

This Student – Parent Handbook is a representation of many of TOKLA’s policies that directly affect students and parents. This handbook is not intended to be all inclusive. TOKLA reserves the right to amend and adopt current and new policies at will. The policies presented here are current only as of August 2008.

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A student may also be exempted from immunization if a parent or guardian objects in writing for good cause, including religious conviction. The Board shall allow a student to attend school who has not been immunized because of such objection.

The State of Florida, and the School, will honor the above objection(s); however, it must be understood that the School may immediately and automatically exclude such children from school in the event of any outbreak of disease for which such children are not properly immunized.

11.5 Emergency Medical Procedures

Minor Illness or Accident

Examples of a minor illness or accident include a headache, upset stomach, or minor cut or scratch. If these types of discomforts interfere with an employee's or student's tasks, the student will be treated and returned to class.

In any case, staff shall notify the Head of School or his/her designee if they must leave their work or classroom area to attend to a minor illness or accident.

Serious Illness Requiring Medical Attention

If a staff member or student is seriously ill or injured, and needs medical attention, that employee or student, or any employee or student who believes another person is seriously ill or injured, and needs medical attention, shall notify the Head of School or his/her designee or a staff member immediately.

If a staff member is unsure about the severity of a person's condition or unable to evaluate the situation, he/she shall call the Head of School's Office or his/her designee and:

1. Provide the name of person who is ill or injured.
2. Indicate where the injured or ill person is located in the building.
3. Describe the main symptoms observed.
4. Request medical assistance.
5. Indicate whether it will be necessary to call the Rescue Squad.
6. Stay with the person and do not attempt to move him or her.
7. Be sure there is a person posted to route the Rescue Squad to the ill employee.
8. Be sure the area is clear of unnecessary traffic and on-lookers.

Critical Illness

Examples of critical illnesses are:

- Loss of consciousness
- No pulse
- No breathing
- Profuse bleeding

- i. at least one (1) emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
 - j. any other special instructions from the physician.
2. The Head of School or his/her designee, and, if a School nurse is assigned to the student's School building, the School nurse has received copies of the written approvals required by Subparagraph 1 of this section.

If these conditions are satisfied, the student may possess and use the inhaler at School or at any activity, event, or program sponsored by or in which the student's School is a participant.

The School, a member of the Board or the Board's representatives, or any staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a staff member's prohibiting a student from using an inhaler because of a staff member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had not been satisfied. The School, a member of the Board, the Board's representatives, or any staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a staff member's permitting a student to use an inhaler because of a staff member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had been satisfied. Furthermore, when the School is required by this Section to permit a student to possess and use an inhaler because the conditions of Subparagraphs 1 and 2 of this Section have been satisfied, the School, any member of the Board, or the Board's representatives, or any staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or staff or employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

11.4 Health Examinations and Immunizations

The School may make and enforce rules to secure the immunization of, and to prevent the spread of communicable diseases among the pupils attending or eligible to attend the School, as in its opinion the safety and interest of the public require. The Board of Health, on application of the School, at the public expense, without delay, shall provide the means of immunization to students who are not so provided by their parents or guardians. No student shall remain in the School for more than fourteen days if he/she has not received, or is not in the process of receiving the immunizations required under Florida law.

The Head of School or his/her designee may exempt a student from being immunized against rubella, mumps, and/or chicken pox if the student presents a signed statement from a parent or physician indicating s/he has had natural rubella, mumps and/or chicken pox and does not need to be immunized. The student will be allowed to attend School only if a physician's statement indicates there is no danger of contagiousness.

The Head of School or his/her designee may also exempt a student from immunization if a physician certifies in writing that immunization from a particular disease is medically contra-indicated. The Head of School or his/her designee may prohibit the student from attending School, however, if the immunization would have been for mumps, poliomyelitis, rubella, rubella, diphtheria, pertussis, or tetanus.

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is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; (3) assist upon request by or with the consent of, a physically impaired but mentally alert student, in removing oral or topical medication from the container and in taking or applying the medication. If a staff member is physically unable to place a dose of medicine in a student's mouth without spilling or dropping it, an unlicensed staff member may place the dose in another container and place that container to the mouth of the student.

The School may permit, if no other choice is available, or in an emergency, the administration by staff of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training. Training should be provided by the prescribing physician's office. The administration of such medication must take place in the school office, unless under emergency circumstances.

Students who may require administration of an emergency medication may have such medication, identified as stated above, stored in the Head of School's office and administered in accord with this policy. The Head of School or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

11.3 Use of Inhaler

A student may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if both of the following conditions are satisfied:

1. The student has the written approval of the student's physician and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The physician's written approval shall include at least all of the following information:
 - a. the student's name and address;
 - b. the names and dose of the medication contained in the inhaler;
 - c. the date the administration of the medication is to begin;
 - d. the date, if known, that the administration of the medication is to cease;
 - e. written instructions that outline procedures School personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack;
 - f. any severe adverse reactions that may occur to the student using the inhaler and that should be reported to the physician;
 - g. any severe adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such a student receive a dose of the medication;
 - h. at least one (1) emergency telephone number for contacting the physician in an emergency;

Chapter 11: General Health and Welfare

11.1 Health Services

Prior to November 1 of the school year in which a child is enrolled for the first time in either kindergarten or first grade, the child shall be screened for disorders in hearing, vision, speech and communication, for general health or medical problems, and for developmental disorders. This screening, or any of its elements, may be provided directly by the School or by contract with another person or governmental entity. The School may also establish a list of approved providers of screening services and request the parents to utilize one of these providers.

Prior to August 1, the parents or guardians of any child entering school for the first time must be provided with information about the screening program. If the School has determined that screening is to be obtained by the parents or guardians, it must prepare a list of providers together with information about screening services available in the community to those who cannot afford them. A parent or guardian may reject the requested screenings by signing a written statement to the effect that he/ she does not wish to have his/ her child screened.

If the results of any health screening reveal the possibility of special learning needs, the School is required to conduct further assessment in accordance with Florida's handicapped education laws.

11.2 Use of Medications Policy

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, only if a physician's request is completed.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child's physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the office of the Head of School or his/her designee.

Only medication in its original prescription bottle labeled with the date of prescription, student's name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

The School shall allow an unlicensed staff member to assist a student with self-administration of medications by doing only the following (1) remind the student when it

Chapter 1: Program Operation

1.1 Mission Statement

The mission of Tree of Knowledge Learning Academy is to deliver psycho-educational services to children who are at-risk academically and/or physically so they can achieve academic success and develop hope for a rewarding life.

1.2 Philosophy/Vision Statement

TOKLA values the idea that every child deserves an exceptional comprehensive educational experience regardless of any disability or obstacle they may face. TOKLA provides a "catered" instructional delivery system (i.e., bringing education to the student) that is ideal for students who are not either able to attend public school on a regular basis or who have not been successful in the traditional public school environment.

TOKLA will improve public education by adequately serving students who have been disenfranchised from the educational system. The concept behind TOKLA is that students can receive a standards based, on-line education in one of the variety of programs that we offer. This type of delivery system will allow students to receive an education who: cannot function successfully in a traditional classroom environment; or who spend considerable amounts of time at the hospital; or who have physical or emotional disabilities that prevent them from attending traditional public school daily.

1.3 General Policy of Parent Involvement

The School expects parents of students to be actively involved in the student's education. In order for our faculty and staff to effectively educate our children, we welcome our parents as partners. Parents are strongly encouraged to participate in a variety of activities and forums that will support our students academically and add to the vitality of our school. Parents will be expected to participate and sign an agreement with the school.

A status review is a formally scheduled conversation between faculty and parents in order to discuss the student's development and progress. Parents will be required to confer with faculty about their child's/children's social and academic achievement on a regular basis as scheduled by the School on the School calendar. Parents should attend status reviews in order to receive written report cards. As well, the School encourages parents to initiate conferences about their questions and concerns with the Head of School or his/her designee and/or faculty members.

1.3.1 Parent Participation in Title I Programs

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with parents of the students being served. Accordingly, the School establishes this parent involvement policy, which will be reviewed and approved annually by the Board and distributed to parents of children receiving Title I services. The School will:

- A. involve parents in the development of the School's Title I plans and in the process of school review and improvement, if necessary;

- B. provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement activities to improve student achievement and school performance;
- C. build the schools' and parents' capacity for strong parental involvement;
- D. coordinate and integrate parent involvement strategies with parent involvement strategies under other programs such as Head Start, Reading First, Early Reading First, Even Start, Parents and Teachers, and Home Instruction for Preschool Youngsters;
- E. in consultation with parents, annually evaluate the content and effectiveness of the parent involvement policy in improving the academic quality of schools, including:
 - 1. identifying barriers to greater parent participation;
 - 2. designing strategies for more effective parental involvement; and,
 - 3. revising the parental involvement policy if necessary;
- F. involve parents of children receiving Title I services in deciding how Title I funds reserved for parent involvement activities will be allocated;
- G. provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities and parents of migratory children, including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- H. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- I. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents in the planning, review, and improvement of the Title I program;
- L. communicate information concerning school performance profiles and their child's individual performance to parents;
- M. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- N. provide timely responses to parental questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;

of the School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the program. If such an individual refuses to leave the School grounds or creates a disturbance, the Head of School or his/her designee is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Head of School or his/her designee may promulgate such administrative guidelines as are necessary for the protection of students and staff from disruption to the educational program or the efficient conduct of their assigned tasks.

All volunteers (both new and current) having unsupervised access to students on a regular basis are hereby notified that the School may at any time require a set of fingerprints for purposes of making a criminal records check. If a criminal records check is conducted on a volunteer, and the records check reveals one of the prohibited violations, the School may no longer utilize the volunteer in a position involving unsupervised access to children on a regular basis, unless a notice is sent out to the parent or guardian of each child served by the School. The notice must be in writing, name the volunteer and indicate that the volunteer has been convicted of or entered a guilty plea to one or more of the prohibited violations. The notice must be sent to the parent or guardian on the date the School commences providing services to the child or on the date the School decides to accept the person as a volunteer after receiving the report of the result of the criminal records check, whichever is later.

Chapter 10: Parent Responsibilities

10.1 Communication

TOKLA believes that it is in the best interest of the child, parent, teacher, and the school to maintain open lines of communication. Communication should occur often and in a timely manner that best serves the educational needs of the student. Parents, teachers, and school officials working together in a cooperative and supportive manner will ultimately lead to the best outcome for the child.

10.2 Procedure for Communicating Concerns

We believe it is in the best interest of the child to have complaints or concerns resolved early and among those most directly affected. Parents and teachers working together in a cooperative and supportive manner lead to the best solutions. With this belief in mind, the following procedures for resolving concerns are established:

1. Request a conference with the teacher(s) or staff to discuss a concern or complaint. It is reasonable to expect that discussion will occur at an early, mutually agreed upon time. At the end of the discussion the teacher or staff member will provide an oral response. A written response may be requested and, if so, will be provided within three (3) school days unless otherwise mutually agreed upon.
2. If the response at step one (1) is considered unsatisfactory, the parent may refer the complaint a school administrator. Again, the parent may expect a prompt conference to discuss the issue. The school administrator may request that the issue be presented in writing as well as orally. After a reasonable time to investigate the issue, the administrator will provide the parent with an oral response and, upon request, a written response.
3. Matters that remain unresolved at this point may be directed to the Head of School. The concern may be discussed by phone or an appointment may be set up to discuss the matter. The Head of School will review the concern with the parent and, if necessary, with the other parties involved.
2. If the parent remains dissatisfied, he/she may address the complaint and the relief sought, in writing, to the board. The board, upon receipt of the complaint, at its next regular meeting, will review the complaint and render a decision as to whether to grant the relief requested or to deny relief. The board's decision will be shared with all parties involved. Discussion of the concern will take place in an executive session.

10.3 Visitors, Volunteers, and Guests

The Board welcomes and encourages visits to School programs by parents, other adults, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons, it is necessary to invoke visitor controls. All visitors, including parents and volunteers, must report to the School office upon entering the School building and sign the guest register. This procedure has been adopted for the safety of our students and staff. Children from other schools may not visit during the school day. Exceptions may be made at the Head of School or his/her designee's discretion for families who are considering enrollment.

The Head of School or his/her designee has the authority to prohibit the entry of any person, including but not limited to parents, other adults and/ or educators, to a program

- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

The School will:

- A. Convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a parental involvement plan.
- B. Meet with parents of children receiving Title I services at flexible times with assistance such as child care, transportation, home visits, or similar aid offered to parents to encourage their involvement.
- C. Assure that parents are involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities.
- D. Provide parents of participating students with:
 1. timely information about the Title I program and the school's parent involvement policy;
 2. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels expected;
 3. regular meetings, upon request, for parents to make suggestions, and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their student's education as soon as practicably possible.
- E. The School-Parent contract will be given to parents prior to school opening. It describes how the parents, Staff and students will share the responsibility for improving student achievement. See Application.
- F. Parents of children receiving Title I services must be notified about school parent involvement policies in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- G. School parent involvement policies must be evaluated periodically to consider whether they meet the changing needs of parents and the schools.

In order to involve parents in the education of their children and to support a partnership among the School, parents and the community for improving students achievement, the School will:

- A. assist parents of children served under Title I in understanding the State's academic content and assessment standards, and in understanding how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. provide materials and training to help parents work with their children to improve achievement;
- C. educate teachers, pupil services personnel, and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to,

communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;

- D. to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal programs;
- E. provide such reasonable support for parent involvement activities as parents may request.

In order to build the School's capacity for parent involvement, the School may also:

- A. involve parents in the development of training for teachers and administrators to improve the effectiveness of such training;
- B. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in school-related meetings and training sessions, including transportation and child care costs;
- C. train parents to enhance the involvement of other parents;
- D. adopt and implement model approaches to improving parental involvement;
- E. establish a District-wide parent advisory council to provide advice on all matters related to parental involvement programs;
- F. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

20 U.S.C. §6318 et seq., 34 C.F.R. Part 200 et seq.

1.3.2 Title I - Parents Right to Know

In accordance with the requirement of Federal law, for each school receiving Title I funds, the School shall make sure that all parents of students are notified that they may request, and the Board will provide the following information on the student's classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade levels and subject areas they are teaching
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned
- D. the qualifications of any paraprofessionals providing services to their child(ren)

In addition, the parents shall be provided:

- A. information on the level of achievement of their child(ren) on the required State academic assessments;
- B. timely notice if the student is assigned to a teacher who is not "highly qualified" as required or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.

- 5. The sale by students of products or services to raise funds for School-related or education-related activities.
- 6. Student recognition programs.

9.7 Grandparent Caretaker Policy

A grandparent with a grandchild living with them may enroll the grandchild in the School pursuant to the Admission and Lottery Standards Policy No. 5.1. Such grandparent must provide a Power of Attorney and a Caretaker Authorization Affidavit.

A. Power of Attorney

A Power of Attorney is created by a parent, guardian or custodian of any student of the school, and grants to the grandparent of the child with whom the child is residing any of the parent's, guardian's or custodian's rights or responsibilities regarding the care, physical custody and control of the child, including the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological or dental treatment for the child. A Power of Attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of a parent, guardian or custodian in any future proceedings.

B. Caretaker Authorization Affidavit

A Caretaker Authorization Affidavit may be executed by a grandparent who has made reasonable attempts to locate and contact both of the child's parents or the child's guardian or custodian, but has been unable to do so. The Caretaker Authorization Affidavit gives the grandparent the authority to exercise care, physical custody and control of the child, including authority to enroll the child in school; discuss with the school the child's educational progress; consent to all school-related matters regarding the child; and consent to medical, psychological or dental treatment for the child.

- C. The execution of a Power of Attorney or Caretaker Authorization Affidavit for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or inter-scholastic athletic programs provided by the school or school district is prohibited. Such falsification is a first degree misdemeanor, and voids the Power of Attorney or Caretaker Authorization Affidavit.

- D. Both the Power of Attorney and the Caretaker Authorization Affidavit terminate after the following events:

- expiration of one year after execution;
- termination of the child's residence with the grandparent;
- termination by the court; or
- death of the grandparent.

The School shall notify parents and eligible students at least annually of the potential administration of any School-approved third party surveys and parents and eligible students shall have the right to inspect any such survey upon a reasonable request.

A student shall not be required to submit to a survey, analysis or evaluation without the prior written consent of the student's parent or an eligible student that reveals any of the following information:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.)

The School shall provide notice to parents and eligible students annually of the specific or approximate dates of any such survey being administered and shall not administer any survey relating to any of the above listed information to any student for which written consent has not been received from the student's parent or the student, if an eligible student.

Additionally, the School shall provide notice to parents and eligible students at least annually of the specific or approximate dates of the administration of any survey to collect, disclose or use any student personal information for the purpose of marketing or selling the information. Parents and eligible students shall have the right to inspect the survey or other documents to be used in the collection of any such personal student information and shall have the right to opt their student out of participation in such activity.

The preceding paragraph does not apply, however, to the collection, disclosure or use of personal student information for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement

The notices and information shall be provided in an understandable and uniform format, and to the extent practicable, in a language the parent(s) understand.

*20 U.S.C. 6311
34 C.F.R. Part 200 et seq.*

1.3.3 Parental Involvement - Use of Scientifically Based Research

The school will use the latest scientifically based research to provide the parents of its students with substantial and meaningful opportunities to effectively participate in their children's education to foster their children's achievement. The school will use the latest scientifically based research to lower the barriers to the parents' participation in school planning, review and improvement.

20 U.S.C. §6301(12) & 6311(d), NCLB §1001(12) & 1111(d)

1.3.4 Parental Review of Instructional Materials

The School shall make available for review by parents, upon a reasonable request, any instructional material used as part of the educational curriculum for students. "Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic format or digital formats (such as materials accessible through the internet). The term does not include academic tests or academic assessments.

20 U.S.C. §1232h.

1.3.5 Parental Consultation Regarding Physical Exams

The School shall notify parents or students who are at least eighteen (18) years of age or emancipated minors ("eligible students") at least annually of the projected or approximate dates of any non-emergency, invasive physical exam that is required as a condition of attendance, administered by the school and scheduled in advance and not necessary to protect the immediate health and safety of the student, or of other students. "Invasive physical exam" means any medical examination that involves exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. This section does not apply to any physical exam or screening that is permitted or required by State law. Parents or eligible students shall have the right to opt out of participation in any physical exams covered by this section.

20 U.S.C. §1232h.

1.4 Program Accountability

The School is accountable to its Sponsor to deliver the curriculum set out in its Contract. In order to assist in achieving its goals and fulfill its mission, the Head of School or his/her designee shall report to the Board, the School's progress in every area of curriculum of the School.

1.4.1 Policy Regarding Low Performing Children

The School will make every reasonable effort to close the achievement gap between its high and low-performing children.

20 U.S.C. §6301(3), NCLB §1001(3).

1.4.2 Teacher Responsibility

The School will increase the decision-making authority and flexibility of its teachers while imposing greater responsibility for student performance on the teachers.

20 U.S.C. §6301(7), NCLB §1001(7).

1.4.3 Scientifically Based Instruction Methods

The school will promote school-wide reform and ensure that the school utilizes effective scientifically based instruction methods to provide a challenging curriculum to its students.

20 U.S.C. §6301(9), NCLB §1001(9).

1.4.5 Compliance with State Academic Standards

The School will make every reasonable effort to ensure that it uses high quality academic assessments, accountability systems and teacher preparation and training, and ensure that the foregoing and the school's curriculum and instructional materials are aligned with the state's academic standards. The School will enable all interested parties, including students, parents, teachers and administrators, to measure this school's progress in meeting state and federal goals for student academic achievement.

The School will make every reasonable effort to use the state's assessment system to improve and strengthen accountability, teaching and learning to ensure that its students are meeting the state's academic standards.

20 U.S.C. §6301(1) and (6), NCLB §1001(1) and (6).

1.4.6 Funding Under Title I, Part F-Curriculum/Student Development

The School will develop comprehensive reforms, based on scientifically based research and effective practices that emphasize basic academics and parental involvement to enable its students to meet the state's academic achievement standards.

The School will implement a program that employs proven methods for learning, teaching and management that are based on scientifically based research and effective practices and have been proven successful in schools.

The School's reform plan will integrate curriculum, instruction, assessment, classroom management, technology, professional development, parental involvement and school management into a comprehensive plan that enables all the School's students to meet the state's academic standards and addresses the School's needs.

The School will provide continuous, high quality professional development for its teachers and staff.

The School will use measurable goals for academic achievement.

The School will involve the parents of its students and the local community in planning, implementing and evaluating the School's improvements.

The School will annually evaluate its implementation of its reform plan.

20 U.S.C. §6511, NCLB §1601

without the prior written consent of a parent and the School shall comply with any such request.

20 U.S.C. § 7908(a)(1), NCLB § 9528(a)(1)

20 U.S.C. § 7908(a)(2), NCLB § 9528(a)(2)

20 U.S.C. § 7908(a)(3), NCLB § 9528(a)(3)

9.4 Student Records and Release of Information

For the purposes of this section, "eligible students" shall include any student who is at least eighteen (18) years of age or an emancipated minor. Parents and eligible students shall receive annual notice of their rights under this section.

Parents and eligible students have the right to inspect and review the student's education records within forty-five (45) days of the receipt of a request for access to such records. Such request must be in writing and the school shall make arrangements for access to such records and shall notify the parent or eligible student of the time and place where such records may be inspected.

Parents and eligible students have the right to request in writing an amendment of a record that they believe is inaccurate. In the event the school determines that the requested amendment will not be made, the parent or eligible student shall be informed of the reasons for such decision in writing and the school shall advise the parent or eligible student of their right to a hearing regarding the request for amendment.

The school shall not permit the release of education records or personally identifiable information contained therein, other than directory information, without the written consent of a parent. This provision does not apply to disclosures in the following circumstances:

1. to school officials who have a legitimate educational interest.
2. to officials of other schools or school systems in which the student seeks or intends to enroll, upon the condition that the student's parents be notified of the transfer, receive a copy if desired and have an opportunity for a hearing to challenge the content of the record.
3. to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals.

The School shall provide annual notice to parents and eligible students of the school's intent to make available, upon request, "directory information". Directory information may include a student's name, address, telephone listing, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, dates of attendance, date of graduation, awards received, honor rolls, and scholarships. Such information shall not be provided to any organization for profit-making purposes. Within ten (10) days of receiving notice of the intent to disclose directory information, a parent or eligible student may object to the release of such information without prior written consent, upon notification of which the school shall not release directory information without first obtaining such consent.

20 U.S.C. § 1232g.

9.5 Student Surveys

For purposes of this section, the term "eligible students" shall include any student who is at least eighteen (18) years of age or an emancipated minor

The student may also be required to provide the Head of School or his/her designee with a written account describing what was learned during the field trip. The written account must be at least one (1) page in length. Failure to provide the written account within five (5) days of returning to School will result in the absence(s) being declared unexcused or unlawful.

20 U.S.C. §6516(a)(1), NCLB §1606(a)(1)
20 U.S.C. §6516(a)(2), NCLB §1606(a)(2)
20 U.S.C. §6516(a)(3), NCLB §1606(a)(3)
20 U.S.C. §6516(a)(4), NCLB §1606(c)(4)
20 U.S.C. §6516(a)(7), NCLB §1606(a)(7)
20 U.S.C. §6516(a)(9), NCLB §1606(a)(9)

Chapter 9: Miscellaneous Student Policies

9.1 Boy Scouts and Patriotic Youth Groups

The School shall not discriminate against the Boy Scouts or the other patriotic youth groups designated in Title 36 of the United States Code in providing access to any designated open or limited public forum that are a part of or controlled by the School.

20 U.S.C. §7905(b)(1), NCLB §9525(b)(1)

9.2 Materials Regarding Sexual Activity

The School shall not develop or distribute materials or operate programs or courses of instruction that are designed to promote or encourage sexual activity, whether homosexual or heterosexual.

20 U.S.C. §7906(a)(1), NCLB §9526(a)(1)

9.2.1 Obscene Materials

The School shall not distribute or aid in the distribution of legally obscene materials.

20 U.S.C. §7906(a)(2), NCLB §9526(a)(2)

9.2.2 Sex Education

Any sex education or HIV prevention program provided by the School shall be appropriate for the age of the students receiving such instruction and shall include instruction on the health benefits of abstinence.

20 U.S.C. §7906(a)(3), NCLB §9526(a)(3)

9.2.3 Contraceptives

The School shall not distribute contraceptives to its students.

20 U.S.C. §7906(a)(4), NCLB §9526(a)(4)

9.3 Military Recruitment and Student Privacy

The School will provide military recruiters with the same access to its secondary school students that the School provides to post-secondary educational institutions and employers. Upon the request of a military recruiter or institution of higher education, the School will provide access to the names, addresses and telephone listings of its secondary School students.

The School will give notice to the parents of each of its secondary School students that the student or his/her parent may request that the School not release the student's name, address and telephone listing to any military recruiter or institution of higher education

1.4.7 Teacher/Paraprofessional Qualifications

The School will hire teachers who are highly qualified, as the term is defined in the No Child Left Behind Act.

The School will hire paraprofessionals who meet the qualifications set forth in the No Child Left Behind Act.

The School will assure that its paraprofessionals, who were employed by the School prior to the effective date of the No Child Left Behind Act, meet the qualifications set forth in the No Child Left Behind Act on or before January 1, 2006.

These policies are subject to the regulations, guidance, extensions or rules adopted by appropriate governmental authorities.

20 U.S.C. §6319(c), NCLB §1119(c)
20 U.S.C. §6319(c), NCLB §1119(c)
20 U.S.C. §6319(d), NCLB §1119(d)

1.4.8 Migrant Students

In order to obtain funding under Title I, Part C, federal law mandates that the School adopt high quality and comprehensive educational programs for its migrant students to help reduce the educational problems that result from repeated moves.

The School will ensure that its migrant students are provided with educational services that address their special needs.

The School will ensure that its migrant students are provided with the opportunity to meet the state's academic achievement standards.

The School will design and/or adopt programs that help its migrant students overcome educational disruption, cultural and language barriers, social isolation, health related problems and other factors that inhibit their ability to learn and to prepare them for post secondary education and/or employment.

20 U.S.C. §6391(1), NCLB §1301(1)
20 U.S.C. §6391(3), NCLB §1301(3)
20 U.S.C. §6391(4), NCLB §1301(4)
20 U.S.C. §6391(5), NCLB §1301(5)

1.4.9 Advanced Placement Program

In order to obtain funding under Title I, Part G, federal law mandates that the School make every reasonable effort to raise academic standards through advanced placement programs by trying to increase the number of the School's students who participate and succeed in advanced placement programs.

The School will encourage its students who take advanced placement programs but do not plan on taking advanced placement exams to take those exams.

The School will make every reasonable effort to:

- A. increase the availability of advanced placement and pre-advanced placement programs.
- B. provide greater access to advanced placement and pre-advanced placement courses.
- C. increase the number of its secondary school students who participate in advanced placement courses.
- D. increase the number of its students who receive college credit from taking advanced placement tests.
- E. either fully or partially pay the advanced placement test fees for its students who could not otherwise afford to take the tests.

20 U.S.C. §6532(1), NCLB §1702(1)
20 U.S.C. §6532(2), NCLB §1702(2)
20 U.S.C. §6532(4), NCLB §1702(4)
20 U.S.C. §6532(6), NCLB §1702(6)
20 U.S.C. §6532(7), NCLB §1702(7)
20 U.S.C. §6532(7), NCLB §1702(7)
20 U.S.C. §6532(8), NCLB §1702(8)

1.4.10 Preventing Dropouts

In order to obtain funding under Title I, Part H, federal law mandates that the School adopt and implement programs that have been proven effective in preventing students from dropping out of school and that have resulted in dropouts reentering school.

20 U.S.C. §6552(2) & 6561a(b)(1), NCLB §1802(2) & 1822a(b)(1)

1.4.11 Assistance to Students with Limited English Proficiency and Immigrant Students

In order to obtain funding under Title II, federal law mandates that the School use methods based on scientifically based research to teach English to its students with limited English proficiency and its immigrant students.

The School will use methods based on scientifically based research to assist its students with limited English proficiency and its immigrant students in meeting the state's academic standards.

20 U.S.C. §6825(a), NCLB §3115(a)

1.4.12 Reading Standards

In order to obtain funding under Title I, Part B, federal law mandates that the School use scientifically based reading research to ensure that every student can read at grade level or above not later than the end of the third grade.

The School will prepare its teachers through professional development and other support to enable them to identify special reading barriers facing their students and provide them with the tools to effectively help the students learn to read.

5. fail to identify the student or organization responsible for distribution; and
6. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board.

The decision as whether or not something is published or produced shall be made by the advisor with appeal to the Head of School or his/her designee.

8.2 School Sponsored Field Trips

Classes working on units are encouraged to take advantage of as many first hand experiences as possible. Notices must be sent home that state where, when (date & departure/arrival time), and why (goals) the field trip is taking place. Each parent/guardian will be required to sign and return an acknowledgement of the trip and give permission for their child to participate. This purpose of this is to make the parent/guardian aware of what is taking place at the school, assure that the child is on time and does not miss the trip, and give the parent/guardian the opportunity to join in if possible.

The following procedures will be adhered to:

- Parent/Guardian participation (parent/guardian volunteers are encouraged for field trips)
- Staff will carry copies of students' emergency medical cards, first aid kits, and signed permission slips on all field trips.

Every effort will be made to accommodate parents/guardians who choose not to have their child(ren) participate in a field trip. The child may be placed in another room for the day or the parent/guardian may be used as a substitute. The parent/guardian may also be required to keep their child at home on the day of the scheduled field trip if TOKLA is unable to accommodate the student in the school.

In order to attend a school sponsored field trip the student must turn in a signed permission slip with any payment that is due by the due date. The student must also have a Medical Authorization Form on file in the school office.

8.3 Non-School Sponsored Field Trips

Students may be excused from School attendance to participate in non-school sponsored field trips. To be considered, the student's Parent/Guardian must make written application on the form below to the Head of School or his/her designee at least fourteen (14) days prior to the trip.

The Head of School or his/her designee will review this form, the student's attendance record, the student's previous trips, the educational value of the trip, and teacher recommendations.

No student may spend more than a total of ten (10) school days on approved field trips per school year.

Failure to obtain pre-approval for a field trip will result in the absences for the trip being declared as UNEXCUSED and, where appropriate, unlawful.

The student is expected to make up all schoolwork missed while absent.

Chapter 8: Student Activities

8.1 School Sponsored Publications

The School may sponsor student publications as a means for students to learn, under adult direction, the rights and responsibilities of the public expression in a free society.

Such publications also play a vital role in the School's program by:

1. presenting students and the School to the community;
2. serving as a public relations media;
3. developing skills in communicating via the mass media; and
4. developing acceptable methods for preserving the constitutional provision of free speech.

In sponsoring a student publication, the School is mindful of the fact that it could be available to any student attending the School, and must, therefore, generally be suitable for all students.

Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a School sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.

Advertising may be permitted in School newspapers, yearbooks, programs, etc. which are published by student organizations. Permission must be given by the Head of School or his/her designee.

The School reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:

1. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;
2. libel any specific person or persons;
3. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect or point of view; and
4. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
 - a. constitute a direct and substantial danger to the health of students;
 - b. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them; and
 - c. incite violence, advocate the use of force or urge the violation of law or school regulations.

The School also prohibits publications and productions which:

The School will select and/or develop effective instructional materials, programs, learning systems and strategies to implement methods that have been proven to prevent or remediate reading failure within the state.

20 U.S.C. §6361(1), NCLB §1201(1)

20 U.S.C. §6361(2), NCLB §1201(2)

20 U.S.C. §6361(4), NCLB §1001(4)

1.5 Program Assessment

The School shall assess itself, at least annually in meeting its mission, goals and curriculum as set out in its Contract with its Sponsor. To that end, the School adopts the following policies in order to assist in reaching its goals.

The assessment shall consist of four major elements:

- A. A strong commitment from Staff to the School's mission;
- B. A focus on the School's clients (students, parents and staff);
- C. Comparisons between outcomes currently being attained and those desired, or target outcomes identified in the School's Charter Contract; and
- D. A commitment to continuously improve student achievement by constantly striving to improve the program and service the School provides.

Process for Comprehensive Continuous Improvement Plan ("CCIP") Grants

When applying for a CCIP Grant, the School shall develop a needs assessment which shall consist of a well-thought-out business process. The School shall align all programs, plans/plan additions and funding sources. Most of the CCIP titles/grants require a needs assessment. The School shall use one comprehensive process for all the federal titles/grants, local and state funding sources, and plan additions in the CCIP. The School shall involve key stakeholders, including students (where appropriate), parents, teachers, staff, administrators and community members (including employers) in a data/planning committee. The School shall revisit the needs assessment regularly to continuously evaluate and improve the academic plan.

1.5.1 Florida Rating

The Florida Department of Education issues a rating which shall be distributed to the parents and students of the School and to the members of the board of education of the school district in which the School is located, and to any other party requesting the report from the Department of Education. The School will widely disseminate the information contained in the annual report, in an understandable and uniform format.

(D) 20 U.S.C. §6311(h)(2)(E), NCLB §1111(h)(2)(E)

1.5.2 Annual Report

The Head of School or his/her designee shall prepare for the Board's review an annual report of the School's activities and progress in meeting its goals and standards and the School's financial status. The report shall be submitted to the Sponsor, the parents of students, and the Florida Department of Education. The Head of School or his/her designee shall collect and provide any data that such offices require.

1.5.3 Other Reporting

The Head of School or his/her designee shall report to the Board, all matters required by the Florida Code.

1.5.4 Adequate Yearly Progress

The School will annually review the progress of the School using state academic assessments and other indicators described in the state plan to determine whether the School is making adequate yearly progress.

The School will publicize and disseminate the results of the School's annual review to the parent of its students, teachers, the principal, and the community to enable the teachers, the principal, and the community to continually refine the program of instruction to help all children meet the state's academic standards.

20 U.S.C. §6316(a)(1)(A), NCLB §1116(a)(1)(A)

20 U.S.C. §6316(a)(1)(c), NCLB §1116(a)(1)(c)

can be done only with the approval of the Director of High School Education and the High School Academic Guidance Counselor.

7.3.9 Incomplete Grade Policy

A grade of Incomplete will be given at the end of a grading period only at the discretion of the Director of High School Education and High School Academic Guidance Counselor and the student's teacher/tutor. If an incomplete is granted, the student will have three weeks from the end of the semester to complete all missing assignments. This deadline will be extended, in the rarest of occasions, only if extenuating circumstances are clearly evident. Students who need an extension will meet with the Director of High School Education and High School Academic Guidance Counselor.

7.3.10 Summer School

Students who wish to complete summer school courses must get approval from the Director of High School Education prior to enrolling in a summer course. Summer school is recommended when a student receives a D or F in a particular subject, or feels he/she needs remedial help before advancing to the next course. The TOKLA will only accept credit from The Tree of Knowledge and E-tree, unless prior approval has been granted.

7.3.11 Final Exams

Center based high school students will need to take final exams at the end of each semester. The length and weight of each exam will be determined by the subject teacher. Students who miss final exams will need to reschedule with the teacher in order to receive credit for the course.

7.3.12 FCAT

The State of Florida requires all students to pass the FCAT in order to receive a diploma. Students are required to take these tests starting in the spring of their sophomore year. Students who do not pass each test will have multiple opportunities to do so. The TOKLA will offer test preparation sessions to help students develop skills to take and successfully complete the FCAT.

7.3.13 College Entrance Requirements

College entrance requirements differ from one school to another. It is never too early for high school students to begin planning for college. SAT and ACT tests are usually taken in the junior year, while the actual application process begins in the fall of the senior year. The Director of High School Education will assist any student seeking information regarding post-secondary education. This may include registering for the SAT or ACT tests, completing college applications, and applying for financial aide. Students are reminded that many schools hold to strict admissions standards and therefore should try to maintain a good GPA and an excellent attendance record throughout all four years of high school.

7.3.14 College Credit

High school students who wish to get college credit may do so through CLEP (College-Level Examination Program). CLEP gives students the opportunity to demonstrate mastery of a subject through a computer generated test. A passing score allows students to get undergraduate credit and/or advanced standing at many colleges. The Director of High School Education can help students seek out which colleges accept CLEP scores for credit.

- 1 credit in a Life Science
- 1 credit in a Physical Science
- 1 credit of Elective Science

Social Studies 3 credits

- 1/2 credit American History
- 1/2 credit American Government
- 2 credit Social Studies Electives

Health .5 credits

Physical Education .5 credits

Electives 6 credits

- 1 credit (or two 1/2 credits) must include Business/Technology, Fine Arts, or Foreign Language

7.3.5 Early Graduation

The earliest time that request for early graduation will be considered is during the last nine-week grading period of the student's sophomore year. Florida state minimum graduation requirements must be met in order for consideration.

The following is the procedure for applying for early graduation.

1. Student receives application from the Director of High School Education
2. Completed application must be signed by parent, listing reasons for request, and then returned to the Director of High School Education.
3. Director of High School Education will verify that the student has a 2.75 cumulative Grade Point Average.
4. Director of High School Education will send application to the Head of School.

Head of School will seek final approval from the TOKLA Board.

7.3.6 Grade Point Average (GPA) Scale

A = 4.0
 B = 3.0
 C = 2.0
 D = 1.0
 F = 0.0

7.3.7 Grading Scale for All High School Students

100- 90 A
 89 - 80 B
 79 - 70 C
 69 - 60 D
 Below 60 F

7.3.8 Student Schedule Changes

All necessary schedule changes should be completed prior to the beginning of a school semester. Students have the first two weeks of a semester to add or drop a course. This

Chapter 2: Program Administration

2.1 Access to Equal Educational Opportunity

It is the policy of the School to provide an equal opportunity for all children to achieve their maximum potential through the curriculum offered regardless of race, color, creed, disability, religion, sex, ancestry, national origin, social or economic background, or other legally protected category. Any limitations with regard to participation in a school-sponsored activity are based on criteria reasonably related to that specific activity.

The board's policy of nondiscrimination extends to students, staff, job applicants, the general public and individuals with whom it does business and applies to race, color, national origin, citizenship status, religion, gender, sexual orientation, economic status, age or disability.

The board does not permit discriminatory practices and views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred, contempt or prejudice or to have the effect of insulting or stigmatizing an individual. Employees or students who engage in discrimination/harassment shall be subject to disciplinary action.

All persons associated with the school, including, but not limited to, the board, the administration, the staff and the students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community is in violation of this policy.

The Board appoints the Head of School or his/her designee to be the Compliance Officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination rights under applicable laws is provided to students, their parents, staff members, and the general public.

Any complaints shall be addressed in accordance with the provisions, respectively, of:

Section 222.1 - Title IX Grievance Procedure and/or

Section 223.1 - Title I Complaint Procedure and/or

Section 228- Section 504 of the Rehabilitation Act of 1973, Grievance Procedure.

2.2 Title IX Coordinator

The School intends to comply with Title IX of the Education Amendments Act of 1972, which states, in part: "No persons in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance...."

The Head of School or his/her designee shall be the Compliance Officer/Title IX Coordinator and is responsible for investigating any complaint alleging noncompliance with Title IX.

A specific procedure for grievances related to Title IX issues is set forth as the "Title IX Grievance Procedure."

2.2.1 Title IX Grievance Procedure

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of student and employee complaints. All attempts should be made to resolve grievances at the lowest level possible.

Level I- Informal Procedure

If a student or employee believes there is a basis for a grievance related to Title IX, he/she may present the grievance to the Title IX Coordinator within fifteen (15) calendar days of the conduct alleged to be in violation of Title IX. The Title IX Coordinator shall investigate the alleged grievance. The Title IX Coordinator and the student or employee shall meet in an effort to resolve the matter informally. The Title IX Coordinator shall make a decision on the grievance and shall give that decision orally to the student or employee.

Level II- Formal Procedure (Executive Committee of the Board)

If the student or employee believes that there still is a basis for a grievance, he or she may make a written statement of the grievance to the Executive Committee of the Board. This written statement must be filed within ten (10) working days of the date of the Title IX Coordinator’s decision, and shall state the date and nature of the alleged grievance and the relief sought. If the grievant is a student, the Title IX Coordinator shall assist in preparing the written statement and assure it is timely filed.

The Executive Committee shall make a decision on the grievance and shall give that decision in writing to the Title IX Coordinator and the Student or employee.

Level III- Office for Civil Rights

If the student or employee is not satisfied with the Executive Committee’s decision, he/she may appeal it to the Office for Civil Rights.

A student or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 55 Erievue Plaza, Room 300, Cleveland, Florida 44114-1816. Any such written complaint must be filed within 180 days from the date of the alleged discrimination.

2.3 Title I Services

The Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments in the Elementary and Secondary School Improvement Act of 1965.

The Head of School or his/her designee shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

A. Assessment

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures mandated by the Department of Education, as well as those

7.2.4 Grading Scale Grades 4 – 8

- 100- 90 A
- 89 - 80 B
- 79 - 70 C
- 69 - 60 D
- Below 60 F

7.2.5 Promotion

Students must demonstrate a minimum level of performance (passing 60% of assessments, for example). Students who do not meet the promotion criteria, but have completed at least 50% of their assessments will be given an opportunity over the summer in summer school to become proficient.

7.2.6 Florida Comprehensive Achievement Tests/FCAT

TOKLA students must participate in all state-mandated testing. Parents must ensure their child’s attendance.

7.3 High School Academic Information

7.3.1 Course Load

All high school students will carry a minimum of two and one half (2.5) credits each semester. Students will be able to register for up to three (3) credits for each semester, and consideration will be given for more than three credits with approval from the Director of High School Education. Students in their senior year will be allowed to carry less than the minimum if they require fewer credits to graduate.

7.3.2 Credits Needed for Grade Promotion

- To sophomore standing: completion of five (5) credits
- To junior standing: completion of ten (10) credits
- To senior standing: completion of fifteen (15) credits

7.3.4 Graduation Requirements

To receive a diploma from The TOKLA, a student must meet the standards adopted by the state of Florida and the Miami- Dade Board of Education. The ultimate responsibility for tracking and completing necessary credits for graduation lies with students and parents.

1. Pass all sections of the FCAT (class of 2007 and younger) or the Ninth Grade Proficiency Test (class of 2007 only)
2. Earn a minimum of twenty (24) credits
3. Within the required number of credits, the successful completion of the following specific credits is required:

English	4 credits
Mathematics	3 credits
Science	3 credits

Chapter 7: Academic Information

7.1 General Academic Information

7.1.1 Interim Progress Reports and Report Cards

Students in grades K –4 will receive interim progress reports midway through each quarter. All students in grades 5 – 12 will receive a progress report for the first quarter. Only those students in grades 5 – 12 maintaining a C average or below will receive progress reports for subsequent quarters. These reports will contain information on the student’s progress to date and the quality of work he/she is completing.

Report cards will be mailed about one week after the close of the quarter and will include a grade for the quarter.

7.1.2 IEP Progress Reports

IEP progress reports will be mailed quarterly with report cards. Only those parents whose child is on an IEP will receive an IEP.

7.2 Elementary/Middle School Academic Information

7.2.1 Initial Grade Placement

Each student will be assigned a grade level consistent with the student’s age and/or developmental level, previous school records or a parent’s recommendation for the student who has been home-schooled. Adjustments may be made after this initial placement if it becomes evident that the student should be placed in a different grade.

7.2.2 Student Progress

Students must demonstrate proficiency within each core content area (reading, language arts, math, science, social studies).

Students may complete more than one grade level in an academic year; however, the student must show proficiency in all content areas of their current grade level before promotion to the next level can take place.

TOKLA understands that occasionally students may have an extenuating circumstance, such as a medical emergency, that hinders their ability to complete a course on time. If a student has completed 50% of their coursework, they may apply to the teacher for an extension. With the recommendation of the teacher(s) and the administration, extensions will be at least 5 days and not longer than 15 days.

7.2.3 Assessment/Grades

Grades will not be issued at the elementary level (K-3). Students’ progress will be monitored and recorded as “Exemplary, Satisfactory, or Unsatisfactory”. Teachers will gather evidence from a variety of sources, employing multiple methods to assess the student’s knowledge. This information will be shared with parents on the student’s progress reports throughout the year. Students will receive midterm and quarterly reports.

Grades will be issued at the middle school level (4th-8th). A variety of standards and authentic assessments may be used. The standard grading scale is presented in the next policy. For consistency, the associated letter grades will match those used in our high school program.

determined by the School professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

B. Scope

The School shall determine whether the funds will be used to upgrade the educational program of the entire School and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The program shall include the components required by law as well as those agreed upon by participating staff and parents.

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall meet the requirements of Section 1118 of the Act.

D. Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The Head of School or his/her designee shall take steps as necessary to achieve comparability of services.

The determination of the comparability of services may exclude, in accordance with Federal regulations, State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students. The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

E. Professional Development

The Head of School or his/her designee shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

1. involve parents in the training, when appropriate;
2. combine and consolidate other available Federal and School funds; and
3. foster cooperative training with institutions of higher learning and other educational organizations including other school districts.

F. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

2.3.1 Title I Complaint Procedure

Complaints shall be directed to the Head of School or his/her designee. Resolution of a complaint shall not exceed thirty (30) days. In accordance with regulations established by the Commission, the State Education Agency may extend the thirty (30) day limit due to exceptional circumstances.

Resolution of a complaint shall not exceed thirty (30) days. In accordance with regulations established by the Commission, the State Education Agency may extend the thirty (30) day limit due to exceptional circumstances.

Responsibilities of the Head of School or his/her designee:

- A. The Head of School or his/her designee must review the records, and, if necessary, request additional information within ten (10) working days.
- B. The Head of School or his/her designee shall clarify the issues and attempt to resolve them.
- C. A complaint that is not resolved to the complainant's satisfaction within fifteen (15) working days shall be referred to the Board.

The Board shall appoint a hearing panel composed of the Head of School or his/her designee, Board President and another member of the Board or a Management Company.

- A. It shall be the responsibility of the hearing panel to clarify the issues and attempt to resolve the problem.
- B. The hearing panel must keep official records of all proceedings.
- C. The complainant or complainant's representative will be given an opportunity to present evidence and question the parties involved.
- D. The Head of School or his/her designee shall give written notice to the complainant of the panel's resolution of the complaint.
- E. The complainant has the right to appeal the resolution of the complaint to the State Educational Agency within thirty (30) days after receipt of the written decision.
- F. Actual expenses incurred, in accordance with the School's policies, may be a part of the local budget for the Title I program, subject to review and approval by the Board.

2.5 Religion in the Schools

Religious belief and disbelief are matters of personal consideration rather than governmental authority and that the students of this School are protected by the First Amendment from the establishment of religion in the schools. Accordingly, no devotional exercises or displays of a religious character will be permitted at the School in the conduct of any program or activity under the jurisdiction of the School, nor shall instructional activities be permitted to advance or inhibit any particular religion or religion generally.

An understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum shall be developed to include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board and School acknowledge the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such

Parents or guardians who disagree with any decision regarding placement or the outcome of an MDR may appeal the decision through the filing of a due process complaint.

The School may request a hearing to change a student's placement if the School believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. Under those circumstances, the hearing officer may order a change in placement of a student with a disability to an IAES for a period of up to 45 school days if the hearing officer agrees with the School's assessment.

During any due process proceedings, the student's placement, through a disciplinary action, must not change unless the parents/guardians and the School agree otherwise, or upon admissions to the School and parent/guardian consent. The School may change the student's placement when taking disciplinary actions that constitute a change of placement against students with disabilities, or students who may be eligible for IDEA services.

In the case where a student has been placed in an IAES, the student will remain in the IAES chosen by the School, pending the hearing officer's decision or until the time period expires, whichever occurs first, unless the parent and school agree otherwise. An expedited hearing will be arranged during an IAES appeal and will occur within 20 days of the hearing request, and the hearing officer must make a determination within 10 school days after the hearing.

- if the IEP team already developed a behavior intervention plan, it must review and modify the plan as necessary to address the behavior; and
- return the student to the placement from which he or she was removed, 45-day rule exception applies.

No Manifestation - If the team determines that the behavior was NOT a manifestation of the disability, the School may discipline the student using the relevant disciplinary procedures applicable to students without disabilities in the same manner and for the same duration, continuing to provide services to students with disabilities.

If a student's behavior was not a manifestation of the disability, the School will still take steps to attend to the student's behavior. The student must receive, as appropriate, a functional behavior assessment, behavioral intervention services and modifications designed to address the behavior violation in order to attempt to prevent a reoccurrence.

Exceptions to the MDR Requirement – The Unilateral Change in Placement and 45-Day Rule

School personnel may remove a student to an IAES for up to 45 school days, without a prior MDR or IEP meeting, when a student:

- carries or possesses a weapon (a device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that the term does not include a pocket knife with a blade of less than 2 1/2 inches in length);
- knowingly possesses or uses illegal drugs (a controlled substance not legally possessed or used under the supervision of a licensed health care professional, or legally possessed or used under any other authority under the Controlled Substances Act (21 U.S.C. §812) or under any other provision of federal law), or sells or solicits the sale of a controlled substance (a drug or other substance identified under Schedule I, II, III, IV or V in the Controlled Substances Act); or
- has inflicted serious bodily injury on another person (a cut, abrasion, bruise, burn or disfigurement, physical pain, illness, impairment of the function of a bodily member, organ or mental faculty, or any other injury, no matter how temporary).

This authority can be exercised if a student commits any of the offenses described above at the School, on the School premises or at a School function.

The IEP team will meet subsequent to the unilateral placement in an IAES, and must determine what the permanent setting will be, take steps to modify the student's IEP, as appropriate, provide appropriate behavioral intervention services and modifications designed to address the behavior violation so that it does not recur, and continue to provide the student with educational services to enable him or her to participate in the general education curriculum and to progress toward IEP goals.

The School must still do a MDR, but it can occur after the removal to the 45-day setting. If the conduct is a manifestation of the student's disability, the School must still meet all of the requirements outlined above for the MDR, with the additional exception that the student stay in the alternative placement for 45 school days, regardless of the outcome of the manifestation.

Due Process Complaint

materials may be religious in nature shall not, by itself, bar their use by the School. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

Religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the students of the School, not for its conformity to religious principles. Students should receive unbiased instruction in the schools so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course on the grounds that the instruction therein interferes with the free exercise of his/her religion.

2.6 **School Prayer**

Any other policy of this School notwithstanding, the School shall not prevent a student from participating in or deny a student the ability to participate in constitutionally protected prayer.

20 U.S.C. §7904(b), NCLB §9524(b)

2.7 **Rights of Individuals with Disabilities**

It is the policy of the School that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the School.

As used in this policy “individual with a disability” means a person who has, or had, or is regarded or was regarded as having, a disabling condition; “disabling condition” means a physical or mental impairment that substantially limits one or more of a person's major life activities and includes specific learning disabilities.

Notice of the School's policy on nondiscrimination in employment and education practices shall be given in this Policy manual, posted in the School, and published in any School statement regarding the availability of employment positions or special education services.

Facilities

Barrier free access to School facilities or an alternative means of providing services shall be provided as required by law so that no individual with a disability is excluded from participation in a School program solely by reason of his/her disability. The School will comply with the building, program and other accessibility requirements of the Americans with Disabilities Act (ADA) and other applicable laws.

Program

All reasonable efforts shall be made to serve the School's special needs children eligible for special education and/or related services in accordance with the School's Special Needs policy. A free appropriate public education shall be provided for each child determined to be in need of special education and/or related services. Such a program of special education shall be provided in the least restrictive environment and in barrier free facilities comparable to those provided for non-disabled students. To the maximum extent appropriate to the student's disability, a disabled student shall be placed in an educational setting with non-disabled or less severely disabled students.

No student will be denied, because of his/her disability, participation in co curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of the School.

The due process rights of disabled students and their parents will be rigorously enforced.

Section 504

It is the intent of the School to ensure that students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), are identified, evaluated, and provided with appropriate educational services. Students may be identified as handicapped under Section 504 even though they are not eligible to receive services under the Individuals with Disabilities Act.

The Head of School or his/her designee shall be the Section 504 Compliance Officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure (Policy No. 228) that provides for the prompt and equitable resolution of disputes.

Procedures

The School shall annually adopt procedures for the Education of Children with Disabilities as approved by the Florida Department of Education Office of Exceptional Children in Appendix F.

2.7.1 Child Find

The School supports and complies with all applicable federal and state laws, procedures and policies regarding the School's child find responsibilities. The School will conduct all child find activities for students who are actually enrolled in the School so that they are appropriately located, identified and referred for evaluation. Parents or guardians have the right to review their child's records and refuse permission to release information (except as required by, or permitted by, law to be released).

20 USC § 1412.

2.8 Section 504 of the Rehabilitation Act of 1973, Grievance Procedure

The grievance procedure shall follow these steps:

- A. The grievant will file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 Compliance Officer within fifteen (15) calendar days of the conduct alleged to be in violation of Section 504.
- B. The compliance officer shall make all reasonable efforts to resolve the matter informally.
- C. In the event the complaint cannot be resolved informally, the Compliance Officer will investigate the matter and will provide a written copy of his/her determination to both parties.
- D. The grievant may appeal the determination of the compliance officer to the Board or a committee of the Board within ten (10) calendar days of the receipt of the Compliance Officer's determination. The appeal shall be in writing and attached to copies of the original complaint and the written determination of the compliance

Removals under the 10-day rule are not considered a "change of placement" and the School is not obligated to provide services to students during those removals. The School can use the 10-day rule to remove a student for either a single removal of 10 consecutive school days; or a series of shorter-term removals over the course of the school year that are more than 10 consecutive school days during that school year, so long as those removals do not constitute a pattern of removals (and therefore, a change of placement).

Removals of More than 10 Days - Change of Placement

A change of placement occurs if a removal is for more than 10 consecutive school days; or if a student is subjected to a series of removals which accumulate to over 10 school days, that constitute a pattern. If a change of placement occurs (after a MDR (see below)), then the School must notify the parents or guardians of that decision. This notice must inform the parents or guardians of all the procedural safeguards accorded under the law. These safeguards include a manifestation determination review, a right to receive services, and a continuation of services for a free appropriate public education. The School must provide services that:

- enable the student to continue to participate in the general education curriculum (although in another setting); and
- enable the student to progress toward meeting the goals set out in the student's IEP.

Manifestation Determination Review ("MDR")

The School will conduct a MDR to examine a student's behavior before imposing disciplinary consequences that would amount to a change of placement. The purpose of the MDR is to determine whether a student's disability caused, influenced or otherwise impacted the student's behavior in question. To make this determination, the student's IEP team is required to review certain information and determine whether the behavior causing the disciplinary infraction is or is not a manifestation of the student's disability.

The MDR is not required for disciplinary removals that do not constitute a change of placement, that is, less than 10 school days per incident or a series of removals accumulating to more than 10 school days in one school year that do not constitute a pattern.

No later than the date on which the decision to take a disciplinary action which may be a change of placement is made, the School must notify the parents or guardians of that decision and of all procedural safeguards, including the MDR. The School and the parents or guardians must determine which members of the IEP team are relevant to conduct the manifestation determination. The team will review all relevant information in the student's file to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability or was the direct result of the School's failure to implement the IEP. If the team determines that either condition is applicable for the student, it must determine that the conduct is a manifestation of the student's disability.

Manifestation - If the team determines that the behavior was a manifestation of the student's disability, the full IEP team must meet the following requirements:

- conduct a functional behavior assessment and implement a behavior intervention plan for the student, unless the School conducted a functional behavior assessment prior to the manifestation determination;

3. complicity to commit any of the above offenses, regardless of where the complicity occurred.

In accordance with law, any student, sixteen (16) years of age or older, who has been convicted or adjudicated delinquent for committing the following offenses may be subject to permanent exclusion:

- A. rape, gross sexual imposition or felonious sexual penetration;
- B. murder, manslaughter, felonious or aggravated assault; and
- C. complicity to commit offenses described in paragraphs A and B, regardless of where the complicity occurs.

The above statement of policy on permanent exclusion is to be posted in a central location in each School facility as well as made available to students, upon request.

If the Head of School or his/her designee has adequate evidence that a student, sixteen (16) years old or older at the time of the offense, has been convicted of or is an adjudicated delinquent resulting from any of the above offenses, s/he shall submit a written recommendation to the Board that the student should be permanently excluded from the public School by the State Superintendent of Public Instruction. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the School's case to the State Superintendent. The Board, after considering all the evidence, including the hearing of witnesses, shall take action within fourteen (14) days after receipt of the Head of School or his/her designee's recommendation.

If the Board adopts the resolution, the Board shall submit it to the State Superintendent, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State Superintendent. A copy of the resolution shall be sent to both the student and his/her parents.

If the Board fails to pass the resolution, it shall so notify the Head of School or his/her designee, in writing, who, in turn, shall provide written notification of the Board's action to both the student and his/her parents.

If the State Superintendent rejects the Board's request, the School shall re-admit the student in accordance with statute and Board guidelines. If the State Superintendent acts on the Board's request, his/her actions and those of the School shall be in accord with the procedures described in Florida Revised Code §3313.66.

6.6 Suspension/Expulsion of Disabled Students

In matters relating to the disciplining of disabled students, the Board shall abide by Federal and State laws regarding suspension and expulsion. The Head of School or his/her designee will follow the guidelines below and ensure they are properly used when disciplining any student with a disability.

Removals of Not More Than 10 Days- The 10-Day Rule

The School may unilaterally remove a student with a disability who violates a code of student conduct from the student's current placement for not more than 10 school days. This option may be used only if the disciplinary action is consistent with actions taken against non-disabled students. The School may place students removed under the 10-day rule in an appropriate interim alternative educational setting ("IAES") if applicable (see below), another setting, or suspend them.

officer. The Board or its designated committee may, in its discretion, convene a hearing at which the parties may present testimony and argument.

- E. The Board shall provide both parties with a written decision.

Employees of the School shall be informed that a complaint may be filed without fear of reprisal from the Board or any of its employees or agents. The grievant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of disabled grievant shall be made. A grievant shall be informed of his/her right to file a formal complaint under Section 504.

A complaint regarding the identification, evaluation, classification, or educational program of an educationally disabled student shall be reviewed in accordance with the School's Special Needs policy.

Evaluation and Compliance

The Head of School or his/her designee shall evaluate School programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Head of School or his/her designee will submit such assurances of compliance as are required by law.

A complainant who believes there is a basis for a grievance related to the Rehabilitation Act may file a written complaint with the Office for Civil Rights, U.S. Department of Education. Any such written complaint must be filed within the earlier of (i) 30 days from the date of the Board's decision, or (ii) 90 days from the date the complainant made his or her complaint to the compliance officer.

2.9 Child Abuse and Neglect

Because of their sustained contact with school-age children, teachers and other School employees are in a position to identify abused or neglected children. The School requires that every teacher, counselor, psychiatrist, nurse or administrator complete at least four hours of in-service training in child abuse prevention within three years of commencing employment in the School. The School shall maintain records of staff participation in in-service child abuse detection.

To comply with the Florida Code, any School teacher, School employee or employee assigned to the School, or School authority who knows or suspects that a student under eighteen years of age (or a mentally retarded, developmentally disabled, or physically impaired student under twenty-one (21) years of age) has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the student shall immediately report that knowledge or suspicion, by telephone or in person, to the local county Children's Services Board or, if the student is not a resident of the local county, to the public children's services agency or a municipal or county police officer of the county in which the student resides. S/He shall also notify the Head of School or his/her designee.

If the agency or officer receiving the report requests a written report, the Head of School or his/her designee shall provide a written report containing the following information:

1. The names and addresses of the student and the student's parents or the person or persons having custody of the student, if known;
2. The student's age and current condition;

2. The nature and extent of the student’s known or suspected injuries, abuse, or neglect, or of the known or suspected threat of injury, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect; and
3. Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect, or of the suspected threat of injury, abuse, or neglect.

In addition, the Head of School or his/her designee may take color photographs of areas of trauma visible on the student and include them with the written report.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

The Head of School or his/her designee should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be reported to the Head of School or his/her designee who will investigate and take appropriate action in accordance with Board directives.

Anyone making a report under the Florida Code is presumed to be acting in good faith and is immune from any civil or criminal liability that might otherwise result from making the report. A report made under this section is confidential as set forth in the Florida Code. No person may disclose the contents of any report made under this section except as provided above.

Failure to make a report required by this section, or unauthorized disclosure of the contents of a report made under this section, may result in disciplinary action against the employee.

2.10 Notice of Policy Changes

From time to time, policies, rules and regulations may be changed. The Head of School or his/her designee or the Board will provide notification of changes and/or notice will be posted in the common areas of the School’s facilities and the TOKLA web site.

2.11 Policy Manual Distribution and Maintenance

This manual is intended to be a useful guide to all members of the Board, the administration, all personnel employed by the School or a Management Company, the students of the School, and to the public.

All Policies shall be considered public records and shall be open for inspection in the Board offices and in the office of the Head of School or his/her designee during regular office hours.

2.12 Internet Acceptable Use Policy

2.12.1 General Information

TOKLA is pleased to offer students and staff members’ access to the Internet, a global electronic information infrastructure that will enable all users to explore thousands of libraries, databases and websites. The goal in providing this service is to promote educational excellence in schools and life-long learning in the community by facilitating resource sharing, innovation, and communication. Together with global access to

3. Within one school week after the expulsion is imposed, the Head of School or his/her designee shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education of the expulsion. The notice must include the following:
 - a. The reasons for the expulsion;
 - b. Notification of the right to appeal to the Board of Education or its designee;
 - c. The right to representation at all appeals;
 - d. The right to an appeal hearing before the Board or its designee;
 - e. The right to request that the hearing be held in executive session;
 - f. If the expulsion is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion;
 - g. When the Head of School or his/her designee expels a student for more than twenty days or for any period of time extending into the next semester or school year, the School shall provide, along with this notice, the student and his parent, guardian or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student’s attitudes and behaviors that contributed to the incident giving rise to the expulsion. The information must include names, addresses, and phone numbers or the appropriate public and private agencies.

During the period of expulsion, the School may, but is not required to, continue educational services in an alternative setting.

The Head of School or his/her designee is required to follow through on expellable offenses even if the student in question withdraws from the School prior to the hearing or the Head of School or his/her designee’s decision.

The Head of School or his/her designee may apply any remaining part or all of the period of expulsion into the following year.

USC 7151(b)(1); NCLB 4141(b)(1).

6.5 Permanent Expulsion of Non-Disabled Students

In accordance with the law, the Board may seek to permanently exclude a student, sixteen (16) years of age or older, who has been convicted of or adjudicated delinquent for the reason of the following offenses:

1. carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordinance on property owned or controlled by the Board or at an activity held under the auspices of this Board;
2. possessing, selling, or offering to sell controlled substances on property owned or controlled by the Board or at an activity under the auspices of this Board; and

otherwise explain his actions. The student is not entitled to call witnesses at this informal hearing.

3. Within one school week after the suspension is imposed, the Head of School or his/her designee shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education of the suspension. The notice must contain the following:
 - a. The reasons for the suspension;
 - b. Notification of the right to appeal to the Board of Education or its designee;
 - c. The right to representation at all appeals;
 - d. The right to a hearing before the Board or its designee; and
 - e. The right to request that the hearing be held in executive session.

If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.

Suspensions imposed during the last ten days of the school year may be carried over into the following school year. However, only the superintendent may impose a carryover suspension.

Expulsion

The Head of School or his/her designee or his/ her designee may expel a student. The following procedure is required:

1. Prior to the imposition of the expulsion, the Head of School or his/her designee must provide not only the student, but also the parent, guardian, or custodian written notice of his intention to expel. The notice must include the following:
 - a. The reasons for the intended expulsion; and
 - b. The time and place for a hearing, which must be not less than three nor more than five school days after giving the notice, unless the period is extended by the Head of School or his/her designee at the request of the student, his parent, custodian, guardian or representative. The parent, guardian, or custodian must be sent written notice of any extension, and the subsequent notice should contain the same information required in the original notice.
 - c. If the student is age 16 or older and the expulsion is for one of the serious criminal offenses for which permanent exclusion is allowed, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. A hearing must be scheduled not less than three or more than five school days after giving the notice, for the student and his parent, guardian, custodian or representative to appear in person before the Head of School or his/her designee or his/her designee to challenge the reasons for the expulsion or otherwise explain his/her actions.

computers, information networks, and people on the Internet comes the availability of material that may not be considered to have educational value in a school setting. TOKLA has taken precautions to avoid inappropriate material via the Internet, email or other forms of direct electronic communications by contracting through an independent technology support provider in an effort to limit access to sites not directly related to our curriculum. Also, while teachers and other staff will make reasonable efforts to supervise students' use of the network and Internet access, they must have student and parent cooperation in exercising and promoting responsible use of this access both at school and at home. The school firmly believes that the valuable information available on this worldwide network far outweigh the risks and disadvantages of access.

All users are expected to be responsible, courteous and thoughtful when using a School computer and Internet. Common sense should prevail. The use of the School computer network system should be in support of education and research, consistent with the educational objections of the School and in accordance with federal law, Florida law and the Student Code of Conduct.

Students have no expectation of privacy with respect to the use of the internet, intranet or e-mail. Routine maintenance and monitoring of the School network system may lead to the discovery that a student has or is violating School policy or the law. Violations of School policy, the student code of conduct or the law may result in severe penalties, up to and including expulsion.

The School makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the School technology system will be error-free or without defect. The School will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruptions of service, or computer viruses. The School is not responsible for the accuracy or quality of the information obtained through or stored on the School system. The School will not be responsible for financial obligations arising through the authorized use of the system.

In accordance with the Children's Internet Protection Act ("CIPA"), the School has placed a filter on its Internet access as one step to help protect its users from intentionally or unintentionally viewing inappropriate material. The School blocks the categories that are determined to be potentially inappropriate. However, families must be aware that some material accessible via the Internet contains illegal, defamatory, inaccurate, or potentially offensive language and/or images. While the goal of the School is to use Internet resources to achieve educational goals, there is always a risk of students accessing other materials. Parents should be aware of these risks.

2.12.2 Terms and Conditions of Acceptable Use and Internet Safety

The use of the school's Internet is a privilege, not a right. The smooth operation of the Internet network relies upon the proper conduct on the end users who must use it in support of the school's educational goals and mission. To that end, the school has established an Acceptable Use and Internet Safety Policy which is set forth in this document so that users are aware of the responsibilities they are about to acquire. In general, the school requires efficient, ethical, and legal utilization of network technology and associated resources in accordance with strict guidelines. Each user of the school's Internet (staff and/or student), as well as his or her parent/guardian if the user is under 18, must read, understand, accept, and follow the terms and conditions of this policy. Further, each user and his or her parent/guardian must also sign the consent and waiver attached to this document. Violating the policy may result in the following: A. Restriction, suspension, or revocation of Internet access; B. Disciplinary action in accordance with the applicable policies and regulations of the school; C. Legal action, including, but not limited to, criminal prosecution under appropriate state and federal law.

Unacceptable uses of the computer/Internet include but are not limited to:

1. Providing your network account and/or password to others;
2. Providing on-line your home address, phone number, or photograph, or the home address, phone number, or photograph of others;
3. Using the account of another user with or without permission;
4. Students using the network without staff monitoring or supervision;
5. Gaining or attempting to gain unauthorized access to resources or entities (commonly referred to as “hacking”);
6. Invading the privacy of others by accessing and/or vandalizing their computerized data;
7. Introducing a computer virus onto the network or any school computer;
8. Installing or copying of any software and/or other material on the hard drive of the system without the permission or under the supervision of the teacher or system administrator or in violation of the copyright law;
9. Degrading or disrupting equipment or system performance;
10. Wasting technology resources, including bandwidth, file space, and printers;
11. Using the system to access, distribute and/or viewing inappropriate material or advising others how to access inappropriate material;
12. Using the system to access any area of the Internet that would be offensive in accordance with the applicable policies and regulations of the school;
13. Violation of trademark/copyright laws, license agreements, or other contracts;
14. Using the Internet for financial gain, for commercial activity or for any illegal activity;
15. Posting personal communication without the author’s consent;
16. Substituting someone else’s name on an E-mail communication;
17. Using profanity, obscenity or other language which may be offensive to another user; sending messages with derogated or inflammatory remarks about an individual’s race, sex, age, disability, religion, national origin or physical attributes via the Internet; bullying, insulting, intimidating, or attacking others; transmitting any material in violation of federal or state law.
18. Plagiarizing works found on the Internet. Plagiarism is taking ideas of others and presenting them as if they were original to the user.
19. Using the Internet without having signed the consent and waiver;
20. Using the internet for any purpose which is illegal or against the School’s policies or contrary to the School’s best interest.

5. the student may be eligible for participation in an alternative program.

A student may be expelled for up to eighty (80) days for serious misconduct or rules violations, or for other just cause.

During the period of suspension, removal, or expulsion the student may not attend or participate in any School functions without permission from the Head of School or his/her designee. The student may enter School facilities only when given permission by the Head of School or his/her designee or if accompanied by a parent or guardian who accepts responsibility for the student’s actions and/or behavior at the facility.

The Board also authorizes the Head of School or his/her designee to suspend a student from any or all co curricular or extra curricular activities for misconduct or rules violations. The length of suspension shall be determined by the Head of School or his/her designee commensurate with the seriousness of the student’s misconduct or rules violations in accordance with the discipline code.

If the Head of School or his/her designee determines that a student’s behavior on a School vehicle violates School rules, s/he may suspend the student from School bus riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior.

The Board authorizes the Head of School or his/her designee to provide for options to suspension of a student from the School which shall include a program whereby a student performs community service either in lieu of or as a part of a suspension or an expulsion.

The Board designates the Head of School or his/her designee or his/her designee as its representative at all hearings regarding the appeal of a suspension. The Board or the Executive Committee will hear the appeal of an expulsion.

The Head of School or his/her designee shall be responsible for implementing this policy and ensuring compliance with applicable laws.

A copy of this Policy is to be posted in common areas of the School and made available to students and parents upon request.

Due Process Rights

Suspension

The following procedure does not apply to in-school suspensions. The Head of School or his/her designee may suspend a student if the following procedure is met:

1. Prior to the imposition of the suspension, a written Notice of Intent to suspend will be given to the student, which contains the following:
 - a. The reasons for the intended suspension; and
 - b. If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the Head of School or his/her designee may seek permanent exclusion.
2. The student must be allowed an informal hearing before the Superintendent or his/her designee, the Head of School or his/her designee or Assistant Head of School or his/her designee to challenge the reasons for the intended suspension or

In any case in which the officer wishes to take the student from School premises for questioning, permission from the parent or guardian to release the student to the officer shall be secured by the Head of School or his/her designee. However, if the officer actually arrests the student for the commission of a crime, the student is to be released, even though the parents or guardians cannot be reached for notification; or having been reached, refuse consent.

Statutory regulations concerning the rights of students as citizens shall be observed at all times and complied with by both law enforcement and school officials. Students are entitled to full protection under the law.

All types of officers and agency representatives shall be required to follow the procedures described in this Policy.

6.4 Expulsion and Suspension Policies

The School may suspend a student for up to ten (10) days or may expel a student. In the event that the School decides to suspend or expel a student, the student will be given a notice which states the intent to suspend or expel and the reason(s) for the suspension or expulsion. Immediate attempts will be made to contact a parent or guardian by phone. The student may meet informally with the Head of School or his/her designee to challenge the suspension or expulsion. After the meeting, or if the student declines the meeting, suspension or expulsion may be invoked immediately.

In the event that, in the opinion of the Head of School or his/ her designee, a student's presence at the School creates a health risk, presents a danger to other persons or property or seriously disrupts the functions of the School, the student may be removed from the premises without formal suspension or expulsion procedures with notice and procedures to follow the removal in accordance with R.C. §3313.66.

A student shall be expelled for one (1) year for bringing or possessing a firearm, knife gun or other destructive device on School property, in a School vehicle, or to any School sponsored activity.

A firearm is defined as any weapon, including a starter gun, 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 silencer, or any destructive device. A destructive device, includes but is not limited to, any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or other similar device. A knife is defined as any cutting instrument consisting of at least one sharp blade.

The specific circumstances under which the Head of School or his/her designee may modify a one (1) year expulsion could include:

1. a recommendation from the group of persons knowledgeable of the student's educational needs in accordance with Policy No. 8.5, Suspension/Expulsion of Disabled Students;
2. the student was unaware that s/he possessed a firearm or knife;
3. the student did not understand that the item s/he possessed was considered a firearm or knife;
4. the student brought the item to School as part of an educational activity and did not realize it would be considered a firearm or knife; and

21. Possessing any data in paper, magnetic disk, or other form which violates the terms and conditions of this policy or current copyright law restrictions;
22. Any action by a user, which is determined by the classroom teacher or the school administration to constitute inappropriate use of the Internet. Inappropriate use is defined as any violation of this policy or any use that is inconsistent with the educational goals of the school.

2.12.3 Services and Security

Computers and all information, programs, software, and use privileges belong solely to the school and, therefore, are subject to review, monitoring, and inspection at any time without suspicion or cause. No user shall have an expectation of privacy for any information, including E-mail, contained in a school computer. Opinions, advice, services, and all other information expressed by users, information providers, service providers, or other third party personnel through electronic telecommunications are those of the provider and Not of the school. Use of any information obtained via the Internet is at the user's own risk. Users are urged to seek professional advice on specific or individual situations. The school makes no warranties of any kind, whether express or implied, for the service it is providing. The district will not be responsible for damages suffered by any user while on the system. These damages may include, by way of example only, loss of data, non-deliveries, mis-deliveries, or service interruptions caused by the system or other errors or omissions.

2.12.4 Electronic Mail

Electronic mail is an electronic message sent by or to a user in correspondence with another person having Internet mail access. Email is not guaranteed to be private. All Email may be monitored by the school. All messages relating to or in support of illegal or unethical activities must be reported to the system administrator. Further, the school will report to the proper authorities any messages relating to or in support of illegal activities.

Security on any computer system is a high priority, especially when the system involves many users. If a user identifies any security problem with any of the hardware or services owned or operated by the school, he or she must notify the system administrator immediately.

2.12.5 Modification of Policy

Developments in technology or changes in the law may from time to time necessitate that changes be made to the Internet services provided or that modifications be made to this policy. Consequently, the district may modify and update this policy as needed. Modifications to the policy will be published in the student handbook and/or through an official communication from the administrative office.

Chapter 3: Student Admission/Grading/Graduation

3.1 Application Process

Applicants at all grade levels are required to present, at the time of application, a birth certificate or other document as evidence of birth, proof of Florida residency, a signed consent form for a release of records as well as a transcript. All students will be required to attend a mandatory orientation prior to the start of classes, during which other required documentation will be collected. Students seeking admission into the TOKLA will be required to take an assessment examination at orientation. The purpose of this assessment is to assist with the student's individual academic plan.

3.2 Admissions

Applications for enrollment of children ranging from grades K-12 are considered without regard to race, color, religion, sex, or national origin.

Should the number of applicants at the beginning of the school year exceed our capacity to provide a quality education; admissions will be determined by a lottery as per Policy No. 3.3 below. TOKLA will conduct rolling admissions throughout the school year and allow new students to enter the program on a first come first serve bases after all students on the waiting list have been placed. Those students for whom there is no room in the center-based program will be given the option to enter our home-based program. Those students will have to complete their education at home with an assigned tutor until a position at the center comes available.

TOKLA students are eligible to receive the following services absolutely free:

- At-home computer (for those students who qualify)
- Internet service contingent upon completion of required number of online hours (for those students who qualify).
- IEP
- Free Occupational, Speech, and Physical therapies as per the IEP
- Supplemental tutoring provided by experienced teachers/tutors
- K-12 Online Educational Curriculum Software Program

- Write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software.
- Deliberately access or create any obscene or objectionable information, languages or images.
- Intentionally damage, modify or abuse the system, damage information belonging to others, misuse system resources in any way that disrupts the operation of the system.
- Alter hardware setup or software setting on computers, network, printers, or other associated equipment, except as directed by authorized staff members.
- Use the network or any other technological resource for political, commercial, or other unauthorized purposes.

Specific situations may dictate amendments to The Network Administration Policy.

6.3 Schools and Law Enforcement Agencies

It is desirable and advisable that the School maintain a good relationship with police, the Court, parole officers, Children's Services Board, and other agencies that deal with the public welfare, insofar as it benefits and protects the student, the School, personnel, School property, and the home.

Whenever a law enforcement officer (including police, parole, children's services, Board or other agency representative) calls at the School in the performance of duty, the officer shall, upon arrival, be required to:

1. contact the proper school official;
2. produce satisfactory personal identification indicating the source of authority; and
3. state the purpose of business with the School.

In cases where the officer requests permission to question a student during School hours, the Head of School or his/her designee shall first contact the parent or guardian for permission to question the student, and the parent or guardian shall be given the opportunity to be present during the questioning. The student shall then be called to the office for the interview.

The Head of School or his/her designee shall remain present during the questioning, to represent the best interests of the School, and may facilitate the interview or otherwise assist the student and parent or guardian if it seems advisable.

If the parent or guardian gives permission for the interview to take place, but cannot be present, or waives that right, then the Head of School or his/her designee must be present to facilitate the interview or otherwise assist the student to the best of their ability. The student may specifically request another counselor or teacher to be present also.

If the parent or guardian refuses permission to question the student during School hours, or cannot be contacted, the officer shall be informed of this, and the student shall not be called to the office for the interview.

3. Whether alternate action would be in the best interest of the particular offending student and/or the school community.

Due Process Rights

The TOKLA administration has the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Florida and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of the individual's rights. Before any suspension, a student is given notice of the charges facing him/her (Intent to Suspend Form). The student is given the opportunity to respond to the charges before any action is taken (Suspension Hearing). If the student does not agree with the judgment of the administrator, he/she may appeal formally, in writing, to the Head of School (Appeal Process).

Due process procedures are:

1. Applied equally to all, and
2. Enforced in a manner which involves:
 - a. Adequate and timely notice and opportunity to prepare a defense
 - b. An opportunity to be heard at a reasonable time and in a meaningful manner
 - c. The right to a speedy and impartial hearing on the merits of the case

6.2 Network Administration Policy

Acceptable Use Policy: The TOKLA provides all students with access to the TOKLA network and PLATO for educational purposes. Students must take responsibility for appropriate and lawful use of the TOKLA network.

Unacceptable Use Policy: Unacceptable use of the network, internet, or computer can result in suspension, expulsion, or other disciplinary action. Unacceptable use which constitutes a violation of this policy includes, but is not limited to, the following:

A student may not:

- Erase, change, rename, or make unusable anyone else's computer files, programs, or disks
- Let other persons use his or her name, logon, password, or files for any reason
- Use, or attempt to discover, another user's password, or in any way access another person's email or files
- Use the computer for unlawful purposes, such as the illegal copying or installation of software
- Copy, change, or transfer any software or documentation provided by the TOKLA staff or students without permission

3.2.1 R.C. 3314.041 Notice

NOTICE

Pursuant to the Florida code, the governing authority of each community school and any operator of such school shall distribute to parents of students of the school upon their enrollment in the school the following statement in writing:

The TOKLA is a community school sponsored by the Miami-Dade Board of Education. The school is a public school and students enrolled in and attending the school are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the school that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education as defined by the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community school. For more information about this matter contact the school administrator or the Florida Department of Education.

3.4 Student Records

In order to provide students with appropriate instruction and educational services, it is necessary for TOKLA to maintain extensive educational and personal information. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parent(s) or the student in compliance with law, and yet be guarded as confidential information.

The Director of Enrollment or his/her designee is responsible for the proper administration of student records in keeping with Florida law and federal requirements and the procedures for the collection of necessary information about individual students.

Newly enrolled student records:

1. Upon receipt of completed enrollment forms, a request for records will be made within twenty-four hours from the public or non public elementary or secondary school the pupil most recently attended.
2. If the records are not received within 7 business days, a second request will be made and the Director of Enrollment or his/her designee will contact the school directly.
3. If the records are not received within 14 days of the date of request, or if the pupil does not present any one of the following: (1) a certification of birth; (2) a passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child; (3) an attested transcript of the certificate of birth; (4) an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child; or (5) an attested transcript of a hospital record showing the date and

place of birth of the child, the school administrator will contact the school directly, then the Director of Enrollment or his/her designee will notify the law enforcement agency having jurisdiction in the area where the pupil resides of this fact and of the possibility that the pupil may be a missing child.

Requests for student records:

1. Upon receipt of a request for student records from another school or school district, TOKLA will comply within 2 business days.
2. Copies of the student's records will be made and kept on file.

3.5 Student Directory Information

It is the policy of TOKLA not to release any personal information to outside agencies not directly involved in an official capacity with the school without the direct written consent of the parent or guardian or as otherwise required by law. Parents will be required to sign either a Prohibition/Consent of Student Directory Information form at enrollment. This form will be kept in the student's cumulative record folder.

3.6 Withdrawal Process

Parents who wish to withdraw their children, or students of legal age wishing to withdraw from TOKLA, will be required to complete a withdrawal form. All equipment and other TOKLA materials must be returned within five (5) days of the withdrawal notification. TOKLA will notify the home school district of residence of the withdrawal and will forward academic records to the new school upon receipt of all school equipment and a signed request to release student records.

When a student of compulsory school age has withdrawn from school, the Director of Enrollment or his/her designee may, within two weeks after the withdrawal, notify the registrar of motor vehicles and the county juvenile judge. Notification is not necessary if:

1. The student has withdrawn because of a change of residence;
2. The student is enrolled in and is attending an approved educational program or its equivalent; or
3. The student holds an Age and School Certificate and is regularly employed.

3.7 Student Assessment

3.7.1 Florida Comprehensive Achievement Test (FCAT)

The School shall comply with the Florida Comprehensive Achievement Testing requirements. The Head of School or his/her designee shall be responsible for all testing procedures.

3.7.2 Testing upon Enrollment

Students enrolling at the School will be given a Scantron diagnostic test in order to determine the student's level of academic achievement. This will facilitate appropriate grade level placement. Although the age of the student is considered, the School is committed to setting high standards for students and is not a proponent of social promotion.

- **Consequences:** The administration reserves the right to determine consequences based on the severity of the incident. This may include financial restitution and/or criminal prosecution.

6.1.12 Pornographic Material

- Any material of this nature is not permitted at school, any school function, while on the Internet or at any time whatsoever that can be considered "school time"- including while using the school's computer at home.
- **Consequences:** The administration reserves the right to determine consequences based on the severity of the incident.

6.1.13 Disruptions of Class or Tutoring Session

- Disrupting learning includes any behavior that prevents other students from learning. It may include, but is not limited to; inappropriate language, talking during instructional periods, eating or drinking during class, making unwanted noises, insubordination and/or selling or trading personal possessions (including food or candy) to other students.
- **Consequences:** The administration will support individual teacher standards and procedures in cases of disrupting class. The administration reserves the right to determine consequences based on the severity of the incident.

6.1.15 Issuing a False Alarm

- Issuing a false alarm includes any act which leads others to believe that they are in imminent danger due to such events including, but not limited to, fire alarms and bomb threats.
- **Consequences: The student may face automatic suspension or expulsion and will be referred to local authorities**

6.1.16 Forgery

- Forgery is considered as any attempt by a student to sign anyone's name other than his/her own. This includes, but is not limited to, the signature of a teacher, administrator, parent/guardian or another student.
- **Consequences: The administration reserves the right to determine consequences based on the severity of the incident.**

6.1.17 Consequences

In determining appropriate disciplinary actions, the following considerations shall be applied:

1. Gravity of the offense as it affects the educational environment and the degree to which such conduct interferes with achieving the objective of the educational process.
2. Whether the offense is a first, or one in a continuum of offenses.

- **Consequences:** The TOKLA administration reserves the right to determine fair punishment based on the circumstances of the incident and individual(s) involved. Factors may include student age, property value, behavior patterns, etc. The administration may file a report with local authorities.

6.1.8 Disrespect and/or Insubordination Towards Teachers or Staff

- Disrespect (arguing, talking back, harassing, etc.) and insubordination (failure to comply with directives) towards any member of the faculty or staff, including profanity, either spoken or written, will not be tolerated.
- **Consequences:** The administration reserves the right to determine consequences based on the severity of the incident.

6.1.9 Inappropriate or Banned Electronic Articles

- The School recognizes that many students travel to and from school on their own and for safety concerns need to be in contact with their parents/guardians. However, the use of beepers, pagers, cellular phones, radios, tape, MP3, and CD players, electronic games, and/or similar devices is not allowed at school. They disrupt classes and distract others from learning and their use is prohibited. Upon arrival in the building security will confiscate and store any inappropriate or banned electronic articles and return them to the student at the end of the school day. Although the School will do all that it can to ensure a safe storage place for such items, they are still considered inappropriate and banned electronic articles and the School will not be held responsible if the electronic article ends up missing. Parents/guardians who need to contact students at school are reminded to call the school office and a message will be given to your student.
- **Consequences:** If a student does not turn in or refuses to turn in and/or is caught having or using the inappropriate or banned electronic article the student will be sent to an administrator. The item will be confiscated and the parent/guardian will be contacted and will be asked to come to the office to retrieve the item. Should this recur, the school reserves the right to hold the item until the end of the semester.

6.1.10 Cheating

- Cheating on tests, plagiarism, and/or any other types of deception to get credit without effort are strictly prohibited. Each teacher sets his/her own standards of behavior for his/her classroom, and students are expected to know the standards and procedures for each of their classes.
- **Consequences:** The administration will support individual teacher standards and procedures in cases of cheating and plagiarism.

6.1.11 Computer Misuse and Abuse

- Computer hardware and software are for the benefit of all students. No student may purposefully tamper with either hardware or software. Computers are in the school for educational purposes. Abuse and misuse of computers also includes bringing disks from home that may have viruses, loading private software, checking personal email during instructional periods and/or without specific permission, or accessing inappropriate web sites or pages.

If further psycho educational testing is determined to be necessary, the sponsor will arrange the necessary appointments with the students parent/legal guardian.

3.8 Student Orientation

Orientation will be held for new students in which they will learn the lay of the school.

3.9 Reporting Student Progress and Grades

The School will utilize a range of assessment methods to judge student performance. The School recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the School's Program. [See also Policy No.s 203 to 203.5 on Parent Involvement.]

The Board believes that the School's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning goals which are to be stated for each program at every grade level, kindergarten through 12.

The Head of School or his/her designee shall develop procedures for grading which

1. Have clear, consistent criteria and standards particularly when grades are based on subjective assessment;
2. Help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade; and
3. Provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Head of School or his/her designee.

Chapter 4: Attendance

4.1 General Policy

Students enrolled in the School must attend School regularly in accordance with the laws of the State. Regardless of which program the student attends the instructional programs provided by TOKLA are predicated upon the continuity of instruction and the presence, punctuality, and participation of our students.

4.2 Program Attendance

4.2.1 School Hours

Grades K – 2:	8:30am to 2:15pm or the equivalent of 5.75 hours of direct instruction per day
Grades 3 – 5:	8:30am to 2:20pm or the equivalent of 5.80 hours of direct instruction per day
Grades 6 – 8:	8:30am to 2:45pm or the equivalent of 6.25 hours of direct instruction per day
Grades 9 – 12:	9:00am to 3:21pm or the equivalent of 6.20 hours of direct instruction per day

4.2.2 Definitions

Present- Any student who is in their assigned homeroom at the start of the school day and is prepared to begin his/her school day is considered “present”. See policy number 144 above.

Tardy- Any student who reports to their assigned homeroom more than fifteen (15) minutes late but no more than two (2) hours late without a signed note or phone call from a parent/guardian or physician, will be marked “tardy.”

Absent- Any absence is automatically considered unexcused. For the unexcused absence to be changed to an “excused” status or a “present” status it is the parent/guardian’s responsibility to call or provide the appropriate documentation of the absence.

Excused Absence- An appropriate documentation of an excused absence would include a note or phone call from the parent/guardian. If a child is absent for four (4) or more consecutive days, the parent/guardian must provide a doctor’s note. The Head of School or his/her designee reserves the right to verify such statements and to investigate the cause of each single absence.

Absences due to the following will be excused:

1. Personal physical illness such as to prevent attendance at School.
2. Personal mental illness such that the student will not benefit from instruction.
3. Illness in the family.
4. Quarantine of the home.

cause any student, teacher, administrator, or staff member to feel frightened or intimidated, are also included under the definition of threatening behavior.

- **Consequence:** As it is our mission to maintain a safe school environment, consequences for threatening behavior will be determined by an administrator based on the severity of the threat.

6.1.5 Use of or intention to sell Tobacco, Drugs, or Alcohol

- It is against school policy to knowingly possess, consume, use, handle, give, store, conceal, offer to sell, sell, transmit, acquire, buy, make, apply, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, tranquilizer, non-prescription or prescription drug (except under the direction of a physician/parent as outlined under Medications, Student Handbook) alcoholic beverage, intoxicant, solvent gas, or any mood-altering chemical, drug of abuse or any counterfeit-controlled substance of any kind. This also applies to any type of drug related paraphernalia. The sale, distribution, possession, or use of any of the above tobacco, drugs and/or alcohol is strictly prohibited anywhere on school grounds (including the parking lots) or at any school activity. **This includes the use of tobacco in any form.** School personnel may search book bags, coats, and/or any other containers if they suspect the presence of any banned substance.
- **Consequences:** Students caught with illegal substances or paraphernalia on their person will be turned over to the local authorities immediately. The administration will deal with students caught using or holding any tobacco products. Consequences may include, but are not limited to, confiscating the tobacco product, contacting parents, community service, etc.

6.1.6 Theft and/or Damage to Private Property

- This means to cause damage to or steal, or attempt to cause damage to or attempt to steal private property. This can occur on school grounds or during a school activity, school function, as well as at another facility used by the school during the school day. This includes traveling to and from school. Students and their parent(s)/guardian(s) will be held responsible for any theft/vandalism that their student commits, which includes full restitution. **Note: Any student who finds another person’s property must turn it in to a staff member or administrator immediately. Failure to do so will result in punishment for possession of the stolen/lost item.**
- **Consequences:** The TOKLA administration reserves the right to determine fair punishment based on the circumstances of the incident and individual(s) involved. Factors may include student age, property value, behavior patterns, etc. The administration may file a report with local authorities.

6.1.7 Theft and/or Damage to School Property

- This means to cause damage to or steal, or attempt to cause damage to or attempt to steal school property including, but not limited to, furniture, supplies, textbooks, and equipment or the physical structure of the building itself. Students and their parent(s)/guardian(s) will be held responsible for any theft/vandalism that their student commits on school property or during the school day. This includes traveling to and from school. **Note: Any student who finds missing school property must turn it in to a staff member or administrator immediately. Failure to do so will result in punishment for possession of the stolen/lost item.**

final decisions regarding the definition of what constitutes a weapon. School personnel may search book bags, coats, and/or any other containers if they suspect the presence of a weapon.

- **Consequences:** Federal Law states: “It shall be a Class A misdemeanor, with various exceptions, to knowingly possess a firearm or a device that appears to be a firearm within a "school zone." A school zone is defined as in or on, or within 1,000 feet of a school. The act clarifies that a student who violates this provision is subject to expulsion. It shall also be a Class A misdemeanor, with several exceptions, to knowingly and with reckless disregard discharge or attempt to discharge a firearm in a school zone. Again, a student who violates this section is subject to expulsion.”
- **Any student caught possessing a weapon, as defined above (i.e. in the judgment of the Administration), is subject to expulsion.**

6.1.2 Fighting

- School is not a place to arrange or take part in fights, regardless of whether those fights take place in school or off of school property. Fighting is any instance of physical contact in anger, regardless of whether fists or weapons are used. In all but the rarest occasions, which would be an instance in which one student simply assaults an innocent bystander, any fight will result in **disciplining all students involved in the fight**. *Fighting, intimidation, assault (saying you will hurt someone), battery (actually touching another person in a hurtful or unwanted manner, including restraining someone) will result in immediate discipline action against all parties.*
- **Consequences:** The TOKLA administration reserves the right to determine fair punishment based on the circumstances of the incident and individuals involved. Factors may include student age, level of premeditation, behavior patterns, etc.

6.1.3 Harassment of Another Student and/or a Teacher Administrator, or Staff Member

- Any speech or action that creates a hostile, intimidating, or offensive learning environment is considered harassment. This includes, but is not limited to, hazing, unwelcome advances, improper physical contact, sexual and/or racial remarks, personal comments, e.g. name calling, teasing, statements regarding physical characteristics, e.g. “fat”, dissemination of material which others may find offensive including jokes and cartoons. *Use of profanity, toward another student, or in general, will not be tolerated.* Harassment is a violation of Federal Law and is contrary to creating a safe and comfortable learning environment. **Note: If you are not sure whether your comment may be offensive, it is best not to say it.**
- **Consequence:** As it is our mission to maintain a safe school environment, consequences for harassment will be determined by an administrator based on the severity of the threat.

6.1.4 Displaying Threatening Behavior

- Behavior that is considered threatening includes, but is not limited to, verbal threats, face-to-face interactions that cause or promote fear, written notes and threats that may be through electronic media such as the phone and/or computer. Non-verbal threats, such as “hard” stares or gestures,, that cause or attempt to

5. Death in the family.
6. Observance of religious holidays.
7. Court subpoena.
8. Necessary work at home due to absence of parents/guardians.
9. Instruction at home from a person qualified to teach the branches of education in which instruction is required.
10. An emergency or set of circumstances which in the judgment of the School constitutes a good and sufficient cause for absence.

Unexcused Absence- An absence will go unexcused, if a parent/guardian fails to provide a note or phone call within a “reasonable” amount of time of a student’s return to school. A “reasonable” amount of time will be in the judgment of the School.

4.2.3 Chronic Tardiness

Chronic tardiness is defined as the accumulation of five (5) tardies in a grading period will receive notification by the school. If is student is tardy eight (8) times in a grading period the parent/guardian may be required to attend a meeting with the TOKLA administration.

4.2.4 Chronic Absence

Chronic Absence is defined as the accumulation of nine (9) or more unexcused absences in one grading period. The Head of School or his/her designee reserves the right to deal with each student’s “unexcused” absence on an individual basis. If the student is determined by the Head of School or his/her designee to make up any work and fails to do so within the grading period, and has missed nine (9) or more days, the student will receive an “incomplete” for that quarter. If the missed work is not completed within the amount of time set by the Head of School or his/her designee, the incomplete will be converted into an “F” for the quarter, and the student will be required to repeat the class for that quarter.

Disciplinary Action for Unexcused Tardiness or Absence

Repeated absences/tardiness shall be grounds for disciplinary action. After three unexcused absences, and each unexcused absence thereafter, students may be issued an extended day or Saturday enrichment class. After six unexcused absences, and each unexcused absence thereafter, students may receive a one day suspension. An absence due to suspension will be reported as unexcused on the student’s attendance record.

A student is tardy when a student is more than fifteen (15) minutes late for School or for a class. If a student misses more than half a class, the student will be marked absent for the class. After twelve (12) unexcused tardies, and each unexcused tardy thereafter, a student may be issued a one day suspension.

Any student who, due to a medically-documented physical or mental impairment, is absent for an extended period will not be punished.

4.2.5 Absence Reporting Procedure

The primary responsibility for a student's attendance at School rests with his/her parent(s) or guardian(s). Parent(s)/guardian(s) must notify the School within a reasonable amount of time of a student's absence unless previous notification has been given in accordance with school procedure for excused absences. The Head of School or his/her designee is also required to notify a student's parents, custodial parent, guardian, legal custodian, or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone or written notice shall be mailed within two (2) school days of the student's absence. Parents or other responsible persons shall provide the School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The procedure for absences is as follows:

1. A parent must call the School to inform the School that his/her child or children will be absent from School.
2. If a parent fails to call the School as prescribed in Part A, School personnel may call the parent to inform him/her of the student's absence.
3. In those cases where telephone communication could not be made, School personnel may initiate a written communication to the home of the legal guardian.

4.2.6 Truancy

A student is habitually truant if the student is absent without a legitimate excuse for five (5) or more consecutive School days, for seven (7) or more School days in one (1) month, or twelve (12) or more School days in one (1) School year.

A student is chronically truant if the student is absent without a legitimate excuse for fifteen (15) or more consecutive School days, for ten (10) or more School days in one (1) month, or fifteen (15) or more School days in one (1) year.

Legitimate excuses for the absence of a student otherwise habitually or chronically truant include but are not limited to:

1. the student was enrolled in another school;
2. the student's absence was excused in accordance with applicable law or policy, or;
3. the student has received an age and schooling certificate.

If the student is habitually truant and the student's parents have failed to cause the student's attendance, the Board authorizes the Head of School or his/her designee to inform the student and his/her parents of the truancy record and the Board's intent to notify the Judge of the Juvenile Court of the student's excessive truancy.

The Head of School or his/her designee may act as the School's attendance officer or delegate that duty as permitted by law. The School's attendance officer shall investigate possible School attendance violations, and is authorized under Florida law, to serve warrants, to enter places where children of compulsory School age are employed, and to take such other actions as may be necessary to enforce the compulsory education laws.

The Head of School or his/her designee is also authorized to establish a parent education program for parents of students who are habitually truant. Any parent assigned to the program who does not complete the program is to be reported to law enforcement authorities for neglect of parent education, a fourth class misdemeanor if found guilty.

21 USC § 806.

5.7 Pregnant Students

No student, whether married or unmarried, who is enrolled in the School shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The School reserves the right to require as a prerequisite for attendance in the regular classes of the School and the co-curricular and extra-curricular programs of the School that each pregnant student present to the Head of School or his/her designee her physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

5.9 Use of Tobacco on School Premises

The use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the School.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School cannot, even by indirection, condone the use of tobacco, the School prohibits the use of tobacco in School buildings and School vehicles at all times. "School buildings" includes buildings owned, leased or used by the School, and "School vehicles" includes vehicles owned, leased, used or operated by the School.

20 U.S.C. §7151(b)(1), NCLB §4141(b)(1)

20 U.S.C. §7183(a), NCLB §4303(a)

Chapter 6: Student Discipline/Procedure

6.1 Student Code of Conduct

The mission of The TOKLA is to help students fulfill their educational, social, vocational, and emotional potential. The policies and rules have been designed to create an orderly and safe environment in which all students can learn effectively. To foster this kind of environment, TOKLA teachers and administrators will not allow the following behaviors during school, on school property, or during any school-sponsored activities and events.

All school consequences shall be imposed at the discretion of the Administration, and, if appropriate, the teacher/tutor on duty. A student may receive a suspension, or any other punishment deemed appropriate. The administration will maintain student conduct records. The definition of the unacceptable behavior and the minimum consequences for each infraction are listed.

6.1.1 Weapons

- Weapons include, but are not limited to, conventional objects such as guns, knives, smoke bombs, fireworks, or club type implements. Mace, pepper spray, or other chemicals are also included. A "toy weapon" presented as a real weapon, e.g., in order to intimidate, may also be considered the same as a real weapon. Objects converted from their original use to an object used to threaten or injure another person are also classified as weapons. The Administration reserves the right to all

- c. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
- d. promotes positive emotional health, self-esteem, and respect for one's body;
- e. advises students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful; and
- f. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State Department of Education.

Disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate this Policy.

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

The School will provide information about any drug and alcohol counseling and rehabilitation and re-entry programs available to students and will direct students and their parents to the appropriate programs.

All parents and students will receive a copy of this policy regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students. This policy serves as notification to parents and students that compliance with this policy and other standards of conduct is mandatory.

The Head of School or his/her designee will conduct a biennial review of the School's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced.

The School will provide a student assistance program which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well being in the educational setting which may negatively affect behavior and interfere with their ability to learn.

The School will establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the School's policies and procedures on Search and Seizure, Suspension and Expulsion, and Permanent Exclusion, among others, are complied with fully.

The School shall develop a curriculum for instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco for students at each grade level and conduct such in-service training programs for staff members necessary to ensure effective teaching about drugs and assistance to students with drug problems.

The Head of School or his/her designee shall take such steps as may be necessary to notify all students likely to be affected and their parents and appropriate law enforcement agency of the Board policy on the use of drugs.

The School shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in all School locker rooms used by students in grades 7- 12.

4.2.7 Early Dismissal

TOKLA Policy requires that the following guidelines be followed for early dismissal of any student.

1. Only the Head of School or his/her designee may release a student from school before the end of the school day.
2. The Head of School or his/her designee may release students before the end of a school day upon request from the child's parent or for emergency reasons.
3. Requests for early dismissal should be submitted as early in the school day as possible.
4. Students may be released only to a parent, whose signature is on file in the school office and/or to a properly identified person authorized by the parent to act on their behalf.
5. A student may be released "on his/her own" only with verified parental permission.

4.3 School Initiated Withdrawal

A student who fails to participate in one hundred five consecutive hours of learning opportunities will be automatically withdrawn, unless the student's absence is excused. Otherwise, a parent may withdraw a student voluntarily by signing a Voluntary Withdrawal form with the Director of Enrollment or his/her designee.

4.4 Missing Children

The Board believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults or agencies.

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a certification of birth* issued pursuant to the Florida Code or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school s/he most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, the Head of School or his/her designee shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may be a missing child, as this term is defined in Section 2901.30 of the Florida Revised Code.

The Head of School or his/her designee will also immediately give notice of the fact of a missing child to the Florida Attorney General's missing children clearinghouse. The Head of School or his/her designee will also assist parents in the case of a missing student by coordinating with the missing children clearinghouse.

Informational programs for students, parents, and community members relative to missing children issues and matters are available from the Head of School or his/her designee, including information regarding the fingerprinting program. The Head of School's or his/her designee's informational programs are based on assistance and materials provided by the Florida Attorney General's missing child education program.

*May substitute any of the following documents for a birth certificate: 1) a passport or attested transcript showing the date and place of birth of the child; 2) an attested transcript of a birth certificate; 3) an attested transcript of a baptism certificate or other religious record showing the date and place of birth of the child; 4) an attested transcript of a hospital record showing date and place of birth, or 5) a birth affidavit.

4.5 Fingerprinting Students

The School recognizes the advantage to both parents and law enforcement agencies of a means of identifying children who have become lost or have been abducted. Accordingly, the School will cooperate with legal law enforcement agencies in the voluntary fingerprinting of students enrolled at the School. Students will only be fingerprinted at the request of the parent/guardian.

by the School. The Board believes gangs or gang activity create an atmosphere where violations of School policies and regulations as well as laws may occur.

Incidents involving initiations, hazing, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students or staff are prohibited.

The Board directs the administration to prohibit any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student. Such behaviors will be subject to disciplinary action.

The staff shall be provided with the necessary information that will enable them to identify symbols used by those involved in gang-related activities which include things such as hand signals, symbols, colors, apparel, jewelry and/or any other pertinent gang related information.

5.6 Drug Prevention

The School recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole community.

For purposes of this policy, "drugs" shall mean:

1. all controlled substances as so designated and prohibited by applicable Federal and Florida law;
2. all chemicals which release toxic vapors;
3. all alcoholic beverages;
4. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
5. anabolic steroids; and
6. any substance that is a "look-alike" to any of the above.

The School prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia, as the term is defined by law, on School grounds, on School vehicles and vehicles used for School-sponsored events, and at any School-sponsored event.

The School's drug prevention program:

1. emphasizes the prevention of drug use;
2. provides for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - a. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - b. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;

of School or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

Nothing in this policy prohibits a victim from seeking redress under any provision of Florida law that may apply.

The School may form a prevention task force and/ or programs to educate students about this policy, such as holding an assembly on harassment, intimidation and bullying for parents and students, to raise the level of awareness and help prevent the prohibited conduct. The School shall also provide training, workshops, or courses on this policy to school employees and volunteers who have direct contact with students.

5.4.2 Anti-Hazing Policy

The School prohibits all acts of hazing. Hazing, like other violent and disruptive behaviors, is conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe and civil environment.

Hazing or hazing activity means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. For purposes of this Anti-Hazing policy, mental harm means mental stress, anxiety, injury to feelings, humiliation, mental anguish, and/or depression, connected to and arising from the hazing activity. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

Hazing activities of any type are inconsistent with the educational process and are prohibited at all times, regardless of whether the activity occurs on or off of property owned or controlled by the School, so long as the hazing activity is in any way connected to the activities or incidents that have occurred on property owned or controlled by the school. This policy will be actively enforced at all times.

Hazing is a violation of School policy separate and distinct from harassment or other prohibited conduct. No student, including leaders of student organizations, may plan, encourage or engage in any hazing activity. Students having engaged in hazing activity and who fail to abide by this policy are subject to disciplinary action including suspension, expulsion, removal or permanent exclusion as set forth elsewhere in this policy manual, and may be liable for civil and criminal penalties pursuant to State law.

Administrators, faculty members and all other School employees are particularly alert to possible conditions, circumstances or events, which might include hazing. If hazing or planned hazing is discovered, involved students are informed by the discovering school employee of the prohibition contained in this policy and are required to end all hazing activities immediately. All hazing incidences are reported immediately to the Head of School or his/her designee.

No administrator, faculty member or other employee of the School shall encourage, permit, condone or tolerate any hazing activities. Administrators, faculty members, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties pursuant to State law.

5.4.3 Gang Activity Policy

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or which are disruptive to the School environment will not be tolerated

Chapter 5: Student Conduct/Rights

5.1 Student Expression

The School recognizes the right of students to express themselves. With the right of expression comes the responsibility to do it appropriately. Students may distribute or display, at appropriate times, non-sponsored, noncommercial written material and petitions: buttons, badges, or other insignia; clothing, insignia, and banners; and audio and video materials. All items must meet the following School guidelines:

- A. A material cannot be displayed if it:
 - 1. is obscene to minors, libelous, indecent, or vulgar,
 - 2. advertises any product or service not permitted to minors by law,
 - 3. intends to be insulting or harassing,
 - 4. intends to incite fighting or presents a likelihood of disrupting School or a School event.
- B. Materials may not be displayed or distributed during class periods, or during passing times between classes. Permission may be granted for display or distribution during lunch periods and after School in designated locations, as long as exits are not blocked and there is proper access to and egress from the building.

See also Policy No. 5.5 Disorder and Demonstration and Policy No. 8.1 School Sponsored Publications.

5.2 Student Bill of Rights/Responsibilities

The Board recognizes that students possess not only the right to an education but the rights of citizenship as well.

In granting students the education to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, no student shall be deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant upon the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted School authority, and compliance with the rules and regulations of the School.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

A student who has reached the age of majority possesses the full rights of an adult and may authorize those School matters previously handled by his/her parents. Each student who has reached the age of majority shall assume the full responsibility for his/her performance in School, attendance and compliance with School rules and regulations.

As members of the School community, students have both rights and responsibilities described in part below.

1. All individuals are deserving of respect and acceptance. Both adults and youth at the School will exhibit respectful behavior in their speech and actions. All individuals are expected to set positive examples.
2. Students have a right to a learning environment free from physical and verbal threats and harassment. Individuals must not threaten or harass others. Neither must they cause or encourage threatening or harassment of others.
3. Students have a right to learn free from excessive distractions. Individuals must maintain behavior, including dress, vocalization, and other actions, which allows others to learn.
4. Students have a right to the ownership, possession, and respect of their property. Individuals must obtain permission before taking and/or utilizing the property of others. For exceptions, see Policy No. 5.8 Search and Seizure. Property must be treated with care and respect.
5. Students have a right and are encouraged to ask questions when they do not understand, as long as the questions are presented respectfully and are appropriate for the setting. At times, questions may need to be deferred.
6. Students have a right to disagree with statements and policies affecting them as long as the students' positions are stated respectfully and in a way which does not disrupt the functioning of the class. Disagreement does not mean that statements and policies affecting students will be changed.
7. Students have a right to obtain an explanation of rules and expected behaviors before they are accused of breaking the rules.

5.4 Sexual and Other Forms of Harassment

Students have the right to learn in an environment untainted by sexual or other forms of illegal harassment or discrimination. Offensive conduct which has the purpose or effect of unreasonably interfering with learning performance or creating an intimidating, hostile, discriminatory, or offensive learning environment, or which disrupts the educational process or impedes the legitimate pedagogical concerns of the School, is strictly prohibited.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment on the basis of gender, religion, race, color, ethnicity, disability and/or other legally protected category.

The harassment by a student of a staff member or fellow student is strictly forbidden. Any student who is found to have harassed a staff member or student will be subject to discipline.

The harassment of a student or a staff member should be reported immediately by the student or staff member to any teacher or to the Head of School or his/her designee. Any person who receives such a report shall immediately advise the Head of School or his/her designee or a Board member, who will investigate and take appropriate action in accordance with Board directives.

5.4.1 Anti-Harassment, Intimidation, and Bullying Policy

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events. A safe and civil environment in the School is necessary for students to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

Harassment, intimidation, or bullying means any intentional gesture, or any intentional written, verbal, or physical act or threat that a student has exhibited toward other students more than once and the behavior both: (1) has one or more of the following effects: (a) harming a student; (b) damaging a student's property; (c) placing a student in reasonable fear of harm to the student's person; (d) placing a student in reasonable fear of damage to the student's property; and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.

The School prohibits acts of cyber-bullying, which is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to e-mail, cell phone and pager text messages, my space, face book, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate, repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on School time or School premises, or off School time or School premises if such acts affect other students or staff or the School.

Some acts of harassment, intimidation, bullying and cyber-bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, bullying or cyber-bullying that they require a response either at the classroom, School building or by law enforcement officials. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, bullying or cyber-bullying range from positive behavioral interventions up to and including suspension or expulsion.

All School employees, volunteers and students are required to report prohibited incidents of which they are aware to the Head of School or his/her designee. The Head of School or his/her designee is then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Head of School or his/her designee shall conduct a prompt, thorough and complete investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported. Once an investigation is completed, and the reported incident has been substantiated, the parent or guardian of any student involved in the prohibited incident shall be notified and to the extent permitted by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) and have access to any written reports pertaining to the prohibited incident. The School will maintain, via the education management information system, information regarding the number of incidents of harassment of students against other students, in each building and School-wide, that violates this policy. All School employees, volunteers and students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Head