (ii) If an agency invited to send a representative to a meeting does not do so, the [charter holder] shall take other steps to obtain participation of the other agency in the planning of any transition services.

- (c) Determination of knowledge and special expertise. The determination of the knowledge or special expertise of any individual described in paragraph (a)(6) of this section shall be made by the party (parents or [charter holder]) who invited the individual to be a member of the IEP.
- (d) Designating a public agency representative. [The charter holder] may designate another [charter holder member] of the IEP team to also serve as the agency representative, if the criteria in paragraph (a)(4) of this section are satisfied.

19 TAC §89.1050(c). [Teacher member requirements]

- (c) At least one general education teacher of the student (if the student is, or may be, participating in the general education environment) shall participate as a member of the ARD committee. The special education teacher or special education provider that participates in the ARD committee meeting in accordance with 34 CFR, §300.344(a)(3), must be certified in the child's suspected areas of disability. When a specific certification is not required to serve certain disability categories, then the special education teacher or special education provider must be qualified to provide the educational services that the child may need. [The charter holder] should refer to §89.1131 of this title (relating to Qualifications of Special Education, Related Service, and Paraprofessional Personnel) to ensure that appropriate teachers and/or service providers are present and participate at each ARD committee meeting.

34 CFR §300.345. Parent participation.

- (a) [Charter holder] responsibility—general. The [charter holder] shall take steps to ensure that one or both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate, including—
 - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- (c) Other methods to ensure parent participation. If neither parent can attend, the [charter holder] shall use other methods to ensure parent participation, including individual or conference telephone calls.
- (d) Conducting an IEP meeting without a parent in attendance. A meeting may be conducted without a parent in attendance if the [charter holder] is unable to convince the parents that they should attend. In this case the [charter holder] must have a record of its attempts to arrange a mutually agreed on time and place, such as—
 - (1) Detailed records of telephone calls made or attempted and the results of those calls;
 - (2) Copies of correspondence sent to the parents and any responses received; and
 - (3) Detailed records of visits made to the parent's home or place of employment and the results of those visits.
- (e) Use of interpreters or other action, as appropriate. The [charter holder] shall take whatever action is necessary to ensure that the parent understands the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- (f) Parent copy of child's IEP. The [charter holder] shall give the parent a copy of the child's IEP at no cost to the parent.

34 CFR §300.346. Development, review, and revision of IEP.

- (a) Development of IEP.
 - (1) General. In developing each child's IEP, the IEP team, shall consider—
 - (i) The strengths of the child and the concerns of the parents for enhancing the education of their child;
 - (ii) The results of the initial or most recent evaluation of the child; and
 - (iii) As appropriate, the results of the child's performance on any general State or district-wide assessment programs.
 - (2) Consideration of special factors. The IEP team also shall—
 - (i) In the case of a child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior;
 - (ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
 - (iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;
 - (iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers

and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and

- (v) Consider whether the child requires assistive technology devices and services.
- (b) **Review and Revision of IEP.** In conducting a meeting to review, and, if appropriate, revise a child's IEP, the IEP team shall consider the factors described in paragraph (a) of this section.
- (c) **Statement in IEP.** If, in considering the special factors described in paragraphs (a)(1) and (2) of this section, the IEP team determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive FAPE, the IEP team must include a statement to that effect in the child's IEP.
- (d) **Requirement with respect to regular education teacher.** The regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including assisting in the determination of—
 - (1) Appropriate positive behavioral interventions and strategies for the child; and
 - (2) Supplementary aids and services, program modifications or supports for school personnel that will be provided for the child, consistent with §300.347(a)(3).

34 CFR §300.347. Content of IEP.

- (a) **General.** The IEP for each child with a disability must include—
 - (1) A statement of the child's present levels of educational performance, including—
 - (i) How the child's disability affects the child's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled children); or
 - (ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
 - (2) A statement of measurable annual goals, including benchmarks or short-term objectives, related to—
 - (i) Meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general curriculum (i.e., the same curriculum as for nondisabled children), or for preschool children, as appropriate, to participate in appropriate activities; and
 - (ii) Meeting each of the child's other educational needs that result from the child's disability;
 - (3) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child—
 - (i) To advance appropriately toward attaining the annual goals;
 - (ii) To be involved and progress in the general curriculum in accordance with paragraph (a)(1) of this section and to participate in extracurricular and other nonacademic activities; and
 - (iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;
 - (4) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(3) of this section;
 - (5) (i) A statement of any individual modifications in the administration of State or district-wide assessments of student achievement that are needed in order for the child to participate in the assessment; and
 - (ii) If the IEP team determines that the child will not participate in a particular State or district-wide assessment of student achievement (or part of an assessment), a statement of—
 - (A) Why that assessment is not appropriate for the child; and
 - (B) How the child will be assessed;
 - (6) The projected date for the beginning of the services and modifications described in paragraph (a)(3) of this section, and the anticipated frequency, location, and duration of those services and modifications; and
 - (7) A statement of—
 - (i) How the child's progress toward the annual goals described in paragraph (a)(2) of this section will be measured; and
 - (ii) How the child's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled children's progress, of—

- (A) Their child's progress toward the annual goals; and
 - (B) The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.
- (b) Transition services. The IEP must include—
- (1) For each student with a disability beginning at age 14 (or younger, if determined appropriate by the IEP team), and updated annually, a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program); and
 - (2) For each student beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkages.
- (c) Transfer of rights. In a State that transfers rights at the age majority, beginning at least one year before a student reaches the age of majority under State law, the student's IEP must include a statement that the student has been informed of his or her rights under Part B of the [IDEA], if any, that will transfer to the student on reaching the age of majority, consistent with §300.517.

19 TAC §89.1055. Content of the Individualized Education Program (IEP).

- (a) The individualized education program (IEP) developed by the admission, review, and dismissal (ARD) committee for each student with a disability shall comply with the requirements of 34 Code of Federal Regulations (CFR), §300.346 and §300.347, and Part 300, Appendix A.
- (b) The IEP must include a statement of any individual allowable accommodations in the administration of assessment instruments developed in accordance with Texas Education Code (TEC), §39.023(a)-(c), or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment. If the ARD committee determines that the student will not participate in a particular state- or district-wide assessment of student achievement (or part of an assessment), the IEP must include a statement of:
 - (1) why that assessment is not appropriate for the child; and
 - (2) how the child will be assessed using a locally developed alternate assessment.
- (c) If the ARD committee determines that the student is in need of extended school year (ESY) services, as described in §89.1065 of this title (relating to Extended School Year Services (ESY Services)), then the IEP must also include goals and objectives for ESY services from the student's current IEP.
- (d) For students with visual impairments, from birth through 21 years of age, the IEP or individualized family services plan (IFSP) shall also meet the requirements of TEC, §30.002(e).
- (e) For students with autism/pervasive developmental disorders, information about the following shall be considered and, when needed, addressed in the IEP:
 - (1) extended educational programming;
 - (2) daily schedules reflecting minimal unstructured time;
 - (3) in-home training or viable alternatives;
 - (4) prioritized behavioral objectives;
 - (5) prevocational and vocational needs of students 12 years of age or older;
 - (6) parent training; and
 - (7) suitable staff-to-students ratio.
- (f) If the ARD committee determines that services are not needed in one or more of the areas specified in subsection (e)(1)-(7) of this section, the IEP must include a statement to that effect and the basis upon which the determination was made.
- (g) In accordance with 34 CFR §300.29, §300.344, and §300.347, for each student with a disability, beginning at age 14 (prior to the date on which a student turns 14 years of age) or younger, if determined appropriate by the ARD committee, the following issues must be considered in the development of the IEP, and, if appropriate, integrated into the IEP:
 - (1) appropriate student involvement in the student's transition to life outside the public school system; (2) if the student is younger than 18 years of age, appropriate parental involvement in the student's transitions;
 - (3) if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district [or charter holder] in which the student is enrolled;

- (4) any postsecondary education options;
- (5) a functional vocational evaluation;
- (6) employment goals and objectives;
- (7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments;
- (8) independent living goals and objectives; and
- (9) appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

19 TAC §89.1050(e). [The report]

- (e) The written report of the ARD committee shall document the decisions of the committee with respect to issues discussed at the meeting. The report shall include the date, names, positions, and signatures of the members participating in each meeting in accordance with 34 CFR, §§300.344, 300.345, 300.348, and 300.349. The report shall also indicate each member's agreement or disagreement with the committee's decisions. In the event TEC, §29.005(d)(1), applies, the [charter holder] shall provide a written or audiotaped copy of the student's IEP, as defined in 34 CFR, §300.346 and §300.347. In the event TEC, §29.005(d)(2), applies, the [charter holder] shall make a good faith effort to provide a written or audiotaped copy of the student's IEP, as defined in 34 CFR, §300.346 and §300.347.

34 CFR §300.348. Agency responsibilities for transition services.

- (a) If a participating agency, other than the [charter holder], fails to provide the transition services described in the IEP in accordance with §300.347(b)(1), the [charter holder] shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

34 CFR §300.350. IEP accountability.

- (a) Provision of services. Subject to paragraph (b) of this section, [the charter holder] must—
 - (1) Provide special education and related services to a child with a disability in accordance with the child's IEP; and
 - (2) Make a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.

34 CFR §300.309. Extended school year services.

- (a) General.
 - (1) [The charter holder] shall ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) of this section.
 - (2) Extended school year services must be provided only if a child's IEP team determines, on an individual basis, in accordance with §§300.340-300.350, that the services are necessary for the provision of FAPE to the child.
 - (3) In implementing the requirements of this section, [the charter holder] may not—
 - (i) Limit extended school year services to particular categories of disability; or
 - (ii) Unilaterally limit the type, amount, or duration of those services.
- (b) Definition. As used in this section, the term extended school year services means special education and related services that—
 - (1) Are provided to a child with a disability—
 - (i) Beyond the normal school year of the [charter school];
 - (ii) In accordance with the child's IEP; and
 - (iii) At no cost to the parents of the child; and
 - (2) Meet the standards of the [TEA].

19 TAC §89.1065. Extended School Year Services (ESY Services).

Extended school year (ESY) services are defined as individualized instructional programs beyond the regular school year for eligible students with disabilities.

- (1) The need for ESY services must be determined on an individual student basis by the admission, review, and dismissal (ARD) committee in accordance with 34 Code of Federal Regulations (CFR), §300.309, and the provisions of this section. In determining the need for and in providing ESY services, [the charter holder] may not:
 - (A) limit ESY services to particular categories of disability; or

- (B) unilaterally limit the type, amount, or duration of ESY services.
- (2) The need for ESY services must be documented from formal and/or informal evaluations provided by the [charter holder] or the parents. The documentation shall demonstrate that in one or more critical areas addressed in the current individualized education program (IEP) objectives, the student has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period of time. Severe or substantial regression means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.
- (3) The reasonable period of time for recoupment of acquired critical skills shall be determined on the basis of needs identified in each student's IEP. If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results, or reasonably may be expected to result, in immediate physical harm to the student or to others, ESY services may be justified without consideration of the period of time for recoupment of such skills. In any case, the period of time for recoupment shall not exceed eight weeks.
- (4) A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences during the first eight weeks of the next regular school year:
- (A) placement in a more restrictive instructional arrangement;
 - (B) significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum;
 - (C) significant loss of self-sufficiency in self-help skill areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services;
 - (D) loss of access to community-based independent living skills instruction or an independent living environment provided by noneducational sources as a result of regression in skills; or
 - (E) loss of access to on-the-job training or productive employment as a result of regression in skills.
- (5) If the [charter holder] does not propose ESY services for discussion at the annual review of a student's IEP, the parent may request that the ARD committee discuss ESY services pursuant to 34 CFR, §300.344.
- (6) If a student for whom ESY services were considered and rejected loses critical skills because of the decision not to provide ESY services, and if those skills are not regained after the reasonable period of time for recoupment, the ARD committee shall reconsider the current IEP if the student's loss of critical skills interferes with the implementation of the student's IEP.
- (7) For students enrolling in a district [or charter school] during the school year, information obtained from the prior school district [or charter holder] as well as information collected during the current year may be used to determine the need for ESY services.
- (8) The provision of ESY services is limited to the educational needs of the student and shall not supplant or limit the responsibility of other public agencies to continue to provide care and treatment services pursuant to policy or practice, even when those services are similar to, or the same as, the services addressed in the student's IEP. No student shall be denied ESY services because the student receives care and treatment services under the auspices of other agencies.
- (9) [The charter holder is] not eligible for reimbursement for ESY services provided to students for reasons other than those set forth in this section.

19 TAC §89.1050(g). [Discipline]

- (g) All disciplinary actions regarding students with disabilities shall be determined in accordance with 34 CFR, §§300.121 and 300.519-300.529 (relating to disciplinary actions and procedures), the TEC, Chapter 37, Subchapter A (Alternative Settings for Behavior Management), and §89.1053 of this title (relating to Procedures for Use of Restraint and Time-Out).

19 TAC §89.1050(h). [Disagreements]

- (h) All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. A decision of the committee concerning required elements of the IEP shall be made by mutual agreement of the required members if possible. The committee may agree to an annual IEP or an IEP of shorter duration.
- (1) When mutual agreement about all required elements of the IEP is not achieved, the party (the parents or adult student) who disagrees shall be offered a single opportunity to have the committee recess for a period of time not to exceed ten school days. This recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense which may lead to a placement in an alternative education program (AEP). The requirements of this subsection (h) do not prohibit the members of the ARD committee from recessing an ARD committee meeting for reasons other than the failure of the parents and the [charter holder] from reaching mutual agreement about all required elements of an IEP.

- (2) During the recess the committee members shall consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons which may assist in enabling the ARD committee to reach mutual agreement.
- (3) The date, time, and place for continuing the ARD committee meeting shall be determined by mutual agreement prior to the recess.
- (4) If a ten-day recess is implemented as provided in paragraph (1) of this subsection and the ARD committee still cannot reach mutual agreement, the [charter holder] shall implement the IEP which it has determined to be appropriate for the student.
- (5) When mutual agreement is not reached, a written statement of the basis for the disagreement shall be included in the IEP. The members who disagree shall be offered the opportunity to write their own statements.
- (6) When the [charter holder] implements an IEP with which the parents disagree or the adult student disagrees, the [charter holder] shall provide prior written notice to the parents or adult student as required in 34 CFR, §300.503.
- (7) Parents shall have the right to file a complaint, request mediation, or request a due process hearing at any point when they disagree with decisions of the ARD committee.

TEC §37.0021. Use of Confinement, Restraint, Seclusion, and Time-Out.

- (a) It is the policy of this state to treat with dignity and respect all students, including students with disabilities who receive special education services under Subchapter A, Chapter 29. A student with a disability who receives special education services under Subchapter A, Chapter 29, may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. -
- (b) In this section:
 - (1) "Restraint" 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.
 - (2) "Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:
 - (A) is designed solely to seclude a person; and
 - (B) contains less than 50 square feet of space.
 - (3) "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:
 - (A) that is not locked; and
 - (B) from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.
- (c) [The charter holder] employee or volunteer or an independent contractor of [the charter holder] may not place a student in seclusion. This subsection does not apply to the use of seclusion in a court-ordered placement, other than a placement in an educational program of [the charter holder], or in a placement or facility to which the following law, rules, or regulations apply:
 - (1) the Children's Health Act of 2000, Pub. L. No. 106-310, any subsequent amendments to that Act, any regulations adopted under that Act, or any subsequent amendments to those regulations;
 - (2) 40 T.A.C. §§720.1001-720.1013; or
 - (3) 25 T.A.C. §412.308(e).
- (d) The commissioner [of TEA] by rule shall adopt procedures for the use of restraint and time-out by [the charter holder] employee or volunteer or an independent contractor of [the charter holder] in the case of a student with a disability receiving special education services under Subchapter A, Chapter 29. A procedure adopted under this subsection must:
 - (1) be consistent with:
 - (A) professionally accepted practices and standards of student discipline and techniques for behavior management; and
 - (B) relevant health and safety standards; and
 - (2) identify any discipline management practice or behavior management technique that requires [the charter holder] employee or volunteer or an independent contractor of [the charter holder] to be trained before using that practice or technique.

- (e) In the case of a conflict between a rule adopted under Subsection (d) and a rule adopted under Subchapter A, Chapter 29, the rule adopted under Subsection (d) controls.
- (f) For purposes of this subsection, "weapon" includes any weapon described under §37.007(a)(1). This section does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:
 - (1) the student possesses a weapon; and
 - (2) the confinement is necessary to prevent the student from causing bodily harm to the student or another person.
- (g) This section and any rules or procedures adopted under this section do not apply to:
 - (1) a peace officer while performing law enforcement duties;
 - (2) juvenile probation, detention, or corrections personnel; or
 - (3) an educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of [the charter holder].

 **19 TAC §89.1053. Procedures for Use of Restraint and Time-Out.**

- (a) Requirement to implement. In addition to the requirements of 34 Code of Federal Regulations (CFR), §300.346(a)(2)(i) and (c), school districts and charter schools must implement the provisions of this section regarding the use of restraint and time-out. In accordance with the provisions of Texas Education Code (TEC), §37.0021 (Use of Confinement, Restraint, Seclusion, and Time-Out), it is the policy of the state to treat with dignity and respect all students, including students with disabilities who receive special education services under TEC, Chapter 29, Subchapter A.
- (b) Definitions.
 - (1) Emergency means a situation in which a student's behavior poses a threat of:
 - (A) imminent, serious physical harm to the student or others; or
 - (B) imminent, serious property destruction.
 - (2) Restraint means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of the student's body.
 - (3) 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:
 - (A) that is not locked; and
 - (B) from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.
- (c) Use of restraint. A school employee, volunteer, or independent contractor may use restraint only in an emergency as defined in subsection (b) of this section and with the following limitations.
 - (1) Restraint shall be limited to the use of such reasonable forces as is necessary to address the emergency.
 - (2) Restraint shall be discontinued at the point at which the emergency no longer exists.
 - (3) Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
 - (4) Restraint shall not deprive the student of basic human necessities.
- (d) Training on use of restraint. Training for school employees, volunteers, or independent contractors shall be provided according to the following requirements.
 - (1) Not later than April 1, 2003, a core team of personnel on each campus must be trained in the use of restraint, and the team must include a campus administrator or designee and any general or special education personnel likely to use restraint.
 - (2) After April 1, 2003, personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint.
 - (3) Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint.
 - (4) All trained personnel shall receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint.
- (e) Documentation and notification on use of restraint. In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the following documentation requirements.

- (1) On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.
- (2) On the day restraint is utilized, a good faith effort shall be made to verbally notify the parent(s) regarding the use of restraint.
- (3) Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.
- (4) Written documentation regarding the use of restraint must be placed in the student's special education eligibility folder in a timely manner so the information is available to the ARD committee when it considers the impact of the student's behavior on the student's learning and/or the creation or revision of a behavioral intervention plan (BIP).
- (5) Written notification to the parent(s) and documentation to the student's special education eligibility folder shall include the following:
 - (A) name of the student;
 - (B) name of the staff member(s) administering the restraint;
 - (C) date of the restraint and the time the restraint began and ended;
 - (D) location of the restraint;
 - (E) nature of the restraint;
 - (F) a description of the activity in which the student was engaged immediately preceding the use of restraint;
 - (G) the behavior that prompted the restraint;
 - (H) the efforts made to de-escalate the situation and alternatives to restraint that were attempted; and
 - (I) information documenting parent contact and notification.
- (f) Clarification regarding restraint. The provisions adopted under this section do not apply to the use of physical force or a mechanical device which does not significantly restrict the free movement of all or a portion of the student's body. Restraint that involves significant restriction as referenced in subsection (b)(2) of this section does not include:
 - (1) physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
 - (2) limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
 - (3) limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the individualized education program (IEP) as required by 34 CFR §300.346(a)(2)(i) and (c) to promote student learning and reduce and/or prevent the need for ongoing intervention; or
 - (4) seat belts and other safety equipment used to secure students during transportation.
- (g) Use of time-out. A school employee, volunteer, or independent contractor may use time-out in accordance with subsection (b)(3) of this section with the following limitations.
 - (1) Physical force or threat of physical force shall 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 and/or BIP if it is utilized on a recurrent basis to increase or decrease a targeted behavior.
 - (3) Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.
- (h) Training on use of time-out. Training for school employees, volunteers, or independent contractors shall be provided according to the following requirements.
 - (1) Not later than April 1, 2003, general or special education personnel who implement time-out based on requirements established in a student's IEP and/or BIP must be trained in the use of time-out.
 - (2) After April 1, 2003, newly-identified personnel called upon to implement time-out based on requirements established in a student's IEP and/or BIP must receive training in the use of time-out within 30 school days of being assigned the responsibility for implementing time-out.
 - (3) Training on the use of time-out must be provided as part of a program which addresses a full continuum of positive behavioral intervention strategies, and must address the impact of time-out on the ability of the student to be

involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

- (4) All trained personnel shall receive instruction in current professionally accepted practices and standards regarding behavior management and the use of time-out.
- (i) Documentation on use of time-out. Necessary documentation or data collection regarding the use of timeout, if any, must be addressed in the IEP or BIP. The admission, review, and dismissal (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.
- (j) Student safety. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.
- (k) Data reporting. Beginning with the 2003-2004 school year, with the exception of actions covered by subsection (f) of this section, data regarding the use of restraint must be electronically reported to the Texas Education Agency in accordance with reporting standards specified by the Agency.
- (l) The provisions adopted under this section do not apply to:
- (1) a peace officer while performing law enforcement duties;
 - (2) juvenile probation, detention, or corrections personnel; or
 - (3) an educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district [or charter holder].

19 TAC §89.1096. Provision of Services for Students Placed by Their Parents in Private Schools or Facilities.

- (a) Except as specifically provided in this section, in accordance with 34 Code of Federal Regulations (CFR), §300.454, no eligible student who has been placed by his or her parent(s) in a private school or facility has an individual right to receive some or all of the special education and related services that the student would receive if he or she were enrolled in a public school district [or charter school]. Except as specifically set forth in this section, a school district's [or charter holder's] obligations with respect to students placed by their parents in private schools are governed by 34 CFR, §§300.450-300.462.
- (b) When a student with a disability who has been placed by his or her parents directly in a private school or facility is referred to the local school district [or charter holder], the local district [or charter holder] shall convene an admission, review, and dismissal (ARD) committee meeting to determine whether the district [or charter holder] can offer the student a free appropriate public education (FAPE). If the district [or charter holder] determines that it can offer a FAPE to the student, the district [or charter holder] is not responsible for providing educational services to the student, except as provided in 34 CFR, §§300.450-300.462 or subsection (d) of this section, until such time as the parents choose to enroll the student in public school full-time.
- (c) Parents of an eligible student ages 3 or 4 shall have the right to "dual enroll" their student in both the public school [e.g., charter school] and the private school beginning on the student's third birthday and continuing until the end of the school year in which the student turns five or until the student is eligible to attend a district's [or charter holder's] public school kindergarten program, whichever comes first, subject to the following.
- (1) The student's ARD committee shall develop an individualized education program (IEP) designed to provide the student with a FAPE in the least restrictive environment appropriate for the student.
 - (2) From the IEP, the parent and the district [or charter holder] shall determine which special education and/or related services will be provided to the student and the location where those services will be provided, based on the requirements concerning placement in the least restrictive environment set forth in 34 CFR, §§300.550-300.553, and the policies and procedures of the district [or charter holder].
 - (3) For students served under the provisions of this subsection, the school district [or charter holder] shall be responsible for the employment and supervision of the personnel providing the service, providing the needed instructional materials, and maintaining pupil accounting records. Materials and services provided shall be consistent with those provided for students enrolled only in the public school [e.g., charter school] and shall remain the property of the school district [or charter holder].
- (d) The school district [or charter holder] shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP.
- (e) Complaints regarding the implementation of the components of the student's IEP that have been selected by the parent and the district [or charter holder] under subsection (c) [(d)] of this section may be filed with the Texas Education Agency under the procedures in 34 CFR, §§300.660-300.662. The procedures in 34 CFR, §§300.504-300.515 (relating to due process hearings) do not apply to complaints regarding the implementation of the components of the student's IEP that have been selected by the parent and the district under subsection (c) [(d)]

H. Least Restrictive Environment (LRE) Placement

Initial: MLK

34 CFR §300.550. General LRE requirements.

(b) [The charter holder] shall ensure—

- (1) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

34 CFR §300.551. Continuum of alternative placements.

(a) [The charter holder] shall ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must—

- (1) Include the alternative placements listed in the definition of special education under §300.26 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
- (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

19 TAC §89.63. Instructional Arrangements and Settings.

(a) [The charter holder] shall be able to provide services with special education personnel to students with disabilities in order to meet the special needs of those students in accordance with 34 Code of Federal Regulations, §§300.550-300.554.

(b) Subject to §89.1075(e) of this title (relating to General Program Requirements and Local District Procedures) for the purpose of determining the student's instructional arrangement/setting, the regular school day is defined as the period of time determined appropriate by the admission, review, and dismissal (ARD) committee.

(c) Instructional arrangements/settings shall be based on the individual needs and individualized education programs (IEPs) of eligible students receiving special education services and shall include the following.

- (1) **Mainstream.** This instructional arrangement/setting is for providing special education and related services to a student in the regular classroom in accordance with the student's IEP. Qualified special education personnel must be involved in the implementation of the student's IEP through the provision of direct, indirect and/or support services to the student, and/or the student's regular classroom teacher(s) necessary to enrich the regular classroom and enable student success. The student's IEP must specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP. Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/accommodations, special materials/equipment, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.
- (2) **Homebound.** This instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside.
 - (A) Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by local [charter holder] policy, also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in subsection (b) of this section.

- (B) Home instruction may also be used for services to infants and toddlers (birth through age 2) and young children (ages 3-5) when determined appropriate by the child's individualized family services plan (IFSP) committee or ARD committee. This arrangement/setting also applies to school districts [or charter holders] described in Texas Education Code, §29.014.
- (3) Hospital class. This instructional arrangement/setting is for providing special education instruction in a classroom, in a hospital facility, or a residential care and treatment facility not operated by the [charter holder]. If the students residing in the facility are provided special education services outside the facility, they are considered to be served in the instructional arrangement in which they are placed and are not to be considered as in a hospital class. [See the TEA Letter to the Administrator Addressed, dated February 14, 2001.]
- (4) Speech therapy. This instructional arrangement/setting is for providing speech therapy services whether in a regular education classroom or in a setting other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.
- (5) Resource room/services. This instructional arrangement/setting is for providing special education and related services to a student in a setting other than regular education for less than 50% of the regular school day.
- (6) Self-contained (mild, moderate, or severe) regular campus. This instructional arrangement/setting is for providing special education and related services to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus.
- (7) Off home campus. This instructional arrangement/setting is for providing special education and related services to the following, []:
- (A) a student who is one of a group of students from more than one school district [or charter school] served in a single location when a free appropriate public education is not available in the respective sending district [or charter school];
 - (B) a student whose instruction is provided by [the charter holder] personnel in a facility (other than a nonpublic day school) not operated by the charter holder; or
 - (C) a student in a self-contained program at a separate campus operated by the [charter holder] that provides only special education and related services.
- (8) Nonpublic day school. This instructional arrangement/setting is for providing special education and related services to students through a contractual agreement with a nonpublic school for special education.
- (9) Vocational adjustment class/program. This instructional arrangement/setting is for providing special education and related services to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP. This instructional arrangement/setting shall be used in conjunction with the student's individual transition plan and only after the [charter holder's] career and technology classes have been considered and determined inappropriate for the student.
- (10) Residential care and treatment facility (not school resident). This instructional arrangement/setting is for providing special education instruction and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the school providing educational services to the students. In order to be considered in this arrangement, the services must be provided on a school campus. If the instruction is provided at the facility, rather than on a school campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the school in the same way as all other students receiving special education. [See the TEA Letter to the Administrator Addressed, dated February 14, 2001.]
- (11) State school for persons with mental retardation. This instructional arrangement/setting is for providing special education and related services to a student who resides at a state school when the services are provided at the state school location. If services are provided on a local school campus, the student is considered to be served in the residential care and treatment facility arrangement/setting. [See the TEA Letter to the Administrator Addressed, dated February 14, 2001.]

34 CFR §300.552. Placements.

(See Appendix A to CFR Part 300: Q. 19, Q. 37)

In determining the educational placement of a child with a disability, including a preschool child with a disability, [the charter holder] shall ensure that—

(a) The placement decision—

- (1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

- (2) Is made in conformity with the LRE provisions of this subpart, including §§300.550-300.554;
- (b) The child's placement—
- (1) Is determined at least annually;
 - (2) Is based on the child's IEP; and
 - (3) Is as close as possible to the child's home;
- (c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;
- (d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and
- (e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

34 CFR §300.553. Nonacademic settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.306, [the charter holder] shall ensure that each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child.

I. Transition Planning

Initial: MLL

34 CFR §300.29. Transition services.

- (a) As used in this part, transition services means a coordinated set of activities for a student with a disability that—
- (1) Is designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
 - (2) Is based on the individual student's needs, taking into account the student's preferences and interests; and
 - (3) Includes—
 - (i) Instruction;
 - (ii) Related services;
 - (iii) Community experiences;
 - (iv) The development of employment and other post-school adult living objectives; and
 - (v) If appropriate, acquisition of daily living skills and functional vocational evaluation.
- (b) Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

34 CFR §300.345. Parent participation.

- (a) [Charter holder] responsibility—general. The [charter holder] shall take steps to ensure that one of both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate including—
- (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- (b) Information provided to parents.
- (1) The notice required under paragraph (a)(1) of this section must—
 - (i) Indicate the purpose, time, and location of the meeting and who will be in attendance; and

- (ii) Inform the parents of the provisions in §300.344(a)(6) and (c) (relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child).
- (2) For a student with a disability beginning at age 14, or younger, if appropriate, the notice must also—
 - (i) Indicate that a purpose of the meeting will be the development of a statement of the transition services needs of the student required in §300.347(b)(1); and
 - (ii) Indicate that the [charter holder] will invite the student.
- (3) For a student with a disability beginning at age 16, or younger, if appropriate, the notice must—
 - (i) Indicate that a purpose of the meeting is the consideration of needed transition services for the student required in §300.347(b)(2);
 - (ii) Indicate that the [charter holder] will invite the student; and
 - (iii) Identify any other agency that will be invited to send a representative.

34 CFR §300.344. IEP team.

(b) Transition services participants.

- (1) Under paragraph (a)(7) of this section, the [charter holder] shall invite a student with a disability of any age to attend his or her IEP meeting if a purpose of the meeting will be the consideration of—
 - (i) The student's transition services needs under §300.347(b)(1);
 - (ii) The needed transition services for the student under §300.347(b)(2); or
 - (iii) Both.
- (2) If the student does not attend the IEP meeting, the [charter holder] shall take other steps to ensure that the student's preferences and interests are considered.
- (3) (i) In implementing the requirements of §300.347(b)(2), the [charter holder] also shall invite a representative of any other agency that is likely to be responsible for providing or paying for transition services.
- (ii) If an agency invited to send a representative to a meeting does not do so, the [charter holder] shall take other steps to obtain participation of the other agency in the planning of any transition services.

34 CFR §300.348. Agency responsibilities for transition services.

- (a) If a participating agency, other than the [charter holder], fails to provide the transition services described in the IEP in accordance with §300.347(b)(1), the [charter holder] shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

19 TAC §89.1055 (g). Content of the Individualized Education Program (IEP)

- (g) In accordance with 34 CFR §300.29, §300.344, and §300.347, for each student with a disability, beginning at age 14 (prior to the date on which a student turns 14 [15] years of age) or younger, if determined appropriate by the ARD committee, the following issues must be considered in the development of the IEP, and, if appropriate, integrated into the IEP:
 - (1) appropriate student involvement in the student's transition to life outside the public school system;
 - (2) if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;
 - (3) if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district [or the charter holder] in which the student is enrolled;
 - (4) any postsecondary education options;
 - (5) a functional vocational evaluation;
 - (6) employment goals and objectives;
 - (7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments;
 - (8) independent living goals and objectives; and
 - (9) appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

J. Certified Personnel for the Provision of Services to Children with Special NeedsInitial: WE **19 TAC §89.1131. Qualifications of Special Education, Related Service, and Paraprofessional Personnel.**

- (a) All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 Code of Federal Regulations (CFR), §300.23 and §300.136; the Texas Education Code (TEC), §§21.002, 21.003, and 29.304; or appropriate state agency credentials.
- (b) A teacher who holds a special education certificate or an endorsement may be assigned to any level of a basic special education instructional program serving eligible students 3-21 years of age, as defined in §89.1035(a) of this title (relating to Age Ranges for Student Eligibility), in accordance with the limitation of their certification, except for the following.
- (1) Persons assigned to provide speech therapy instructional services must hold a valid Texas Education Agency (TEA) certificate in speech and hearing therapy or speech and language therapy, or a valid state license as a speech/language pathologist.
 - (2) Teachers holding only a special education endorsement for early childhood education for children with disabilities shall be assigned only to programs serving infants through Grade 6.
 - (3) Teachers assigned full-time to teaching students who are orthopedically impaired or other health impaired with the teaching station in the home or a hospital shall not be required to hold a special education certificate or endorsement as long as the personnel file contains an official transcript indicating that the teacher has completed a three-semester-hour survey course in the education of students with disabilities and three semester hours directly related to teaching students with physical impairments or other health impairments.
 - (4) Teachers certified in the education of students with visual impairments must be available to students with visual impairments, including deaf-blindness, through one of the [charter holders] instructional options, a shared services arrangement with other school districts [or charter holders], or an education service center (ESC). A teacher who is certified in the education of students with visual impairments must attend each admission, review, and dismissal (ARD) committee meeting or individualized family service plan (IFSP) meeting of a student with a visual impairment, including deaf-blindness.
 - (5) Teachers certified in the education of students with auditory impairments must be available to students with auditory impairments, including deaf-blindness, through one of the [charter holder's] instructional options, a regional day school program for the deaf, a shared services arrangement with other school districts [or charter holders], or an ESC. A teacher who is certified in the education of students with auditory impairments must attend each ARD committee meeting or IFSP meeting of a student with an auditory impairment, including deaf-blindness.
 - (6) The following provisions apply to physical education.
 - (A) When the ARD committee has made the determination and the arrangements are specified in the student's individualized education program (IEP), physical education may be provided by the following personnel:
 - (i) special education instructional or related service personnel who have the necessary skills and knowledge;
 - (ii) physical education teachers;
 - (iii) occupational therapists;
 - (iv) physical therapists; or
 - (v) occupational therapy assistants or physical therapy assistants working under supervision in accordance with the standards of their profession.
 - (B) When these services are provided by special education personnel, the [charter holder] must document that they have the necessary skills and knowledge. Documentation may include, but need not be limited to, inservice records, evidence of attendance at seminars or workshops, or transcripts of college courses.
 - (7) Teachers assigned full-time or part-time to instruction of students from birth through age two with visual impairments, including deaf-blindness, shall be certified in the education of students with visual impairments. Teachers assigned full-time or part-time to instruction of students from birth through age two who are deaf, including deaf-blindness, shall be certified in education for students who are deaf and severely hard of hearing. Other certifications for serving these students shall require prior approval from TEA.
 - (8) Teachers with secondary certification with the generic delivery system may be assigned to teach Grades 6-12 only.

- (c) Paraprofessional personnel must be certified and may be assigned to work with eligible students, general and special education teachers, and related service personnel. Aides may also be assigned to assist students with special education transportation, serve as a job coach, or serve in support of community-based instruction. Aides paid from state administrative funds may be assigned to the Special Education Resource System (SERS), the Special Education Management System (SEMS), or other special education clerical or administrative duties.
- (d) Interpreting services for students who are deaf shall be provided by an interpreter who is certified in the appropriate language mode(s), if certification in such mode(s) is available. If certification is available, the interpreter must be certified by the Registry of Interpreters for the Deaf or the Texas Commission for the Deaf and Hard of Hearing, unless the interpreter has been granted an emergency permit by the commissioner of education to provide interpreting services for students who are deaf. The commissioner shall consider applications for the issuance of an emergency permit to provide interpreting services for students who are deaf on a case-by-case basis in accordance with requirements set forth in 34 CFR, §300.136, and standards and procedures established by the TEA. In no event will an emergency permit allow an uncertified interpreter to provide interpreting services for more than a total of three school years to students who are deaf.
- (e) Orientation and mobility instruction must be provided by a certified orientation and mobility specialist (COMS) who is certified by the Academy for Certification of Vision Rehabilitation and Education Professionals.

34 CFR §300.26. Special education.

(a) General.

- (1) As used in this part, the term special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including—
 - (i) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
 - (ii) Instruction in physical education.
- (2) The term includes each of the following, if it meets the requirements of paragraph (a)(1) of this section:
 - (i) Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under State standards;
 - (ii) Travel training; and
 - (iii) Vocational education.

(b) Individual terms defined. The terms in this definition are defined as follows:

- (1) At no cost means that all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as a part of the regular education program.
- (2) Physical education—
 - (i) Means the development of—
 - (A) Physical and motor fitness;
 - (B) Fundamental motor skills and patterns; and
 - (C) Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports); and
 - (ii) Includes special physical education, adapted physical education, movement education, and motor development.
- (3) Specially-designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—
 - (i) To address the unique needs of the child that result from the child's disability; and
 - (ii) To ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the [charter holder] that apply to all children.
- (4) Travel training means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to—
 - (i) Develop an awareness of the environment in which they live; and
 - (ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).

- (5) Vocational education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

K. Services to Expelled Students

Initial: MR

34 CFR §300.121(d). Free appropriate public education (FAPE).

(d) FAPE for children suspended or expelled from school.

- (1) [The charter holder] need not provide services during periods of removal under §300.520(a)(1) to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if services are not provided to a child without disabilities who has been similarly removed.
- (2) In the case of a child with a disability who has been removed from his or her current placement for more than 10 school days in that school year, the [charter holder], for the remainder of the removals, must—
- (i) Provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP, if the removal is—
- (A) Under the school personnel's authority to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519(b) (§300.520(a)(1)); or
- (B) For behavior that is not a manifestation of the child's disability, consistent with §300.524; and
- (ii) Provide services consistent with §300.522, regarding determination of the appropriate interim alternative educational setting, if the removal is—
- (A) For drug or weapons offenses under §300.520(a)(2); or
- (B) Based on a hearing officer determination that maintaining the current placement of the child is substantially likely to result in injury to the child or to others if he or she remains in the current placement, consistent with §300.521.
- (3) (i) School personnel, in consultation with the child's special education teacher, determine the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed under the authority of school personnel to remove for not more than 10 consecutive school days as long as that removal does not constitute a change of placement under §300.519 (§300.520(a)(1)).
- (ii) The child's IEP team determines the extent to which services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP if the child is removed because of behavior that has been determined not to be a manifestation of the child's disability, consistent with §300.524.

34 CFR §300.522. Determination of setting.

- (a) General. The interim alternative educational setting referred to in §300.520(a)(2) must be determined by the IEP team.
- (b) Additional requirements. Any interim alternative educational setting in which a child is placed under §§300.520(a)(2) or 300.521 must—
- (1) Be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP, that will enable the child to meet the goals set out in that IEP; and
- (2) Include services and modifications to address the behavior described in §§300.520(a)(2) or 300.521, that are designed to prevent the behavior from recurring.

TEC §37.004. Placement of Students with Disabilities.

- (a) The placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal committee.
- (b) Any disciplinary action regarding a student with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the student's admission, review, and

dismissal committee conducts a manifestation determination review under 20 U.S.C. §1415(k)(4) and its subsequent amendments. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of:

- (1) functional behavioral assessments;
 - (2) positive behavioral interventions, strategies, and supports;
 - (3) behavioral intervention plans; and
 - (4) manifestation determination review.
- (c) A student with a disability who receives special education services may not be placed in alternative education programs solely for educational purposes.
- (d) A teacher in an alternative education program under §37.008 who has a special education assignment must hold an appropriate certificate or permit for that assignment.
- (e) [This subsection applies if the charter holder has, in its student code of conduct, adopted the provisions of TEC §37.011]. Notwithstanding any other provision of this subchapter, in a county with a juvenile justice alternative education program established under §37.011, the expulsion under a provision of §37.007 described by this subsection of a student with a disability who receives special education services must occur in accordance with this subsection and Subsection (f). The [charter school] from which the student was expelled shall, in accordance with applicable federal law, provide the administrator of the juvenile justice alternative education program or the administrator's designee with reasonable notice of the meeting of the student's admission, review, and dismissal committee to discuss the student's expulsion. A representative of the juvenile justice alternative education program may participate in the meeting to the extent that the meeting relates to the student's placement in the program. This subsection applies only to an expulsion under:
- (1) §37.007(b), (c), or (f); or
 - (2) §37.007(d) as a result of conduct that contains the elements of any offense listed in §37.007(b)(3) against any employee or volunteer in retaliation for or as a result of the person's employment or association with [the charter holder].
- (f) [This subsection applies if the charter holder has, in its student code of conduct, adopted the provisions of TEC §37.011]. If, after placement of a student in a juvenile justice alternative education program under Subsection (e), the administrator of the program or the administrator's designee has concerns that the student's educational or behavioral needs cannot be met in the program, the administrator or designee shall immediately provide written notice of those concerns to the [charter school] from which the student was expelled. The student's admission, review, and dismissal committee shall meet to reconsider the placement of the student in the program. The [charter holder] shall, in accordance with applicable federal law, provide the administrator or designee with reasonable notice of the meeting, and a representative of the program may participate in the meeting to the extent that the meeting relates to the student's continued placement in the program.
- (g) Subsections (e) and (f) and this subsection expire September 1, 2005.

L. Allowable Expenditures of State Special Education Funds

Initial: 

19 TAC §89.1125. Allowable Expenditures of State Special Education Funds.

- (a) Persons paid from special education funds shall be assigned to instructional or other duties in the special education program and/or to provide support services to the regular education program in order for students with disabilities to be included in the regular program. Support services shall include, but not be limited to, collaborative planning, co-teaching, small group instruction with special and regular education students, direct instruction to special education students, or other support services determined necessary by the admission, review, and dismissal (ARD) committee for an appropriate program for the student with disabilities. Assignments may include duties supportive to school operations equivalent to those assigned to regular education personnel.
- (b) Personnel assigned to provide support services to the regular education program as stated in subsection (a) of this section may be fully funded from special education funds.
- (c) If personnel are assigned to special education on less than a full-time basis, except as stated in subsection (a) of this section, only that portion of time for which the personnel are assigned to students with disabilities shall be paid from state special education funds.

- (d) State special education funds may be used for special materials, supplies, and equipment which are directly related to the development and implementation of individualized education programs (IEPs) of students and which are not ordinarily purchased for the regular classroom. Office and routine classroom supplies are not allowable. Special equipment may include instructional and assistive technology devices, audiovisual equipment, computers for instruction or assessment purposes, and assessment equipment only if used directly with students.
- (e) State special education funds may be used to contract with consultants to provide staff development, program planning and evaluation, instructional services, assessments, and related services to students with disabilities.
- (f) State special education funds may be used for transportation only to and from residential placements. Prior to using federal funds for transportation costs to and from a residential facility, the [charter holder] must use state or local funds based on actual expenses up to the state transportation maximum for private transportation contracts.
- (g) State special education funds may be used to pay staff travel to perform services directly related to the education of eligible students with disabilities. Funds may also be used to pay travel of staff (including administrators, general education teachers, and special education teachers and service providers) to attend staff development meetings for the purpose of improving performance in assigned positions directly related to the education of eligible students with disabilities. In no event shall the purpose for attending such staff development meetings include time spent in performing functions relating to the operation of professional organizations. In accordance with 34 Code of Federal Regulations, §300.382(j), funds may also be used to pay for the joint training of parents and special education, related services, and general education personnel.

19 TAC §105.11. Maximum Allowable Indirect Cost.

No more than 15 % of the [charter holder's] Foundation School Program special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to the following programs: compensatory education, gifted and talented education, bilingual education and special language programs, career and technology education, and special education. Indirect costs may be attributed to the following expenditure function codes: 34 - Student Transportation; 41 - General Administration; 81 - Facilities Acquisition and Construction; and the Function 90 series of the general fund, as defined in the Texas Education Agency (TEA) bulletin, Financial Accountability System Resource Guide.

Mary Riley
Signature of the Chairperson of the Board of the Charter Holder

01-11-05
Date of Signature

Mary Riley
Typed name and Title of the Chairperson of the Board of the Charter Holder



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Shirley J. Neeley, Ed.D.

Commissioner

September 19, 2005

Mary E. Riley, Chair
Amigos Por Vida-Friends for Life Housing and Education
5500 El Camino Del Ray
Houston, TX 77081

Re: Charter Renewal for Amigos Por Vida – Friends for Life Charter School

Dear Ms. Riley:

I am pleased to inform you that the charter renewal is approved for Amigos Por Vida – Friends for Life Charter School with a contract ending date of July 31, 2008. After renewal, the charter contract shall consist of the following:

- the representations and assurances made by the charter holder in the original request for application under the standard application system;
- the original contract for charter, as signed by the charter holder and the State Board of Education;
- any condition, amendment, modification, revision, or other change to the charter approved by the State Board of Education or the commissioner of education;
- the final renewal application, on file with the Division of Charter Schools, including any revisions required by the agency and any amendments to the charter made through the renewal application, except any responses in the following sections including relevant attachments (not all applications contain each section listed): Code of Conduct; Evaluation of Student Performance; Student Performance Goals; Plans and Initiatives to Improve Student Performance; Monitoring Follow-Up; IDEA Key Components; and Information Request Subsections D and E; and
- all statements, assurances, commitments and representations made by the charter holder in its application for charter renewal and its attachments or related documents, to the extent that these documents are consistent with those listed above.

Note that this contract is contingent upon legislative authorization and that the contract and the funding under it may be modified or even terminated by future legislative act. Furthermore, state and federal laws and rules may periodically be adopted, amended, or repealed and all such changes applicable to the charter holder or its charter school(s) may modify this contract, as of the effective date provided in the law or rule. Nothing in this contract shall be construed to entitle the charter holder to any privilege or benefit, including any funding, but in accordance with state and federal laws in effect and as they may in the future be amended. A contract term that conflicts with any state or federal law or rule is superseded by the law or rule to the extent that the law or rule conflicts with the contract term.

“Good, Better, Best—never let it rest—until your good is better—and your better is BEST!”

In order to acknowledge acceptance of this renewed contract, the chair of the charter holder board must sign below and return the entire original document to TEA's Division of Charter Schools, William B. Travis Building Room 5-107, 1701 North Congress Avenue, Austin, Texas 78701-1494. The charter holder should keep a copy of the document for its files. Please contact the Division of Charter Schools at (512) 463-9575 with any questions.

Sincerely,



Shirley J. Neeley, Ed. D.
Commissioner of Education

cc: Carlos Villagrana, Superintendent

I the undersigned hereby certify that the governing body of the charter holder has accepted and agreed to the charter renewal agreement for Amigos Por Vida – Friends for Life Charter School as outlined in the foregoing letter and has authorized me to sign below.

Agreed and Accepted:

Mary E. Riley
Chair, Amigos Por Vida-Friends for Life Housing and Education

Date