



**LEARN D.C.**

# **Parent & Student Handbook**

**School Year 2024-2025**

**LEARN's** mission is to provide children with the academic foundation and ambition to earn a college degree.  
[www.learncharter.org](http://www.learncharter.org)

<u>Contents</u>	<u>Page</u>
<b>Section I: Welcome from Mr. Greg White, LEARN CEO</b>	<b>3</b>
<b>Section II: LEARN's Mission</b>	<b>4-5</b>
<b>Section III: Enrollment</b>	<b>6-8</b>
<b>Section IV: Attendance Policy</b>	<b>9-12</b>
<b>Section V: Dress Code</b>	<b>13-14</b>
<b>Section VI: Academics &amp; Family Communication</b>	<b>15-16</b>
<b>Section VII: General Information</b>	<b>17-18</b>
<b>Section VIII: Student Records and Identify Protection Policy</b>	<b>19-25</b>
<b>Section IX: Health, Safety &amp; Security</b>	<b>26-28</b>
<b>Section X: Equal Educational Opportunities and Non-Discrimination Policies</b>	<b>29-41</b>
<b>Section XI: Anti-Bullying Policy</b>	<b>42-46</b>
<b>Section XII: LEARN D.C. Code of Conduct Discipline Policy</b>	<b>47-57</b>
<b>Section XIII: Wellness Policy</b>	<b>58-70</b>
<b>Section XIV: Technology &amp; Internet Policies</b>	<b>71-79</b>

## Section I – Letter from CEO

### LETTER FROM CEO

Dear Parents/Guardians and Scholars,

Welcome to LEARN Charter School! LEARN is a Network of eleven public, tuition-free charter schools in Washington D.C. and the Chicagoland area whose mission is to provide children with the academic foundation and ambition to earn a college degree. We are excited to have you and your scholar be a part of the LEARN family.

The LEARN Charter School Network Parent/Student Handbook outlines our school policies that ensure a safe and nurturing learning environment for your child. The handbook was created as a Network-wide document to provide consistency among schools across the LEARN Network.

The content of the handbook was developed through a cooperative effort between parents, teachers, administrators, and board members, guided by the requirements for the Office of the State Superintendent of Education (OSSE). We trust that this information will be helpful in discussions with your scholars as they navigate the academic and social environment within our schools. If you have any questions about anything you read on the following pages, please contact your school principal. As always, communication between the school and families is important to student success. We look forward to a productive and fulfilling school year.

Sincerely,

Gregory White  
President and CEO

It is the responsibility of all parents/guardians and students to become familiar with the contents of this handbook. Should you have any questions that are not addressed in this handbook, contact the main office at 202-949-0930.

## Section II – LEARN’s Mission

### **LEARN Mission and Values**

The mission of LEARN is to provide children with the academic foundation and ambition to earn a college degree. The LEARN Charter School Network currently serves over 4,000 scholars in eleven schools in the communities of Illinois and Washington D.C.

We firmly believe the seeds for college success must be sown and cultivated early in a child's education. At LEARN D.C., we lay the foundation for our scholars to succeed in high school and beyond. LEARN’s educational program is guided by five **Core Values** defining the culture and learning environment:

1. **Culture of Respect:** LEARN’s culture of respect is expected between and among staff, guardians, students, and the communities LEARN serves. Respect is reflected in LEARN’s open door policy, a guiding principle in effect at all LEARN schools. Administration and instructors are always available to talk to parents and guardians. We believe it is the right, privilege, and responsibility of each individual to contribute to and work in an environment of trust and cooperation.
2. **High Expectations:** LEARN believes the utilization of data helps instructors and school leaders develop targeted, instructional strategies for excellence. LEARN uses school-wide instructional monitoring to ensure academic expectations are being met consistently throughout the year. Since LEARN provides numerous resources to instructors, instructors are held accountable for student performance.
3. **Safe and Nurturing Environment:** LEARN is committed to providing a safe and nurturing environment for our scholars to learn. As soon as a child walks through the door, LEARN promotes a sense of well-being and warmth. A goal at LEARN is to provide a safe haven for children. We aim to provide a place where learning takes place and students gain an understanding of themselves and how to treat others respectfully.
4. **Focus on the Whole Child:** In order to prepare students to be successful, we believe we must expose scholars to art, culture, physical fitness, and a broader education encompassing more than core academic subjects. LEARN has partnered and collaborated with many organizations both formally and informally to offer students a broad range of activities.
5. **Family Involvement:** LEARN fundamentally understands the importance of partnering with parents and guardians to fully develop the potential of each child. We believe it takes a community – of parents, guardians, staff, other adults, as well as the children within the community—to create a sustainable, supportive learning environment.

Additionally, under the leadership of our Senior Director of Student Support Services, LEARN employs a team of highly qualified individuals that specifically support the social and emotional needs of our students. LEARN aims to provide an optimal learning environment for all students

and remains committed to a focus on the positive development of our scholars.

**What Makes LEARN Unique**

- Effective student-teacher ratio
- Extended school year (182 school days) & school day (7½ hours)
- Ongoing weekly professional development for instructors
- Commitment to the social and emotional development of all scholars

## Section III – Enrollment

### Age and Eligibility

The District of Columbia requires:

- A child must be three years old by September 30 of the current school year to be eligible to enroll in PreK3
- A child must be four years old by September 30 of the current school year to be eligible to enroll in PreK4
- A child must be five years old by September 30 of the current school year to be eligible to enroll in Kindergarten

### Who May Enroll a Student?

Learn D.C.'s enrollment forms must be completed in their entirety by one parent or guardian with legal custody. A parent includes a biological parent whose name is listed on the student's birth certificate or an adoptive parent with valid legal documentation. A guardian or third-party custodian is an individual appointed by the court as stated in valid legal documentation. In the absence of either of these documents, Learn D.C. accepts the Attestation of Other Primary Caregiver, when verified by the Office of the State Superintendent of Education (OSSE), on a case-by-case basis.

### MySchool D.C. Lottery

Learn D.C. participates in the My School DC lottery process and will use the common timeline and lottery for enrollment. If the number of applications exceeds the number of spaces available, a lottery is held to determine the order in which students are offered seats. Per the District of Columbia School Reform Act, Learn D.C. recognizes three lottery preferences during the open enrollment period: (1) Students whose parents or parent or guardians are on active duty will receive military preference, (2) siblings of current Learn D.C. students, and (3) siblings of students who were offered a lottery or waitlist spot for the upcoming school year. Students applying after the open enrollment period will be added to the waitlist on a first-come-first-serve basis if seats are not available. For more information regarding My School DC, visit <http://www.myschooldc.org/>. For more information regarding the availability of seats after the enrollment period, contact the Learn D.C. Campus Office.

### Required Documents for New Students

After a student is accepted to Learn D.C., parents/guardians must provide the following documentation when completing registration:

1. Learn D.C. Online Registration Packet;
2. Verification of Residency in the District of Columbia;
3. Proof of Age Verification<sup>1</sup>

---

<sup>1</sup> DC law allows parents to establish proof of age in a variety of ways. Proof of age may include, but is not necessarily limited to, any one (1) of the following:

- (a) An original or certified true copy of the student's official birth certificate;
- (b) A valid, unexpired passport which gives the student's date of birth;
- (c) A sworn (notarized) affidavit of the student's correct date of birth. Affidavit forms shall be available from each principal or other person responsible for admission and registration procedures;
- (d) An official transcript from the last school attended which includes the student's date of birth; or
- (e) An original or certified true copy of the student's baptismal certificate which includes the student's date of birth

4. Immunization and Health Records;
5. Individual Education Plan (IEP) or Section 504 Plan (504 plan), if applicable (used for course placement, not as a criterion for acceptance).

### **Residency Requirements**

The enrolling parent/guardian must be a resident of Washington, DC, and able to prove so using the documents outlined in OSSE's Residency Verification Guidelines by the deadlines specified by the school, both during initial enrollment and on each subsequent re-enrollment. If at any time LEARN D.C. has reason to believe that a student is not a resident of the District of Columbia, a residency investigation will be conducted by OSSE. During a residency investigation, families will have two business days to provide the appropriate documentation to prove residency. A non-resident finding will result in mandatory withdrawal and a referral to OSSE. Presentation of false, forged, or doctored proof of residency will also result in immediate withdrawal and a referral to the OSSE. LEARN D.C., OSSE, and the DC Office of the Attorney General (OAG) are required by law to pursue retroactive tuition for all students who are found to be non-residents for the period of time they were enrolled.

### **Re-Enrollment Procedures for Returning Students**

Parents/guardians of current students wishing to attend LEARN D.C. during the upcoming school year must notify LEARN D.C. by completing re-enrollment by the spring deadline and all applicable related paperwork by the school specified deadline. Forms and reminders will be sent home well before the deadline.

### **Withdrawal**

When a family moves from Washington, DC, or decides to withdraw their student for any reason, LEARN D.C. will provide a withdrawal form to the parent/guardian. Withdrawal forms can be obtained from the campus main office. Parents/guardians must indicate the new school of enrollment within ten school days of withdrawal, or LEARN D.C. is required by law to contact CFSA. The parent/guardian who enrolled the student must be the same parent/guardian to complete LEARN D.C. withdrawal forms. When a student is enrolled with OSSE's Other Primary Caregiver form, the enrolling adult may withdraw the student unless the parent/guardian with legal custody expresses an intent to keep the student enrolled. Once withdrawn, a student must complete a new application and go through the lottery process to return to LEARN D.C.

### **Divorced/Separated Guardians**

In the event the student's guardians do not maintain the same residency and do not have a formal custodial agreement entered into by a court of competent jurisdiction, the student shall be presumed to be a resident, if one of the guardians has established bona fide residency in the District.

- In the event the student's guardians do not maintain the same residency but do have a formal custodial agreement entered into by a court of competent jurisdiction awarding physical custody and legal custody to one or both guardians, the student shall be presumed to be a resident, if:
  - The student's guardians share joint physical custody and joint legal custody of the student and at least one parent has established bona fide residency in the District;

- The student's guardians share joint physical custody even if only one parent is awarded sole legal custody and the parent awarded sole legal custody has not established bona fide residency in the District but the parent not awarded legal custody has established bona fide residency in the District;
- The parent awarded sole physical custody and sole legal custody has established bona fide residency in the District; or
- The student's guardians share joint legal custody even if only one parent is awarded sole physical custody and the parent awarded sole physical custody has not established bona fide residency in the District but the parent not awarded physical custody has established bona fide residency in the District.

### **Homeless Students**

A student experiencing homelessness is not required to establish residency as a condition of enrollment in a District public school. Homeless individuals include those children defined in the Stewart B. McKinney Homeless Assistance Act. Each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, as provided to other children and youths. Homeless students shall not be separated or stigmatized.



## **Section IV – Attendance Policy**

### **Student Attendance**

Students are encouraged to attend class every day. LEARN D.C.'s school calendar provides 182 days of instruction. A full-day of attendance for students in grades 1<sup>st</sup> grade through 8th must be a minimum six hours.

Depending on inclement weather, LEARN D.C. may need to make up instructional hours to meet the 180 day requirement. If a late start or early dismissal is required due to extreme circumstances, the day must contain at least six hours to be considered an instructional day.

### **Early Dismissal**

LEARN discourages early dismissals. However, in the event this is necessary, families should communicate with the office and the child's teacher in writing. Only adults who are listed in the school's records as being authorized will be allowed to take students from the school in these cases. Students leaving school early must be signed out in the front office.

### **Absences**

LEARN D.C. requires that parent(s)/guardian(s) ensure that their children, once enrolled, attend school regularly and notify the school of absences. LEARN D.C. adheres to the District of Columbia Municipal Regulations in determining excused absences. Valid causes include:

- Illness or other bona fide medical cause experienced by student,
- Exclusion, by direction of the authorities of the District of Columbia, due to quarantine, contagious disease, infection, infestation, or other condition requiring separation from other students for medical or health reasons,
- Observance of a religious holiday,
- Death in the family,
- Necessity for a student to attend judiciary or administrative proceedings as a party to the action or under subpoena,
- Lawful suspension or exclusion from school by school authorities,
- Temporary closing of facilities or suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other condition(s) or emergency requiring a school closing or suspension of classes;
- Failure of the District of Columbia to provide transportation in cases where the District of Columbia has a legal responsibility for the transportation of the student;
- Medical or dental appointments for the student;
- Absences to allow students to visit their parent or a legal guardian, who is in the military; immediately before, during, or after deployment, and
- An emergency or other circumstances approved by LEARN D.C.

Guardians must call the school office as soon as possible to inform the school of an absence. Should guardians fail to call in advance they must provide a valid excuse for an absence no more than five (5) days upon the student's return to school, otherwise the absence will be unexcused. Any student who is absent more than five consecutive or non-consecutive days may be required to provide a physician's excuse.

In the case of an unreported absence, the school will make a reasonable effort to call the parent/guardian on the telephone numbers provided at registration within the first two hours of the student's school day.

Students who are absent because of the observance of a religious holiday are excused provided the parent or guardian has given five (5) days advance notice of the student's intended absence to the building principal. A written excuse upon return to school following a religious observance absence that was prearranged is not required. All students who are absent from school due to the observance of a religious holiday have an equal opportunity to make up any school work requirements, including exams, missed due to the absence.

Guardians and students may appeal any attendance violation decision in writing to the LEARN Chief Schools Officer within five (5) calendar days. The appeal should include the following information:

- Student Name
- Guardian Name and Contact Information
- Reason for Appeal
- Specific Information Regarding the Appeal

### **Excessive Absenteeism**

D.C. regulations require intervention at certain points of absenteeism throughout the school year:

- A. 5 school days
  - a. Within two (2) school days after a student has accumulated five (5) or more unexcused absences in one (1) marking period or other similar time frame, the student shall be referred to a school-based student support team which will meet within five (5) school days of the referral and regularly thereafter to:
    - i. Review and address the student's attendance and determine the underlying cause(s) for the student's unexcused absences
    - ii. Employ reasonable and diligent efforts to communicate and to collaborate with the student and parents or guardian
    - iii. Communicate and collaborate with the student's existing Individualized Education Program (IEP) team, as applicable
    - iv. Provide timely response to the student's truant behavior;
    - v. Make recommendations for academic, diagnostic, or social work services;
    - vi. Use school and community resources to abate the student's truancy including referral to a community-based organization when available; and
    - vii. Develop and implement an action plan in consultation with the student and student's parents or guardian.
- B. 10 days - The school-based student support team assigned to the student shall notify the school administrator within two (2) school days after the tenth (10th) unexcused absence with a plan for immediate intervention including delivery of community-based programs and any other assistance or services to identify and address the student's needs on an emergency basis

## **Tardies**

Any student who arrives after the start of the school day at the school is considered tardy. Students are expected to arrive to class on time. Medical appointments and funeral attendance are valid reasons for excused tardiness. Guardians are expected to notify the school office if a student is arriving late, either with a phone call, a written note, or by accompanying the student to the office to sign in. Guardians will **not** be allowed to drop students off at school after 1:00 PM unless approved by the site administrator.

## **Early Drop-Off**

Supervision will not be provided for LEARN D.C. students until 8:00 a.m. or earlier if determined by the site administrator. LEARN D.C. bears **NO RESPONSIBILITY** for students who are dropped off before that time.

## **Late Pick-Ups**

Guardians are expected to pick students up on time. If a situation arises that prevents the on-time pick up, please contact the office immediately to inform. Students not picked up after dismissal will be waiting for pick-up in a designated area of the school. LEARN D.C. reserves its right to enforce appropriate consequences if late pick-ups become a chronic concern.

## **Truancy**

Once enrolled at LEARN, regular attendance at school is expected. Guardians are responsible for their child's regular school attendance. Students who are truant will be referred to appropriate District of Columbia agencies under the following circumstances:

- Students ages five (5) through thirteen (13) will be referred to the Child and Family Services Agency no later than two (2) business days after the accrual of ten (10) unexcused absences within a school year; and
- Students ages fourteen (14) through seventeen (17) will be referred to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of Attorney General Juvenile Section no later than two (2) business days after the accrual of fifteen (15) unexcused absences within a school year.

## **Pick-Up/Drop-Off**

Guardians should familiarize themselves thoroughly with the designated pick-up and drop-off points, and the visitor parking areas at the school. All drivers must carefully follow the school's instructions for operating a motor vehicle in the vicinity of the school and its students.

## **Emergency Contacts and Authorization for Adults to Pick-Up Students**

Parents/guardians should designate emergency contacts. The school will contact these individuals if reaching out to the parents/guardians is initially unsuccessful. If a parent/guardian wishes for someone else to pick up your child, the school must receive a signed and dated note from the parent or legal guardian to that effect. Our staff can and will refuse to release your child to any person related or unrelated to you who has not been authorized in writing by the parent/guardian to receive the child. **A phone call for authorization is NOT allowed.** Adults, other than the parent/guardian will be asked for identification in order to release the child. Guardians are required to update emergency contact forms during report card pick up meetings

and report changes immediately to the Office Manager. Any responsible relative or non-relative 14 years or older may be included on the emergency forms for authorized pick up. Any student who walks home or takes public transportation must have an authorized note on file from the Parents/Guardians.

## Section V– Dress Code

To help create an environment conducive to learning, allow our scholars to focus on academics, promote respect and pride for oneself and others, and foster school and community spirit, scholars at LEARN D.C. are required to wear uniforms. Scholars repeatedly out of uniform will receive a call home, and in extreme or repeat cases, a parent will be asked to come to the school to bring appropriate attire. The LEARN D.C. Scholar Dress Code/Uniform Policy will be enforced with consistency. If a family is unable to provide an appropriate attire to their scholar due to financial difficulties, please notify the LEARN D.C. School Social Worker at (202) 949-0930.

**The Learn D.C. Scholar uniform varies by grade level as indicated below.**

**These policies are gender neutral.**

<b>Grades: PK3 &amp; PK4</b>	
<b>Top</b>	<ul style="list-style-type: none"> <li>• Non-Logo Solid Red Collared or Button-Down Shirt (<i>No other lettering or logos</i>)</li> <li>• Learn D.C. Logo Solid Red Shirt</li> </ul>
<b>Bottom</b>	<ul style="list-style-type: none"> <li>• Khaki Shorts or Skorts (no shorter than mid-thigh or 2 inches above the knee)</li> <li>• Khaki Pants, Jumpers, or Skirts</li> </ul>
<b>Outerwear</b>	<ul style="list-style-type: none"> <li>• Solid Color: Gray, Navy Blue or White Button-Up or pullover sweaters (without a hood)</li> <li>• Learn D.C. Fleece or Sweater</li> </ul>
<b>Shoes</b>	<ul style="list-style-type: none"> <li>• Athletic tennis shoes, loafers, dress shoes or boots (without heels)</li> </ul>
<b>Socks</b>	<ul style="list-style-type: none"> <li>• Solid Color: White, Navy, or Black socks</li> </ul>

<b>Grades: K-3</b>	
<b>Top</b>	<ul style="list-style-type: none"> <li>• Non-Logo Solid Purple Collared or Button-Down Shirt (<i>No other lettering or logos</i>)</li> <li>• Learn D.C. Logo Solid Purple Shirt</li> </ul>
<b>Bottom</b>	<ul style="list-style-type: none"> <li>• Khaki Shorts or Skorts (no shorter than mid-thigh or 2 inches above the knee)</li> <li>• Khaki Pants, Jumpers, or Skirts</li> </ul>

<b>Outerwear</b>	<ul style="list-style-type: none"> <li>• Solid Color: Gray, Navy Blue or White Button-Up or pullover sweaters (without a hood)</li> <li>• Learn D.C. Fleece or Sweater</li> </ul>
<b>Shoes</b>	<ul style="list-style-type: none"> <li>• Athletic tennis shoes, loafers, dress shoes or boots (without heels)</li> </ul>
<b>Socks</b>	<ul style="list-style-type: none"> <li>• Solid Color: White, Navy, or Black socks</li> </ul>

### **Cleanliness and Maintenance**

LEARN D.C. encourages scholars to take pride in their overall appearance and it is expected that scholars will practice daily healthy hygiene habits. In addition, school uniforms are to be worn clean, free of stains, and without tears or other damage. We recommend you purchase enough items to be worn clean throughout the week.

### **Appropriate Fit**

Uniforms are to fit appropriately. Items should not be too tight or too baggy. **Please be prepared to replace items as your child/children grow.**

### **Accessories**

Scholars may not wear anything around their necks, except for items worn inside their shirts, invisible to anyone else. Earrings must be small studs; one bracelet per arm.

### **SY23-24 Scholar Dress Code/Uniform Policy**

*The following are considered to be dress code violations on the Learn D.C. campus.*

- Ugg® boots, Crocs™, backless (or “slide-in”) shoes such as slippers, clogs, Cowboy boots, flip flops, sandals, or open-toed shoes. Platform shoes or high heels over 2.5 inches high are also not permitted
- Spaghetti straps (smaller than two inches, or the width of a credit card)
- Tank tops (including white, ribbed undershirts) worn alone
- Tops that show the midriff area
- Cargo pants, jeans, jeggings, leggings (worn alone), stretch pants, skinny legs or pajama pants
- Clothing or accessories that associate a scholar with non-school clubs, profanity, obscenity, references to drugs, alcohol, tobacco, political groups or do not align with the LEARN Charter School core values.
- Attire with writing that degrades individuals or groups
- Body piercings that create a safety hazard
- Underwear or undergarments that are visible
- Intentionally torn pants or jeans
- Bandanas, hairnets, durags, or any other head covering that is not related to a personal religious designation

- Hats worn indoors (unless a scholar has a 504/IEP accommodation)
- Sunglasses worn indoors

## **Section VI – Academics & Family Communication**

### **Instructional Philosophy**

Our objective is to ensure that effective student-centered instruction is being executed consistently across classrooms to maximize student achievement. We believe that the relationship between the student and staff is critical. We provide small group, differentiated instruction for our students in order to meet their individual academic goals. LEARN successfully prepares scholars to excel in high-performing secondary schools and colleges.

**LEARN provides the following for students, families, and staff:**

1. **High Academic Standards**: LEARN students are expected to make consistent academic growth and meet individualized academic goals
2. **Assessment Driven Instruction**: LEARN utilizes school-wide assessments throughout the year in order to establish learning objectives, plan instruction and keep parents informed of their child's progress
3. **Instructional Methods & Strategies**: LEARN instructors and students have access to the best resources and strategies proven to deliver successful student outcomes
4. **Instructor Support and Accountability for Student Performance**: LEARN is dedicated to recruiting, developing, and supporting highly skilled instructors who can effectively facilitate instruction in the classroom

### **Support for Students where English is a Second Language**

LEARN D.C. provides screening, evaluation, and instruction for students whose cultural background includes languages other than English. Upon enrollment at LEARN D.C., students are identified through the use of our Home Language Survey form and the WIDA Language Screener. Services are available for those who need assistance in listening, speaking, reading, writing, and general academic skills after students are screened. Guardians will be notified in writing in a language they understand if their student qualifies for services through a Sheltered Instruction model.

### **Family Involvement**

LEARN encourages parental involvement. Guardians are invited to become actively involved in the organization of their school. Additional information is available at each individual school office. In addition, the school works to develop collaborative relationships between students' families and school personnel, and to enable Guardians to become active partners in education. Opportunities exist at all eleven schools for guardians to become involved in the classroom as volunteers, and in advisory capacities through Building Leadership Team participation.

### **Family Communication**

Guardians are our partners in the education of our scholars. In order to meet the needs of every child, we believe communication must be open, honest, and continuous. LEARN D.C. uses the

PowerSchool Student Information System, which provides private and immediate parent access to student progress and achievement, attendance, and grades.

Regular communication with our administration, faculty and staff is encouraged. The administration and faculty are committed to regular and open communication. If there are any questions or concerns, guardians are encouraged to call the school office to schedule an appointment with their child's teacher.

### **Report Cards / Progress Reports**

Monitoring and communicating student achievement are accomplished using a variety of tools.

A Report Card will be sent home with each student every quarter. Special progress report forms will be sent to guardians whenever deemed necessary by the teacher. These reports will be sent home with recommendations for student improvement. A parent/guardian may schedule a conference at any time to discuss student progress, achievement, behavior, or other issues related to the student. LEARN D.C. utilizes standards-based grading to update families on student proficiency on grade-level standards.

The LEARN Charter School Network. maintains a website - [www.learncharter.org](http://www.learncharter.org) to provide information regarding student activities, academics, and other LEARN D.C. information.

### **Graduation Commencement Exercise Participation Criteria**

Teachers and administration believe that participation in the commencement exercise should be a meaningful activity earned by the individual student. Given LEARN D.C.'s first class of 8th graders will not participate in such ceremonies until the 2028 - 2029 school year, these criteria will be determined in the upcoming years.



## **Section VII – General Information**

### **Drug-Free Schools**

Consistent with federal law, the Board of Directors prohibits the use, possession, concealment, or distribution of drugs by students, staff, and visitors on school grounds or at any school-related event. Drugs include any alcoholic beverage, anabolic steroid, any unlawful controlled substance as defined by District of Columbia law, and any substance that could be considered a “look-a-like” controlled substance. Also prohibited is cigarettes, nicotine and/or any vaping substances or any devices or materials related to cigarettes, nicotine and/or vaping. Any student who violates this policy is subject to discipline in accordance with this policy. When appropriate, the network will refer the student to resources that can assist the student in addressing drug or alcohol related abuse problems.

### **Academic Dishonesty**

Students engaged in academic dishonesty such as, but not limited to, intentional plagiarism, giving or receiving help during an examination, directly copying another student’s work, obtaining copies of tests, or scoring devices prior to an examination instrument, or impersonating another student to assist him/her academically, will be subject to disciplinary action.

### **Fines and Fees**

All fines and fees (including athletic and club fees, textbook fines, library fines, and lunch fines) are to be paid in full in a timely manner. Late fines will result in a loss of privileges (including non-attendance at extracurricular events and field trips, nonparticipation in clubs, sports, or activities), and report cards will be held until all fines and fees are paid.

### **Student Property at School**

Students should not bring items of value to school or leave items of any value unattended or unsecured at school. The school is not able to ensure the safety or security of student property at school and is not liable for any damage or loss of student property.

### **Bus Transportation**

Special education students whose individual education program (IEP) qualifies them for transportation services or reimbursement may receive such services or reimbursement in accordance with OSSE regulations.

### **Curriculum Materials**

Guardians have the right to inspect all core curriculum materials. Procedures are provided for making a formal complaint regarding the curriculum, or programs using LEARN D.C.’s Grievance Procedure. Inquiries may be addressed to building principals.

## **Mandated Reporting**

All school personnel are mandated reporters of suspected abuse and/or neglect. Mandated reporters are required by state law to report suspected child abuse or neglect immediately. Once a staff member becomes aware that a student may be the victim of abuse or neglect, they must:

- Notify the administration
- Call the CFSA hotline at (202) 671-SAFE or (202) 671-7233.
- Complete an incident report

LEARN D.C. will contact CFSA if a parent initiates corporal punishment on school grounds.

## **Section VIII – Student Records and Identify Protection Policy**

### **Student Records**

In accordance with the Family Educational Rights and Privacy Act of 1974, LEARN shall protect the student and the student's family from invasions of privacy in the collection, maintenance, and dissemination of educational information and provide access to recorded information by those persons legally entitled. Student records are reviewed to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary or irrelevant information every four years or upon a student's change in attendance centers, whichever takes place first.

If you would like the opportunity to inspect, copy, and challenge the information to be released, you have the opportunity to do so prior to the release of the information to other schools.

### **Federal Educational Rights and Privacy Act (FERPA)**

FERPA is a federal law that protects the privacy interests of students. It affords parents the right to access and access and amend their children's education records and gives them some control over the disclosure of the information in these records. FERPA generally prevents an education agency or institution from sharing student records, or personally identifiable information in these records, without the written consent of a parent.

The term "education records" is broadly defined to mean those records that are: (1) directly related to a student, and (2) maintained by an educational agency or institution or by a party acting for the 1 agency or institution. See 34 CFR § 99.3.

The term "school official" means a person employed by LEARN in an administrative, counseling, supervisory, academic, support services, or research position, or a support person to these positions, including any LEARN teacher, principal, officer, director, board member, counselor, attorney, accountant, human resources professional, information systems specialist, and support or clerical personnel.

The term "legitimate educational interest" means that the information requested is:

- necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement;
- to be used within the context of official school business and not for purposes extraneous to the official's areas of responsibility or to the school;
- relevant to the accomplishment of some task or to a determination about a student; and
- to be used consistently with the purposes for which the data are maintained.

At the elementary or secondary level, a student's health records, including immunization records, maintained by an educational agency or institution are subject to FERPA. Schools are permitted to disclose a student's health and medical information and other "education records" to teachers and other school officials, without written consent, if these school officials have "legitimate educational interests" in accordance with school policy. See 34 CFR § 99.31(a)(1). Another exception permits the disclosure of education records, without consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals. See 34 CFR §§

99.31(a)(10) and 99.36.

LEARN fully complies with FERPA.

### **Permanent Record**

A permanent record is maintained for each student that contains: basic identifying information including students and parents/guardians' names and addresses, birthdate, place, and gender; birth certificate; academic transcript, including grades, graduation date, and grade level achieved, attendance record; health record; and record of release of permanent record information indicating exactly what records were released and containing copies thereof.

The permanent record may also include honors and awards received and information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations. No other information is placed in the student's permanent record. Permanent records must be maintained for at least sixty (60) years after the student has transferred, graduated, or otherwise permanently withdrawn from LEARN D.C.

### **Temporary Record**

A temporary student record may include: a student's cumulative folder; cumulative record card; record of release of temporary record information; scores received on the State assessment tests administered; the completed home language survey; information regarding serious disciplinary infractions (i.e., those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension or the imposition of punishment or sanction, any biometric information that is collected; health-related information; accident reports; family background information; intelligence test scores, group and individual; aptitude test scores; reports of psychological evaluations including information on intelligence, elementary and secondary achievement level test results; participation in extracurricular activities including any offices held in school-sponsored clubs or organizations, honors and awards received; teacher anecdotal records; disciplinary information; special education files including the report of the multidisciplinary staffing on which placement or non-placement was based, and all records relating to special education placement hearings and appeals; records associated with plans developed under section 504 of the federal Rehabilitation Act of 1973; any verified reports or information of clear relevance to the education of the student.

Information added to the temporary record shall include the name, signature, and position of the person who added such information and the date of entry. The temporary record shall be maintained for a period of at least five (5) years after the student has transferred, graduated, or otherwise permanently withdrawn from LEARN D.C. The temporary record shall include a record of release of temporary record information indicating exactly what records were released and containing copies thereof.

Upon graduation, transfer, or permanent withdrawal of a student from LEARN D.C., LEARN D.C. shall notify the parents/guardians and the student of the destruction schedule for the student's permanent record and the student's temporary record and of the right to request a copy of each record at any time prior to their destruction. Such notification shall include the date

of notification, the parent's name, the name of the records custodian, the name of the student, and the scheduled destruction date of the temporary and permanent records. No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under state law.

### **Directory Information**

LEARN D.C. has designated the following as "Directory Information:" the student's name, address, email address, grade level, date and place of birth, telephone number, and his/her Guardians' names, mailing addresses, email addresses, telephone numbers, and Facebook profile name and other social media handles (such as Twitter and Instagram); participation in officially recognized activities and sports, awards and honors received, photographs and videos of students participating in school or school-sponsored activities that have appeared in school publications, and dates of attendance. Student social security number or student identification or unique student identifier will not be designated as Directory Information.

LEARN D.C. may disclose Directory Information from time to time to the general public, including to military recruiters, the media, colleges and universities, and prospective employers. In addition, LEARN D.C. may reach out to Guardians to inform them of, and/or connect them with opportunities to advocate for educational issues that impact their student and LEARN D.C. LEARN D.C. may release Directory Information, namely parent names and contact information (mailing addresses, email addresses, and telephone numbers), to contractors and partners involved in those efforts. LEARN D.C. does not engage directly in any electoral activities, including to support or oppose any political party or candidate for public office, or otherwise engage in activities not permissible for a 501(c)(3) organization.

Guardians can object to the release of Directory Information regarding their students. Please contact the school office within 10 days of provision of this notice if you do not wish for your student's Directory Information to be released.

### **Consent to Contact**

LEARN D.C. needs your permission to inform you about important opportunities to advocate for your child and other students, including attending community meetings, public hearings, and other events. To that end, please understand that by signing the Handbook Parent/Guardian Acknowledgement, you are giving LEARN D.C. permission to contact you via email, phone, and/or text message in order to support LEARN D.C.

Additionally, by sharing your email address and phone number, you are agreeing to receive emails, phone calls, and/or text messages authorized by LEARN D.C. related to school activities and political advocacy opportunities, including auto-dialed or prerecorded calls or announcements.

### **Access to Records by Students and Parents/Guardians**

The following persons shall be entitled to inspect and review educational records and may do so by completing the Request for Access/Release of School Student Records form and the

Consent for Release of School Student Records form and filing the same with the School Office Manager.

1. Any student shall be entitled to inspect and copy his or her permanent student record.
2. A student who reaches 18 years of age, graduates from secondary school, marries or enters military service, shall be entitled to inspect and copy the student's permanent and/or temporary records unless earlier access is afforded at the direction of LEARN D.C.
3. A parent/guardian of a student under age 18 who has not married, graduated from secondary school, or entered military service (or such parents'/guardian's designated representative) shall be entitled to inspect and copy the student's permanent and/or temporary records.
4. In cases of divorce or separation or loss of parenting and/or educational rights, both Guardians shall be entitled unless LEARN D.C. has been furnished with a certified copy of a court order or other legally authorizing document prohibiting such access.

LEARN D.C. shall send copies of the following to both Guardians at either one's request unless a court order or other legally authorizing document indicates otherwise:

- Academic Progress Reports or records
- Health reports; notices of school-initiated parent-teacher conferences; notices of major school-sponsored events, such as open houses, which involve pupil-parent interaction
- School calendars distributed to Guardians

A parent's or student's request to inspect and copy records, or to allow a specifically designated representative to inspect and copy records, must be granted within a reasonable time, and in no case later than 10 business days after the date of receipt of such request by the custodian of the official records. The time for response may be extended by LEARN D.C. by no more than 5 business days from the original due date for any of the following reasons: (1) the requested records are stored in whole or in part at other location than the office having charge of the requested records; (2) the request requires the collection of a substantial number of specified records; (3) the request is couched in categorical terms and requires an extensive search for the records responsive to it; (4) the requested records have not been located in the course of routine search and additional efforts are being made to locate them; (5) the request for records cannot be complied with by LEARN D.C. within the time limits prescribed above without unduly burdening or interfering with the operations of LEARN D.C.; or (6) there is a need for consultation, which shall be conducted with all practicable speed, with another public body or school district or among 2 or more components of a public body having a substantial interest in the determination or in the subject matter of the request. The person making a request and LEARN D.C. may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and LEARN D.C. agree to extend the period for compliance, a failure by LEARN D.C. to comply with any previous deadlines shall not be treated as a denial of the request for the records. When records cannot be made immediately available, the requesting party shall be made aware of the date such records are available.

### **Disclosure of Records**

Except as otherwise provided herein, LEARN D.C. shall obtain one of the following forms of dated written consent prior to disclosing any information in a student's education records that is personally identifiable other than directory information.

Such consent to disclose shall be signed and dated by the parent/guardian or student, designating the person to whom such records may be released, the reason for the release, and the specific records to be released. At the time such consent is requested, LEARN D.C. shall inform the parent/guardian of his/her right to inspect, copy and challenge such records and limit such consent to designated records or portions thereof.

LEARN D.C. shall grant access to education records without consent only in the following cases:

- The records of a student shall be transferred to another school in which the student has enrolled or intends to enroll upon the request of the records custodian of the receiving school or the student. Requests for such records shall be made using the Request for Access/Release of School Student Records form. The request shall be honored within 10 days. The parent/guardian shall be given prior written notice of the nature and substance of the information proposed to be released and an opportunity to inspect, copy, and challenge such information.
- Pursuant to a court order, in which case the parent/guardian shall be given prompt written notice of the terms of the order, the nature and substance of the information proposed to be released, and an opportunity to inspect, copy and challenge the information. The request shall be made using the Request for Access/Release of School Student Records form. Notice is considered provided if the family is a named party.
- To an employee or official of the school or LEARN D.C. or the State Board of Directors, provided such employee or official has a current, demonstrable educational or administrative interest in the student and the records are in furtherance of such interest.
- The school shall grant access to the information contained in school student records to persons authorized or required by State or Federal law to gain such access. The request shall be made using the Request for Access/Release of School Student Records form. The requesting party must provide appropriate identification and a copy of the statute authorizing such access.
- The parent/guardian shall be given prior written notice of the nature and substance of the information proposed to be released, and an opportunity to inspect, copy, and challenge such information. Such notice shall be sufficient if published in a local newspaper where the proposed release of information relates to more than 25 students.
- To any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian can be identified from the information released and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules relating to school student records.
- In cases of emergency to protect the health or safety of the student or others, the parents/guardians shall be notified as soon as possible of the information released, the date of the release, the person, agency, or organization receiving the information, and the purpose of the release. Factors to be considered in determining whether records should be released pursuant to this paragraph include:
  - The seriousness of the threat to the health or safety of the student or other persons
  - The need for such records to meet the emergency
  - Whether the persons to whom such records are released are in a position to deal with the emergency

- The extent to which time is of the essence in dealing with the emergency

The records custodian or his/her representative shall be present when records are inspected to answer questions and assure that no records are removed. In addition, LEARN D.C. shall, if requested, provide appropriately trained educational personnel to assist the parent/guardian or student in understanding certain school records such as psychological evaluations, social work profiles, and health data.

Copies of disclosure of personal information about a student, whether such disclosure is pursuant to parental or student consent or otherwise shall be conditioned upon the agreement of the recipient not to permit any other party to have access to the information without further written consent. Such documents may be stamped, "Written consent required prior to release to any other person or agency."

Every student's cumulative folder shall contain a record of any release of information. Such record of release shall be maintained for the life of the student records and shall be available only to the parent/guardian and official records custodian. It shall include:

- The nature and substance of the information released
- The name and signature of the custodian of the official records releasing such information
- The name of the person requesting such information, the capacity in which such a request has been made, and the purpose of such request
- The date of the release, and
- A copy of any consent to such release

All rights and privileges accorded to a parent/guardian under this Act shall become exclusively those of the student upon his/her 18th birthday, graduation from secondary school, marriage, or entry into military service, whichever occurs first.

### **Procedure for Challenging Student Records**

A parent or guardian shall have the right to challenge the accuracy, relevance, or propriety of any entry in the school student records, exclusive of academic grades and references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's records are forwarded to another school to which the student is transferring, in accordance with the following procedure:

- The challenging party shall inspect the educational records to determine what portions thereof shall be challenged.
- The challenging party shall file a written Request for Hearing/Challenge to Student Records with LEARN D.C.'s Record Clerk, specifying the entry or entries to be challenged and the basis of the challenge.
- LEARN D.C.'s Records Clerk or another representative of LEARN D.C. shall confer with the challenging party within 15 days to determine whether the challenge is valid and requires an amendment to the educational records and thereafter advise the challenging party of his/her decision.
- If the Records Clerk decides not to amend the records in accordance with the



challenging party's request, the challenging party shall be advised of his/her right to a hearing before an impartial hearing officer.

- If a hearing is requested, it shall be held within 15 days of such conference, unless given notice of the date, place, and time reasonably in advance of the hearing.
- The hearing shall be conducted by an impartial hearing officer who is not employed in the attendance center in which the student is enrolled.
- The challenging party shall be afforded a full and fair opportunity to present evidence relevant to the issues raised. A tape-recorded record of the hearing shall be made or a court reporter provided.
- The impartial hearing officer shall make his or her determination within 10 days after the conclusion of the hearing. The decision shall include a summary of the evidence and the reasons for the ruling. The challenging party shall be immediately notified of the decision. It shall be based solely on the information presented at the hearing and shall be one of the following:
  1. To retain the challenged contents of the student record
  2. To remove the challenged contents of the student record or
  3. To change, clarify or add to the challenged contents of the student record

If, as a result of the hearing, LEARN D.C. determines the challenge records to be inaccurate, misleading, or violates the rights of the student, such records shall be amended and the challenging party will be informed of such amendment in writing.

Parents/guardians shall have the right to place in the student's records a statement of reasonable length setting forth their position on any disputed information subsequent to the dissemination of the information in dispute.

## **Section IX – Health, Safety & Security**

### **Emergency School Closing**

It is the responsibility of the Principal to take such action as deemed appropriate for the schools within his/her jurisdiction. LEARN D.C. follows the emergency closing guidance of D.C. Public Schools, along with JBAB specific-guidance. School administration will communicate closures through multiple means.

### **Emergency Management**

LEARN D.C. maintains an Emergency Management Plan, which outlines procedures to assist building staff in dealing with crisis situations, should they arise.

The plan includes guidelines for dealing with situations such as natural disasters, bus accidents, or an intruder in the building. A LEARN D.C. crisis plan has been developed and deployed at our school. The plan is in place to address any threats to the safety and well-being of students and staff. The plan outlines actions to be considered by the various staff in the school setting including administrators, teachers, nurses, building secretaries, and crisis teams at each school site.

Students will not be dismissed during a tornado warning except to a parent/legal guardian who enters the building and signs the child out of school.

### **Building Visitation**

Visits to the building and observation in the classroom are subject to regulations of LEARN D.C. Requests to visit the school or a class shall be a scheduled meeting at a mutually agreed upon time with the site administrator, classroom teacher, or any other staff member. In order to ensure the safety of students and staff, all visitors are required to sign in and obtain a visitor's pass from the main office upon arrival. Any visitor found in the building without permission will be directed to the main office and/or asked to vacate the premises. As a reminder, visitors who live off-base must have gone through the process to secure base access, including a background check. School administration will have to approve any visitors who do not have a DBIDS card. This must be arranged with administration in advance of the visit.

Students with Disabilities - In accordance with D.C. law, LEARN D.C. permits parents, guardians or a designee with professional expertise in the area of special education (not including lawyers representing Guardians or anyone with a financial interest in litigation) to observe the child's current or special education program. No conditions or restrictions on the observation will be imposed except those necessary to:

- Ensure the safety of the children in the program
- Protect other children from the disclosure of personally identifiable information
- Avoid any potential disruption arising from multiple observations occurring in a classroom simultaneously.

Observers may not take any photographs, video, or audio recordings while on campus. Observers may not interact with students or staff absent express permission while on campus. Any observer who causes disruption to the school or classroom will not be permitted to continue their observation.

LEARN D.C. reserves the right to set other conditions and/or limitations on observations at its discretion and in accordance with D.C. law.

District of Columbia law prohibits the knowing possession or carrying of any firearm within 1,000 feet of any public or private elementary or secondary school.

The Office Manager or designee will notify the LEARN staff member of the visitor's arrival and the purpose of the visit. Visitors are restricted to the area in which they are visiting. LEARN reserves the right to restrict and/or prohibit a visitor's access to any campus and/or LEARN-sponsored on-site and off-site events due to violations of this policy or behaviors that pose a risk to the safety of students or staff.

Students may not bring visitors or guests to school without first contacting the School Principal and obtaining permission.

### **Pest Control**

LEARN D.C. utilizes an Integrated Pest Management (IPM) process to identify and eliminate conditions in the school that may cause pests to be a problem. Applications of pest control materials are made only when necessary to eliminate pest problems. Regular spraying is not part of the program. LEARN D.C. has contracted with American Pest to provide IPM services.

Only approved pest control methods are used. If it becomes necessary to use pest control products other than traps or baits, notice is posted two business days prior to the application. An exception to the two-day notice may be made in the event of an immediate threat to health or property.

Guardians and staff may request written notification of all pesticide applications, if any, by contacting the school office.

### **Hazardous Materials**

To promote the health and safety of the students, staff, guardians and the community, and to ensure the environment is reasonably protected from hazardous materials, LEARN D.C. has developed procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials for all school facilities. Emergency response actions and evacuation plans will also be coordinated with the procedures. Hazardous materials shall be defined as any substance specifically designated as such by state or federal law, or any other substance or mixture of substances that may be explosive, ignitable, corrosive, reactive, and/or toxic. The procedures developed by the administration comply with all local, state, and federal laws and regulations which pertain to the proper management of hazardous materials. The

Facilities Manager is responsible for identifying any substances which may be hazardous, and ensuring such substances are properly disposed of in a state-approved facility or landfill. When necessary, LEARN shall contact the U.S. Environmental Protection Agency (EPA) and/or the Waste Management Program in order to obtain relevant information regarding hazardous waste management. LEARN personnel will be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize quantities of such substances generated by the school. In addition, LEARN employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.

### **Volunteers**

Volunteers are welcome at LEARN D.C. with the approval of the school administrator and the completion of the following items:

- Volunteer Application emailed to [learn-hr@learncharter.org](mailto:learn-hr@learncharter.org)
- Completed background check. This will be approved by LEARN HR after receiving the application
- COVID vaccination submitted [here](#)

## **Section X – Equal Educational Opportunities and Non-Discrimination Policies**

### **Student Non-Discrimination Policy**

LEARN D.C. provides equal educational opportunities to all students without regard to race, color, national origin, immigration status, age, sex, sexual orientation, gender identity or expression, personal appearance, marital status, ethnicity, religious beliefs, disability, family responsibilities, political affiliation, familial status, source of income. No individual shall be denied access to programs, activities, services, or benefits on the basis of these characteristics.

### **Harassment Policy**

LEARN D.C. has adopted a policy with expectations students and individuals working or volunteering within LEARN D.C. will abide by. Complaints of harassment, intimidation, or bullying are handled according to the reporting and due process procedures described in this handbook. The LEARN Principal or their designee shall use reasonable measures to inform staff members and students that LEARN D.C. will not tolerate harassment, intimidation, or bullying by including the Non-Discrimination, Harassment, and Anti-Bullying Policy in the appropriate handbooks and on its website at <https://www.learncharter.org/schools/learn/dc/>.

### **General Statement on Harassment**

It is the policy of LEARN D.C. to maintain a learning and working environment that is free from discrimination and harassment. No person, including a LEARN D.C. employee or agent, or student, shall harass, intimidate or bully a student based upon actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place or residence or business, or any other distinguishing characteristic, or on a youth's association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics.

LEARN D.C. will not tolerate harassment, intimidating conduct, or bullying whether verbal, physical, electronic, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, causing psychological harm, threatening or causing physical harm, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

It shall be a violation of this policy for any student, teacher, administrator, or other school personnel of LEARN D.C. to harass or to inflict, threaten to inflict, or attempt to inflict violence against a student, teacher, administrator, or other school personnel through conduct or communication of a sexual nature or actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political

affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place of residence or business, or any other distinguishing characteristic, or on a youth's association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics. For purposes of this policy, school personnel include board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of LEARN D.C.

LEARN D.C. will act to investigate all complaints, either formal or informal, verbal or written, filed based on actual or perceived harassment, sexual harassment, discrimination, or bullying.

## **Definitions**

**A. Harassment:** "Harassment" under this policy shall include any harassment based upon an individual's membership in a protected class by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extra-curricular activities whether on or off school grounds before, during and after school hours, under the auspices of the LEARN D.C.

**B. Sexual Harassment:** Sexual harassment is defined differently in local and Federal law. LEARN D.C. will consider both definitions in determining whether sexual harassment occurred.

The District of Columbia School Safety Omnibus Amendment Act ("School Safety Act") defines sexual harassment as any unwelcome or uninvited sexual advances, sexual favors, sexually motivated physical conduct, stalking, or other verbal or physical conduct of a sexual nature that can be reasonably predicted to:

- a. Place the victim in reasonable fear of physical harm to his or her person;
- b. Cause a substantially detrimental effect to the victim's physical or mental health;
- c. Substantially interfere with the victim's academic performance or attendance at school;
- or
- d. Substantially interfere with the victim's ability to participate in, or benefit from, the services, activities, or privileges provided by a school.

Title IX of the Education Amendments of 1972, as amended ("Title IX") defines sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of aid, benefit, or service of the recipient or an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

A January 20, 2021, Executive Order of the President of the United States extended the protections of Title IX and of Title VII of the Civil Rights Act to prevent discrimination or

harassment on the basis of gender identity or sexual orientation.

Examples of conduct that may constitute sexual harassment include, but are not limited to:

- sexual advances;
- requests for sexual favors;
- touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- engages in other verbal, physical, or electronic conduct of a sexual or sex-based nature;
- touching oneself sexually or talking about one's sexual activity in front of others;
- spreading rumors about or rating other students as to sexual activity or performance;
- unwelcome, sexually motivated, or inappropriate patting, pinching or physical contact;
- other unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student;

**C. Harassment based on Race/Color:** Racial harassment of a student consists of verbal or physical conduct or electronic conduct related to an individual's race or color, when:

1. the harassing conduct is sufficiently severe, persistent or pervasive that it affects a student's or employee's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment;
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. the harassing conduct otherwise adversely affects an individual's learning opportunities.

Examples of conduct that may constitute harassment because of race or color include, but is not limited to:

- graffiti containing racially offensive language;
- name-calling, jokes or rumors;
- threatening or intimidating conduct directed at another because of the other's race or color;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color;

- written or graphic material containing racial comments or stereotypes which is posted or circulated, and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race or color.

**D. Harassment based upon National Origin or Ethnicity:** Ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's Guardians, family members, or ancestors when:

1. the harassing conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. harassing conduct otherwise adversely affects an individual's learning opportunities.

Examples of conduct that may constitute harassment because of national origin or ethnicity include, but are not limited to:

- graffiti containing offensive language which is derogatory to others because of their national origin or ethnicity;
- threatening or intimidating conduct directed at another because of the other's national origin or ethnicity;
- jokes, name-calling, or rumors based upon an individual's national origin or ethnicity;
- ethnic slurs, negative stereotypes, and hostile acts which are based upon another's national origin or ethnicity;
- written or graphic material containing ethnic comments or stereotypes which is posted or circulated, and which is aimed at degrading individuals or members of protected classes
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by national origin or ethnicity.

**E. Harassment based on Disability:** Disability harassment includes harassment based on a student's or an employee's disabling mental or physical impairment and includes any unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's disabling condition when:

1. the harassing conduct is so severe, persistent, or pervasive that it affects a student's or employee's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or



3. harassing conduct otherwise adversely affects an individual's learning opportunities.

Examples of conduct that may constitute harassment because of disability include, but are not limited to:

- graffiti containing offensive language which is derogatory to others because of their physical or mental disability;
- threatening or intimidating conduct directed at another because of the other's physical or mental disability;
- jokes, rumors, or name-calling based upon an individual's physical or mental disability;
- slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;
- graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

### **Publication**

LEARN D.C. shall conspicuously post this policy against harassment and violence in each school that LEARN D.C. maintains, in a place accessible to students, faculty, administrators, employees, guardians and members of the public. This notice shall include the name, mailing address and telephone number of the Non-Discrimination Coordinator and the mailing address and telephone number of the United States Department of Education, D.C. enforcement office (400 Maryland Avenue, SW, Washington, D.C. 20202, 202-453-6020).

### **Training**

The LEARN Board (or designee) will develop a method of discussing this policy with students and employees. Training on the requirements of non-discrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the LEARN Board in consultation with the Non-Discrimination Coordinator determines is necessary or appropriate.

### **Annual Review**

This policy shall be reviewed at least annually for compliance with state and federal law.

### **Privacy**

LEARN D.C. will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the LEARN D.C. legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

### **Students with Disabilities/Impairments**

All children with disabilities have the right to a free and appropriate public education as provided under District of Columbia and Federal law. It is the obligation of the school LEARN D.C. to ensure that students who may be eligible for services per section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act are identified, evaluated, and provided with appropriate educational services. Any questions regarding the identification, evaluation, placement, support or services for scholars with disabilities or impairments may be directed to the Student Supports Coordinator or your school principal.

If you suspect your scholar may have a disability that substantially limits the child's ability to function in school, please contact the Student Supports Coordinator at 202-949-0930. A copy of the notice of procedural safeguards and parent rights under the Individuals with Disabilities Education Act (IDEA) is available to Guardians at the following link:

<https://osse.dc.gov/publication/rights-Guardians-students-disabilities-idea-part-b-notice-procedural-safeguards>. Guardians can request a copy of the notice of procedural safeguards and parent rights under Section 504 of the Rehabilitation Act of 1973 from the Student Supports Coordinator.

### **Transgender Children**

LEARN is committed to providing a safe and nurturing environment for all students and fully complies with Title IX. Under Title IX, schools cannot "exclude, separate, deny benefits to, or otherwise treat differently on the basis of sex any person in its educational programs or activities unless expressly authorized to do so under Title IX or its implementing regulations". Schools' obligations to treat a student according to the student's gender identity begins when a student or the student's parent or guardian notifies the school administration that the student is asserting a gender identity different from what the student previously represented. From that date forward, schools must treat the student according to the student's gender identity. Schools may not require medical documentation or official documentation regarding the student's gender identity as a precondition to recognizing the student's gender identity.

### **Reporting Procedures for Violations of Non-Discrimination or Harassment Policy**

Complaints may be brought as follows concerning any violation of the Non-Discrimination Policy or Harassment Policy, or of rights guaranteed by federal statute, including:

- Title II of the Americans with Disabilities Act;
- Title VII of the Civil Rights Act of 1964, as amended;
- Title IX of the Education Amendments of 1972, as amended;
- Section 504 of the Rehabilitation Act of 1973.

See the next section regarding reporting complaints of sexual harassment, sexual misconduct, or discrimination on the basis of sex or violation of the specific rights guaranteed by Title IX of

the Education Amendments of 1972.

### **A. Reporting**

Students or their parent(s)/guardian(s), employees of LEARN D.C., or community members who believe any student has been the victim of discrimination or harassment by a teacher, administrator or other school personnel of LEARN D.C., or by any other adult person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, should notify any Complaint Manager, Principal, or Assistant Principal. Students may choose to report to a person of the student's same sex.

An allegation that one student was harassed by another student shall be referred to the Principal or Assistant Principal for appropriate action.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of discrimination or harassment or retaliation is required to immediately report the alleged acts to an appropriate Complaint Manager or Principal or Assistant Principal.

Any other person with knowledge or belief that a student has or may have been the victim of discrimination or harassment or retaliation is encouraged to immediately report the alleged acts to an appropriate LEARN D.C. official designated by this procedure.

Nothing in this policy shall prevent any person from reporting harassment directly to the LEARN D.C. CEO or the Chair of LEARN D.C. Board of Trustees.

Upon receipt of a report, the D.C. Complaint Manager must notify the Non-Discrimination Coordinator. For disability-based complaints, the Complaint Manager must notify the Section 504 Coordinator or other LEARN D.C. officer who oversees disability harassment (as applicable). For sex-based complaints, the Complaint Manager shall notify the Title IX Coordinator or other LEARN D.C. officer who oversees sexual misconduct, abuse, or harassment.

The Complaint Manager may request but may not insist upon a written complaint. Oral reports shall be considered complaints as well. If the complaint involves the Complaint Manager, the complaint shall be made or filed directly with the appropriately designated Non-Discrimination Coordinator by the reporting party or the complainant.

## B. Designees

The Board designates the following LEARN individuals with responsibility to identify, prevent, and remedy discrimination or harassment.

<p><b>Non-Discrimination Coordinator:</b> <b>Princy Abraham</b> Director of Student Support Services LEARN Charter School Network 3021 West Carroll Avenue Chicago, Illinois 60612 773-584-4300</p>	<p><b>Complaint Manager:</b> <b>Susan Adams</b> Human Resources Manager Herro Campus LEARN Charter School Network (773) 733-7316 <a href="mailto:sadams@learncharter.org">sadams@learncharter.org</a></p>	<p><b>Complaint Manager:</b> <b>Matthew Smith</b> Director of Talent Human Resources Manager Herro Campus LEARN Charter School Network (773) 733-7305 <a href="mailto:msmith@learncharter.org">msmith@learncharter.org</a></p>
---	---	--

<p><b>Board Contact:</b>  <b>Maya Martin</b> LEARN DC Board Member (202) 677-9412 <a href="mailto:maya.martincadogan@dcpave.org">maya.martincadogan@dcpave.org</a></p>
--

The Complaint Manager(s) are designated from the Human Resources Department or other administrator deemed appropriate by the LEARN CEO. If any complaint involves the Complaint Manager, the complaint shall be filed with the LEARN CEO. If any complaint involves the LEARN CEO, the complaint shall be filed with the LEARN D.C. Board.

**Conflict of Interest:** If prior to making a report of harassment or during the investigation and/or hearing process if any individual has reason to believe a conflict of interest exists, the individual should report the conflict of interest to the Complaint Manager. If the conflict of interest involves the Complaint Manager, the individual may report the conflict to the Non-Discrimination Coordinator or the Board.

## C. Interim Safety Measures

Upon notice of the complaint/report, LEARN D.C. will promptly take steps to protect the complaining party as necessary, including interim measures before the final outcome of LEARN D.C.'s investigation (e.g., no contact order; increased supervision, check-in with both parties to a designee; change classes; change path to classes; provide different bus transportation (if applicable); counseling; health and mental services; escort services; academic support; retake course or withdraw without penalty; or similar measures.

## D. Mediation

LEARN D.C. will offer the parties the option to mediate the complaint and will only mediate

complaints if both (all) parties mutually agree to participate. However, LEARN D.C. does not require the complainant to work out an issue directly with the accused. Additionally, the parties have the right to end the informal process and begin a formal process at any time.

### **E. Investigation**

LEARN D.C. will act to investigate promptly and impartially within seven (7) calendar days upon receiving a grievance or complaint of harassment and or retaliation. LEARN D.C. will use a preponderance of the evidence standard for all complaints, formal or informal, verbal, written, or electronic to conduct the investigation. During the process, LEARN D.C. will apprise all parties of the status of the investigation at regular intervals. Investigation may be conducted wholly or in part online.

Upon receipt of a report or complaint alleging harassment or discrimination consistent with policy, the Complaint Manager shall immediately notify the Non-discrimination Coordinator, without screening or investigating the report. The Complaint Manager shall then also immediately undertake or authorize an investigation. The investigation may be conducted by other LEARN D.C. officials or by a third party designated by LEARN D.C..

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents which may be relevant to the particular allegations. In determining whether the conduct constitutes a violation of a LEARN policy, LEARN D.C. shall consider:

- the nature of the behavior;
- how often the conduct occurred;
- whether there were past incidents or past continuing patterns of behavior;
- the relationship between the parties involved;
- the race, color, national origin, disability, sex, age or other status of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- the number of alleged harassers;
- the age of the harasser;
- where the harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment or the employee's work environment;
- the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.

### **F. Confidentiality**

LEARN D.C. will take steps to investigate and respond to complaints, consistent with a complainant's requests for confidentiality. The privacy of the parties involved and the witnesses

will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

LEARN D.C. notes, however, if a complainant requests anonymity and does not agree to release of information, LEARN D.C. may be limited in its ability to respond to the complaint (including pursuing discipline against the accused) or LEARN D.C. must override a request for confidentiality to address the complaint. LEARN D.C. will evaluate a request for confidentiality in the context of its responsibility to provide a safe and nondiscriminatory environment for all students, and may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15. The Complaint Manager is responsible for evaluating requests for confidentiality.

### **Reporting Procedures for Violations on the Basis of Sexual Harassment or Discrimination on the Basis of Sex**

Complaints may be brought as follows concerning allegations of discrimination on the basis of sex (including gender identity or sexual orientation) or sexual harassment (including sexual misconduct, stalking, sexual assault, dating violent or domestic violence), or the violation of a student's rights under federal and state laws including:

- Title IX of the Education Amendments of 1972;
- Title VII of the Civil Rights Act of 1964, as amended;
- The District of Columbia School Safety Omnibus Amendment Act ("School Safety Act").

#### **A. Reporting**

Any person with knowledge or belief that a student has or may have been the victim of sexual discrimination or sexual harassment or retaliation, (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), is encouraged to immediately report the alleged acts in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of sex discrimination or sexual harassment or retaliation by a student, teacher, administrator or other school personnel of LEARN D.C., or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the LEARN D.C. is required to immediately report the alleged acts to the Title IX Coordinator. Such a report may also be communicated to the Principal or Assistant Principal, unless the complaint involves the Principal or Assistant Principal.

The Title IX Coordinator(s) are designated from the Human Resources Department or other administrator deemed appropriate by the LEARN CEO. Nothing in this policy shall prevent any person from reporting their complaint directly to the LEARN CEO who shall immediately inform the Title IX Coordinator unless such complaint involves the Title IX Coordinator. Complaints that

involve the LEARN CEO may be brought to the LEARN D.C. Board of Trustees.

Nothing in this policy shall prevent any person from reporting harassment directly to the LEARN D.C. CEO or the Chair of LEARN D.C. Board of Trustees or to the [D.C. Dept of Human Rights](#) or the [U.S. Department of Education Office of Civil Rights \(OCR\)](#).

The Title IX Coordinator may request but may not insist upon a written complaint. Oral reports shall be considered complaints as well. Written reports may be submitted using the Incident Report for a [Student Victim](#). Filing a written or oral complaint will be considered LEARN D.C. receiving actual knowledge of the allegations in the complaint.

The Title IX Coordinator will be the main point of contact for those with questions about Title IX or the investigation process. The Title IX Coordinator will also be responsible for monitoring investigations to prevent incidents from becoming a systemic problem, but they may not conduct the investigation themselves..

**B. Designees**

The LEARN CEO designates the following individual(s) with responsibility to identify, prevent, and remedy discrimination or harassment on the basis of sex:

<p><b>Title IX Coordinator:</b>                  Sabrina King                  Human Resources                  LEARN Charter                  School Network                  3021 W. Carroll Street                  Chicago, IL 60612                  (312) 834-7590 or (312) 543-4300  <a href="mailto:sking@learncharter.org">sking@learncharter.org</a> or  <a href="mailto:learn-hr@learncharter.org">learn-hr@learncharter.org</a></p>	<p><b>Back Up Coordinator:</b>                  Susan Adams Human                  Resources Manager LEARN                  Charter                  School Network                  3021 W. Carroll Street                  Chicago, IL 60612                  (773) 733-7316    <a href="mailto:sadams@learncharter.org">sadams@learncharter.org</a> or  <a href="mailto:learn-hr@learncharter.org">learn-hr@learncharter.org</a></p>	<p><b>Board Contact:</b>    <b>Maya Martin</b>                  LEARN DC Board Member                  (202) 677-9412  <a href="mailto:maya.martincadogan@dcpave.org">maya.martincadogan@dcpave.org</a></p>
---	---	---

**Conflict of Interest:** If prior to making a report of harassment or during the investigation and/or hearing process if any individual has reason to believe a conflict of interest exists, the individual should report the conflict of interest to the Title IX Coordinator. If the conflict of interest involves the Title IX Coordinator, the individual may report the conflict to the LEARN CEO or the LEARN D.C. Board.

**C. Notification to Parties**

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to both the student (and parent or guardian) for whom the complaint has been received (complainant) and the accused person(s) (respondent) to explain:

- The complaint process and the allegations received,
- The policy that the alleged behavior violates,
- The rights of the complainant and respondent,

- That the respondent is presumed innocent of the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process,
- That both parties may have an advisor of their choice present for the interviews,
- The contact information for the identified investigator, as applicable.

Notice will be provided with sufficient time for the complainant and the respondent to prepare for interviews.

#### **D. Interim Safety Measures**

Upon notice of the complaint/report, if an imminent threat of safety to the complainant is perceived, LEARN D.C. will promptly take steps to protect the complaining party as necessary, including interim measures before the final outcome of LEARN D.C.'s investigation (e.g., no contact order; increased supervision, check-in with both parties to a designee; change classes; change path to classes; provide different bus transportation (if applicable); counseling; health and mental services; escort services; academic support; retake course or withdraw without penalty; or similar measures. LEARN D.C. may also advise alleged victims and the respondent(s) of counseling resources, support services and for the alleged victims, the option to pass the incident on to local law enforcement.

#### **E. Informal Process**

LEARN D.C. will offer the parties the option to mediate or resolve the complaint in an informal process. But LEARN D.C. will only offer these options if both (all) parties mutually agree to participate. LEARN D.C. does not require the complainant to work out an issue directly with the accused. Additionally, the parties have the right to end the informal process and begin a formal process at any time.

Note that sexual violence or stalking complaints will not be mediated and must be addressed via formal investigative process.

#### **F. Formal Investigation**

The Title IX Coordinator will identify and assign another LEARN official or third party investigator to conduct the fact-finding steps of the complaint response process:

1. Gather the facts starting with an interview with the complainant and with the respondent.
2. Continue gathering the facts which may include interviews of witnesses and review of related documents, files, audio recordings and video recordings, social media posts, cell phone records and more.
3. Review and analyze the information.
4. Notify the parties of the information and provide both the complainant and the respondent at least 10 days to review the information collected.
5. Write the fact-finding report.

The investigation may be conducted wholly or in part online. As a K-12 school, LEARN D.C. will not utilize the option for a hearing in investigations. Note: With regard to allegations of sexual assault or stalking, LEARN D.C. will inform the complainant of the right to proceed with a criminal investigation and a Title IX complaint simultaneously.



### **G. Determination**

A separate LEARN official or other third party expert (such as a labor attorney or Title IX consultant) will serve as the decision-maker and determine if a violation has occurred and prepare the determination report. The report will be provided to the parties of the complaint and provide both the complainant and the respondent at least 10 days to review the information collected and provide a response if they wish. The final determination will be documented and any subsequent outcome recommended (which may include corrective action or dismissal based on the facts, review, analysis). LEARN D.C. will use the preponderance of evidence standard of proof.

### **H. Option to Appeal**

Either or both the complainant and/or the respondent may appeal the determination and request administrative review by the LEARN CEO or other senior official. This review and determination shall be deemed the final outcome.

### **Retaliation**

Submission of a good faith complaint or report of sexual harassment, or harassment based upon race, color, national origin, disability, sex, or other basis consistent with this policy will not affect the complainant or reporter's future employment, grades, learning or working environment or work assignments. LEARN D.C. will discipline or take appropriate action against any student, teacher, administrator or other school personnel who retaliates against a person who reports, testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

It is unlawful to retaliate against students, employees or applicants for:

- Filing or being witness in an Equal Employment Opportunity charge, complaint, investigation or lawsuit
- Communicating with a supervisor or manager about employment discrimination including harassment
- Answering questions during an investigation of alleged harassment
- Refusing to follow orders which could result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of disability or religious practice

Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the individual was acting on a reasonable belief that something in LEARN D.C. may violate Equal Employment Opportunity laws, even if he/she did not use legal terminology to describe it.

Complaints of retaliation may be brought to Principal, Assistant Principal, a LEARN Complaint Manager, the Title IX Coordinator, or the LEARN CEO, at the option of the complainant or the respondent.

## Section XI – Anti-Bullying Policy

Recognizing that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities, LEARN D.C. is committed to maintaining a school environment free of harassment and bullying. All members of the LEARN school community have a right to be educated and work in a secure and caring environment that aligns with the mission and values of LEARN D.C. It is also expected that every member of the LEARN D.C. community has a responsibility to contribute to the protection and maintenance of a safe and nurturing environment.

LEARN D.C. requests that every scholar, with the support of his/her parent(s), guardian(s) and the LEARN school community, commit to the following principles, which will apply to everyone on the school property and school-related activities:

- I will not bully others.
- I will try to help anyone I suspect is being bullied.
- I will work to include students who are left out.
- If someone is being bullied, I will tell an adult at school and an adult at home.

Bullying is contrary to the Youth Bullying Prevention Act of 2012 (YBPA; D.C. Law L19-167) and this policy is consistent with the act. This policy protects LEARN Charter School Network scholars against bullying and harassment on the basis of actual and/or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity and/or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic. The LEARN Network recognizes the particular vulnerability of scholars with actual and/or perceived disabilities and those who identify as or are perceived to be lesbian, gay, bisexual or transgender. Nothing in this policy is intended to infringe upon any expression protected by the First Amendment of the United States Constitution.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. (This list is meant to be illustrative and non-exhaustive.)

Bullying is prohibited on school grounds, the property immediately adjacent to school grounds, at school-sponsored or school-related activities, functions, or programs whether on or off school grounds, on or off the school bus or other vehicles owned, leased or used by the school, or disciplinethrough the use of technology or an electronic device owned, leased or used by the school.

Bullying is also prohibited at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by the

school, if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school or materially and substantially disrupt the education process or the orderly operation of a school.

Any type of aggressive behavior by a student, including bullying and hazing, will be documented by the school staff to provide information needed to develop appropriate interventions. When significant evidence is collected to suggest the existence of repeated aggressive behavior, parents or guardians of the student will be notified. Interventions for repeated aggressive behavior shall not preclude any other type of discipline from being imposed in accord with other provisions of this policy.

Retaliation against a youth, volunteer, or staff member who reports bullying, provides information about an act of bullying, or witnesses an act of bullying is also prohibited. Retaliation against anyone who reports bullying provides information about an act of bullying, or witnesses an act of bullying is also prohibited.

## **Definitions**

**A. Aggressive Behavior:** Aggressive behavior is defined as using force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct. Aggressive behavior includes student behavior that is commonly referred to as bullying and/or hazing. School personnel will create a supportive climate that encourages reporting of such behavior. When teachers see aggressive behavior or when it is reported to them, they are to address that behavior. This can include interventions such as redirecting toward appropriate behavior, modeling positive behavior, pursuing other consequences consistent with school policy, and /or reporting the behavior to a school administrator.

**B. Bullying:** "Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive. Bullying behaviors may also qualify as other inappropriate behaviors listed in the Student Code of Conduct. When deciding whether inappropriate behavior constitutes bullying, administrators should consider the student's intent, the frequency or recurrence of the inappropriate behavior, and whether there

are power imbalances between the students involved. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the student's intent and power imbalances.

### **Cyber-bullying (additional information)**

Cyber-bullying means using information and communication technologies to bully. This definition does not include cyber bullying by means of technology that is not owned, leased, or used by the Network, unless an administrator or teacher receives a report that bullying through this means has occurred. This policy does not require a Network or school to staff or monitor any non-school-related activity, function, or program. If the cyber-bullying is based on age, sex, or disability, it is also subject to the LEARN Charter School Network Non-discrimination policy.

**C. Hazing:** Hazing is meant to include any activity that physically or mentally injures any student through harassment, intimidation, or wrongful act. Disciplinary action will be taken in instances of violation of this policy.

**D. Peer Conflict:** Peer Conflict means disagreements and oppositional interactions that are situational, immediate and developmentally appropriate. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in social competency, learning personal boundaries and peaceably resolving conflict, and to model appropriate social interactions. These interventions are designed to prevent peer conflict from escalating to bullying.

**E. Retaliation:** Retaliation means any form of intimidation, reprisal or harassment directed against a student who reports bullying, provides information during an investigation, or witnesses or has reliable information about bullying or harassment.

### **Bullying is prohibited:**

- during any school sponsored or school sanctioned program or activity; in school, on school property, on property immediately adjacent to school grounds, on school buses or other LEARN D.C. provided transportation, and at designated locations for students to wait for buses and other LEARN D.C. provided transportation;
- through the transmission of information from a LEARN D.C. computer, or other electronic school equipment;
- when communicated through any electronic technology or personal electronic device while on school property, on school buses or other LEARN D.C. provided transportation, at bus stops, and at school sponsored or school sanctioned events or activities;
- through the use of technology or an electronic device that is not owned, leased or used by the school, if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school or materially and substantially disrupt the education process or the orderly operation of a school;
- when it is conveyed that a threat will be carried out in a school setting, including threats made outside
- during school hours with intent to carry them out during any school related or sponsored

- program or activity or on LEARN D.C. provided transportation;
- when it is a LEARN D.C. Student Code of Conduct Group 5 or 6 behavior that occurs off campus but seriously disrupts any student's education.

No student who witnesses bullying may stand by or participate in the bullying but must notify an adult at school and an adult at home as quickly as practicable. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/Designee as quickly as practicable. Reports can be made to any LEARN D.C. employee or contractor in person, by completing the Bullying Complaint Form and submitting it to the Principal/Designee.

### **Reporting Policy**

Within two (2) business days of receiving a report of bullying, retaliation, or other violation of the bullying prevention policy, the Point of Contact shall:

1. Draft a written record of the complaint;
2. Take appropriate action to protect, to the extent possible, the safety of the alleged target referenced in the report, which may include contacting relevant parties, intercepting the target or alleged perpetrator if information is received regarding a pending act of bullying or retaliation, and ascertaining the presence of teachers or other employees at a location that has been identified as the site of a pending act of bullying or retaliation;
3. Inform the target, alleged perpetrator, and if applicable, witnesses, of the alleged incident and of the initiation of the investigation;
4. Make a good-faith attempt to inform the parents or guardians of the target about the alleged incident and any planned investigation, if the target is less than eighteen (18) years of age and if the contact information for the parents or Guardians is available or can be requested. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of the target, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing; and;
5. Make a good-faith attempt to inform the parents or Guardians of the alleged perpetrator about the alleged incident and any planned investigation, if the alleged perpetrator is less than eighteen (18) years of age. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of, alleged perpetrator, as the case may be, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing.

Reports of bullying by youth, parents, guardians and community members may be made anonymously, but disciplinary action cannot be taken by LEARN D.C. solely on the basis of an anonymous report, though such a report may trigger an investigation that will provide actionable information. All oral reports received as part of this process will be transcribed

LEARN DC recognizes that for sanctions to be an effective component of a bullying prevention plan, they must be applied consistently, fairly, and equitably. To this end, LEARN D.C. shall ensure that staff follow these guidelines as closely as possible, while allowing for flexibility to adapt sanctions to individual contexts. Furthermore, to ensure equitability in applying sanctions, measures will be applied on a graduated basis determined by the nature of the offense, the disciplinary history of the youth involved, and the age and developmental status of the youth

involved.

Responses to incidents of bullying may include, but are not limited to:

- Reprimand
- Deprivation of LEARN D.C. privileges
- Bans on participating in optional LEARN D.C. activities
- Deprivation of LEARN D.C. services
- Ban or suspension from LEARN D.C. facilities

Sanctions will be applied within one day of the determination that an incident of bullying has occurred, unless an appeal of the incident by the bully has been received in that time as described in the Appeals section of this policy. To ensure that single incidents of bullying do not become recurring problems, LEARN D.C. will always refer victims and bullies involved in an incident to services in addition to imposing sanctions on bullies.

LEARN D.C. does not endorse the use of punitive strategies associated with “zero-tolerance” policies when applying sanctions to an incident of bullying.

Parties dissatisfied by the outcome of a bullying investigation may appeal the determination of LEARN D.C. to the Chief Schools Officer or their designee. This appeal should be submitted no later than 30 days after the initial determination. Upon receipt of an appeal, the Chief Schools Officer or their designee must conduct a secondary investigation within 30 days of the receipt of an appeal. This 30 days may be extended up to an additional 15 days if the Chief Schools Officer or their designee sets forth in writing the reasons why more time is needed to conduct an investigation. Additionally, upon the receipt of an appeal, the Chief Schools Officer or their designee must inform the party making the submission of their ability to seek additional redress under the D.C. Human Rights Act.

#### **LEGAL REFERENCES:**

- Title IV of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973 (Section 504)
- Title II of the Americans with Disabilities Act of 1990
- Title IX of Education Amendments of 1972, 20 U.S.C. § 1681
- 34 C.F.R. Part 106
- *Davis v. Monroe County Board*, 119 S.Ct. 1661 (1999)
- *Franklin v. Gwinnett Co. Public Schools*, 112 S.Ct. 1028 (1992).
- *Gebser v. Lago Vista Independent School District*, 118 S.Ct. 1989 (1998)

## **Section XII – LEARN D.C. Code of Conduct Discipline Policy**

### **Definition of Discipline**

The precise definition of the word “discipline” means to “teach”. Discipline is defined as providing a school focus and perspective for teaching children clear and precise guidelines for behavior. Through a partnership between the school and the family, the overall framework of discipline is developed providing continuity between home and school. The goal of the school discipline policy is to provide learned strategies that will support positive child and adult relationships and enhance the learning experiences of each child that can be carried into adult life. Discipline is administered on an individual basis.

### **Corporal Punishment**

LEARN Charter School Network does not use corporal punishment as a means of discipline. Guardians will not be allowed to use corporate/physical punishment within any of our schools.

### **Social Emotional Learning (SEL)**

As a Network, we develop our curriculum based upon the Common Core State Standards with specific goals for the development of social and emotional learning as well. The LEARN Social and Emotional Learning (SEL) standards are regarded as equally important in the development of students as the core concepts of math, literature, language, science and social science. Throughout the LEARN Network staff strive to achieve these goals for every student. The collective view of those involved, Social Emotional Learning is not a program or task, but rather a way of educating students, which enables them to reach their greatest potential.

### **LEARN D.C. Social and Emotional Learning goals are as follows:**

- **Goal 1:** Develop self-awareness and self-management skills to achieve school and life success.
- **Goal 2:** Use social-awareness and interpersonal skills to establish and maintain positive relationships.
- **Goal 3:** Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

## GROUP 1 – Inappropriate Behaviors

INAPPROPRIATE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p><b>1-1</b> Running and/or making excessive noise in the hall or building</p> <p><b>1-2</b> Leaving the classroom without permission</p> <p><b>1-3</b> Engaging in any behavior that is disruptive to the orderly process of classroom instruction</p> <p><b>1-4</b> Loitering, or occupying an unauthorized place in the school or on school grounds</p> <p><b>1-5</b> Failing to attend class without a valid excuse</p> <p><b>1-6</b> Persistent tardiness to school or class (3 or more incidents per semester)</p> <p><b>1-7</b> Use of the LEARN network for the purpose of accessing non educational materials, such as games and other inappropriate materials<sup>2</sup></p> <p><b>1-8</b> Unauthorized use or possession of cellular telephones or other technology devices</p>	<ul style="list-style-type: none"> <li>● Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>● Recommended instructive, corrective, or restorative response</li> <li>● Detention – lunch, before school, after school, or Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention)</li> </ul>

<sup>2</sup> Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN network when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.



## GROUP 2 – Disruptive Behaviors

DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p><b>2-1</b> Posting or distributing unauthorized written materials on school grounds</p> <p><b>2-2</b> Leaving the school without permission</p> <p><b>2-3</b> Interfering with school authorities and programs through walkouts or sit-ins</p> <p><b>2-4</b> Initiating or participating in any unacceptable physical actions</p> <p><b>2-5</b> Failing to abide by school rules and regulations not otherwise listed in the Student Code of Conduct</p> <p><b>2-6</b> Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive materials, or using such language or gestures</p> <p><b>2-7</b> Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco or nicotine products, matches, or cigarette lighters, including vaporizer devices that contain nicotine products or vaporizer components that do not contain substances</p> <p><b>2-8</b> Disregard for the instructions or direction of school personnel causing interruption to other students' participation in school activities</p> <p><b>2-9</b> Failing to provide proper identification</p> <p><b>2-10</b> Unauthorized use of school parking lots or other school areas</p> <p><b>2-11</b> Use of the LEARN network for the purposes of distributing or downloading non-educational material<sup>3</sup></p>	<ul style="list-style-type: none"> <li>● Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>● Recommended instructive, corrective, or restorative response (See Guidelines for Effective Discipline)</li> <li>● Detention – lunch, before school, after school, Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention)</li> </ul>

<sup>3</sup> Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN network when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

### GROUP 3 – Seriously Disruptive Behaviors

SERIOUSLY DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p><b>3-1</b> Disruptive behavior on the school bus<sup>4</sup></p> <p><b>**3-2</b> Gambling – participating in games of chance or skill for money or things of value</p> <p><b>3-3</b> Fighting<sup>5</sup> – physical contact between two people with intent to harm, but no injuries result</p> <p><b>3-4</b> Profane, obscene, indecent, and immoral or seriously offensive language and gestures, propositions, behavior, or harassment based on race, color, national origin or immigration status, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability<sup>6</sup></p> <p><b>3-5</b> Second or more documented violation of a Group 1 or 2 behavior category<sup>7</sup></p> <p><b>3-6</b> Any behavior not otherwise listed in Groups 1 through 3 of this Student Code of Conduct that seriously disrupts the educational process</p> <p><b>3-7</b> Forgery – false and fraudulent making or altering of a document or the use of such a document</p>	<ul style="list-style-type: none"> <li>● Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>● Recommended instructive, corrective, or restorative response (See Guidelines for Effective Discipline)</li> <li>● Detention – lunch, before school, after school, or Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention)</li> <li>● Skill-building in-school suspension up to three days</li> <li>● <b>ADDITIONAL CONSEQUENCES AVAILABLE FOR REPEATED GROUP 3 INAPPROPRIATE BEHAVIOR</b></li> <li>● Skill-building in-school suspension, out-of school suspension, or combination in-school and</li> </ul>

<sup>4</sup> In addition to other disciplinary actions, a student who engages in disruptive behavior on the school bus may be subject to suspension from bus service for a period to be determined by the school principal with review by CEO or designee.

<sup>5</sup> It is not an act of misconduct to defend oneself as provided by the law.

<sup>6</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX by the LEARN CEO or designee.

<sup>7</sup> For example, a student’s first time failing to provide proper identification would be recorded as a 2-9 behavior category and available consequences would include skill-building in-school suspension up to three days. A student’s second time failing to provide proper identification would be recorded as a 3-5 behavior category and available consequences would include skill-building in-school suspension up to three days. A student’s third time failing to provide proper identification would be recorded as a 3-5 behavior category, repeated Group 3 inappropriate behavior, and available consequences would include skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days.

\*\*Behaviors marked with two asterisks indicate that the misconduct may be a violation of the law.

<p><b>3-8</b> Plagiarizing, cheating, and/or copying the work of another student or other source</p> <p><b>3-9</b> Overt display of gang affiliation<sup>8</sup></p> <p><b>3-10</b> Bullying behaviors – conduct directed towards a student, or retaliation against another person for reporting non-sexual conduct that can be reasonably predicted to cause fear of physical or mental harm, harm to property, and/or interfere with student’s ability to participate in school or school activities (see Anti-Bullying Policy for full definition before assigning an intervention or consequence)<sup>9</sup></p> <p><b>3-11</b> Use of cellular telephones or other informational technology devices to harass, incite violence or interrupt other students’ participation in school activities, including use of device to record others without permission or unauthorized distribution of recordings which are not sexual in nature<sup>10</sup></p>	<p>out-of-school suspension up to three days<sup>11</sup></p> <ul style="list-style-type: none"> <li>• Out-of-school and in-school suspensions assigned to repeated 3-6 behavior must be approved by the LEARN CEO or designee</li> </ul>
--	---

<sup>8</sup> A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g. recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the characteristics of the acts and the circumstances surrounding the misconduct. Repeated violations of Behavior 3-9 of the Student Code of Conduct may result in a referral for an expulsion hearing and should be submitted as Behavior 5-6.

<sup>9</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX by the LEARN CEO or designee.

<sup>10</sup> Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN Network when it has been established that the behavior has resulted in an unsafe learning environment or if other students’ access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

<sup>11</sup> D.C. law only permits out of school suspension if a student willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person. Suspensions of students in grades K-5 is limited to 5 consecutive days. For grades 6-12, suspensions are limited to 10 consecutive days. For all students, suspensions are limited to 20 cumulative days in a school year with two exceptions: 1.) where the head of the LEA provides written justification to the student and parent describing why exceeding the 20-day limit is a more appropriate disciplinary action than alternative responses and 2.) where student’s conduct necessitated an emergency removal, and the head of the LEA provides a written justification for the emergency removal to the student and parent.

## **Interim Alternative Educational Settings**

Interim Alternative Educational Setting is an educational setting and program other than the scholar's current placement at LEARN that provides the scholar with a free and appropriate public education.

Scholars with disabilities may be placed in an interim alternative educational setting for a maximum of 45 school days, even in instances where the scholar's misconduct is ultimately determined to be a manifestation of his or her disability. Scholars with disabilities may be referred for emergency assignment when in possession of weapons or drugs, or for inflicting serious bodily injury on another person while on school grounds or at a school-sponsored event. The parent or legal guardian may request a due process hearing to challenge the emergency assignment.

A scholar in an interim alternative school setting still must receive services as defined in their individualized education plans.

## **Suspension Guidelines**

Per LEARN policy, Students in grades pre-kindergarten through second may NOT be assigned in-school or out-of-school suspensions. Under D.C. law, students can only be suspended as follows:

- Pre K - if the student willfully caused, attempted to cause, or threatened to cause bodily injury unless done in self defense
- K-2 - if the student willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person

If a student in pre-kindergarten through second grade exhibits behavior that meets the criteria listed above, the LEARN CEO or designee may grant an exception and assign an emergency one-day in-school or out-of-school suspension after the student's parent/guardian has been notified. During the suspension, the principal or designee must develop a plan addressing the safety of students/staff and include strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs.

## **Skill-Building In-School Suspension**

A skill-building in-school suspension is the removal of a student from his/her regular educational schedule for more than 60 minutes of the school day to an alternative supervised setting inside the school building to engage in structured activities that develop academic, social, emotional, and/or behavioral skills.

A student in grades 3-8 may be assigned a skill-building in-school suspension if:

1. Skill-building in-school suspension is listed as an available consequence for the SCC behavior category,
2. The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
3. A copy of the misconduct report (generated in the student information system) was provided to the student's parents/guardians.

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

An out-of-school suspension is the removal of the student from class attendance or school attendance. When a student is removed from school in response to an inappropriate behavior, the removal counts as an out-of-school suspension.

Under D.C. law a student in grades three through eight may be assigned an out-of-school suspension only if the student willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person. Additionally, the following criteria must be met:

- The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
- A copy of the misconduct report (generated in the student information system) was provided to the student's parents/guardians.

A student serving out-of-school suspension is not allowed to come onto school property, participate in extracurricular activities, or attend school-sponsored events. A student may be considered trespassing if he or she comes onto school grounds while suspended out of school. Out-of-school suspensions are excused absences. D.C. law requires a plan for continuing the education for any student who is suspended that ensures that the student:

- Continues his/her studies and receives all assignments during the suspension
- Can communicate with school staff about the assignments
- Has the opportunity to make up any work missed during the suspension if the student cannot complete it during the suspension

A student serving suspension must be allowed to take state assessments at school and may participate in test preparation activities with CEO approval. The student's attendance will still be marked as suspended. The CEO must approve any other exception to the out-of-school suspension guidelines. If approved by the CEO's designee, a student suspended for more than three (3) days may be required to attend a LEARN Network approved program during the term of suspension.

## **Long-Term Suspensions<sup>12</sup> and Expulsion Hearing and Emergency Assignment Guidelines**

### **Request for Hearing**

- Expulsion is the removal of a student from school for 11 or more consecutive days, up to a maximum of two calendar years. Long-term suspension is considered 6 days or more.
- If a student's inappropriate behavior falls within Group 5 of the SCC, a LEARN principal *may* request an expulsion hearing for the student. A LEARN principal may also request assignment to an intervention program.
- If a student's inappropriate behavior falls within Group 6 of the SCC, the incident will be

---

<sup>12</sup> Long-term suspensions are considered six days or more

referred for review by the LEARN CEO or designee for a student 6<sup>th</sup> through 8<sup>th</sup> grade or for any student violating section 6-1; a school principal *may* request an expulsion hearing for a student committing any other Group 6 behavior.

- The LEARN CEO or designee will consult with LEARN's counsel to review the expulsion hearing request and determine whether to refer the student to the LEARN Board for an expulsion hearing, assign the student to an intervention program, or refer the student back to the school for intervention/support.

### **Hearing Procedures**

- The LEARN D.C. Board will schedule hearings and send parents/guardians a notice letter. The notice will provide a description of the incident, the date of the incident, the Student Code of Conduct (SCC) inappropriate behavior code(s), a summary and/or copies of the evidence that is being used to make the expulsion recommendation, and the place, time and date for the expulsion hearing. The notice will be sent by registered or certified mail, or by personal delivery.
- Student's have a right to counsel in the process.
- Before the hearing, the LEARN D.C. principal will be responsible for assisting counsel for LEARN and the LEARN Board by identifying witnesses and relevant documents and reviewing all documentation regarding the incident to ensure it is complete, accurate and properly written.
- The hearing will be conducted before an independent hearing officer.

### **Final Determination**

- After the hearing, the hearing officer will make a recommendation for intervention or discipline, up to expulsion for a set term of two calendar years.
- If a student is expelled, alternative program placement may be offered for the period of the expulsion. The hearing officer may recommend that the student attend an intervention program in lieu of expulsion. A recommendation to intervene is subject to approval by the LEARN Chief Executive Officer or designee. A student who is recommended for participation in the intervention program in lieu of expulsion but who fails to successfully complete the program shall be expelled.
- During a term of expulsion, students may not participate in extracurricular activities or school-sponsored events, with the exception of activities or events sponsored by the student's alternative program.

## **REPORTING PROCEDURES AND DUE PROCESS**

To address inappropriate behavior, LEARN D.C. administrators will comply with the following guidelines. Each LEARN Principal or designee will take the following steps to address reports of inappropriate behavior:

1. Redirect to correct behavior. All adults should redirect students to correct inappropriate behavior and minimize the likelihood of the behavior escalating or recurring
2. Intervene to minimize escalation, disruption, resolve conflict, and as necessary to keep students and staff safe. If a student has been injured, make every reasonable effort to immediately notify the parents/guardians.
3. Gather information by talking to all involved students, teachers, school staff, or others

who witness the incident. When student misbehavior is reported to the school principal or designee, an investigation will begin no later than the next school day; however, if student safety is at risk, investigations will begin immediately

4. If a search of the student, his/her/their locker, desk, or personal belongings needs to be conducted, the applicable law and policies relating to search and seizure will be followed. Identify factors that may have contributed to the incident and seek to understand the full context.
5. Analyze whether the student's alleged behavior falls within the SCC using the information gathered. If so, determine the Group level of disruption caused by the inappropriate behavior, identify the inappropriate behavior listed, and consider the range of possible interventions and consequences.
6. Discuss with the student and provide the opportunity to explain his/her/their perspective.
  - a. Inform the student of the inappropriate behavior s/he/they may have exhibited, the applicable SCC behavior category, and the range of possible interventions and consequences.
  - b. Ask the student to explain what happened from his/her/their perspective and reflect on his/her/their actions.
  - c. Seek to understand the root cause of the behavior, including trauma or unmet social, emotional or behavioral health needs.
  - d. Make reasonable efforts to contact the parents/guardians and discuss the incident with them before assigning interventions and consequences.
  - e. No student shall be sent home before the end of the school day unless the school has established contact with the student's parent/guardian and provided written notice of a suspension.
7. Make a determination and consider the needs of all parties involved.
  - a. Determine whether it is more likely than not that the student engaged in the identified SCC inappropriate behavior and the intervention or consequence most likely to address the cause of the behavior.
  - b. Identify the social, emotional, and/or safety needs of the affected student(s) and provide appropriate supports and follow up
8. Assign interventions or consequences according to the SCC.
  - a. Identify the intervention(s) or consequence(s) most likely to address the cause of the behavior including social, emotional or trauma-related needs, repair harm, and prevent repeat behaviors.
  - b. The principal or designee will assign interventions and consequences based on the best interest of the school community, including available school resources, and the needs and rights of all involved students in alignment with the SCC.
  - c. Follow the special procedures contained in the Procedural Safeguards section for students with disabilities and students with IEPs and 504 Plans.
  - d. Avoid consequences that will remove the student from class or school, if possible. Use out-of-school suspensions only as a last resort in accordance with the suspension guidelines
  - e. Out-of-school suspensions will not be imposed as a minimum or required consequence unless required by law.
  - f. School staff members will respond to inappropriate student behavior as confidentially as possible.
  - g. Restrictions will not be placed on food options or recess activities as a behavior consequence.

- h. Hand-deliver to the parents/ guardians, mail or e-mail a copy of the misconduct report to the student's home address or email address on file.
- i. Parents/guardians can appeal a consequence they believe is unwarranted or excessive through the Chief Schools Officer or their designee.

### **Manifestation Determinations**

A manifestation determination review (MDR) must be conducted by the IEP team when: A scholar with a disability (IEP or 504), has been suspended in excess of 10 days during the school year or there has been a pattern of removals, as determined by the Law Department in consultation with school personnel; or LEARN initiates a referral for expulsion, including referrals requesting emergency assignment to an Interim Alternative Education Setting (IAES) pursuant to the SCC. Please note: a MDR should also be considered if the scholar does not have a 504 or IEP but the school has evidence to suspect a disability (i.e the scholar is in process of an evaluation).

### **MDR Process Checklist**

1. Inform Student Support Services Coordinator or Director of Student Support Services/SPED of the school's request to suspend a scholar with a disability beyond 10 days or to expel a student with a disability.
2. Provide written notice to the parent/guardian of the disciplinary action within 24 hours. The notification shall include a copy of the procedural safeguards notice.
3. Student's case manager documents the incident under "discipline process" with the Special Education Data System (SEDS), indicating the proposed action and outcome.
4. Schedule the MDR conference, which must be held within 10 school days of the date of the decision to refer for an expulsion hearing or to request an emergency assignment to an interim alternative educational setting, if appropriate and eligible.
5. Provide the parent/guardian written notice at least 3 school days prior to the MDR being held, using the Letter of Invitation in SEDS. Indicate the purpose of this conference as:
  - Other:
    - Consider relatedness of disability to disciplinary code violation(s)
    - Consider the need for a FBA for the scholar
    - Review a need to create or revise a BIP for the scholar.
    - Conduct the MDR conference.
6. The parent/guardian, local school district representative, special education teacher, evaluation representative and any other relevant members of the IEP team must be present for and participate in the MDR. The "relevant members of the team" are determined by the parent/guardian and District Representative. At the MDR conference, the IEP team must:
  - Determine whether the misconduct is related to the scholar's disability by reviewing all current and relevant information, including evaluation and diagnostic results, information from the parent/guardian, observations of the scholar, and the scholar's IEP. The behavior is a manifestation of the scholar's disability if:
    - the conduct in question is caused by the scholar's disability or has a direct and substantial relationship to the scholar's disability;
    - the conduct in question is the direct result of the school's failure to implement the scholar's IEP.



7. The IEP team reviews, and revises if necessary, the scholar's existing BIP or initiates a FBA/BIP to address the misconduct. The FBA/BIP must address the behavior(s) which led to the disciplinary action. The child is returned to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

**NOTE: If the parent/guardian does not attend the MDR meeting, the school may proceed with the meeting if the parent/guardian was provided proper notification of the meeting. Proper notification includes at least 3 out of the following: email, hand deliver, certified mail, and/or documented phone call.**

The IEP team must provide a written narrative substantiating its determination and document this decision under the "discipline process" section in SEDS.

- If the scholar's behavior **is not** a manifestation of the disability, school officials may implement the SCC, taking into consideration the scholar's special education and disciplinary records. During periods of removal, the LEA shall provide services to a scholar with a disability if the scholar has been removed from his or her current placement for 10 school days or fewer in that school year, if it provides services to a scholar without disabilities who is similarly removed. In no event, however, may the scholar be suspended for more than 10 consecutive or cumulative school days in a school year without providing IEP services.
- If the scholar's behavior **is** a manifestation of the disability, a disciplinary change in placement (e.g. expulsion) cannot occur. The IEP team should also consider if there is a need for a reevaluation and/or revision of the IEP. Scholars with disabilities, even if expelled, must be provided with a FAPE in an alternative educational setting so as to enable the scholar to continue participating in the general education curriculum and to progress toward meeting the goals set out in the scholar's IEP.

## **Section XIII – Wellness Policy**

### **BELIEF STATEMENT**

This Local Wellness Policy (LWP) outlines the LEA's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. This policy applies to all students, staff and schools in the LEARN D.C. network. Specific measurable goals and outcomes are identified within each section below.

We are asking your help to provide the student with a safe school environment.

### **Intent**

The purpose of this policy is to ensure a total environment that promotes and supports student health and wellness, helps to reduce childhood obesity and meets the requirements of the Child Nutrition and WIC Reauthorization Act and the Health Hunger-Free Act of 2010. This policy will outline goals for nutrition education, physical activity and other school-based activities. This plan will be implemented in collaboration with the school nurse, school administration, educators, Guardians and students, and food service personnel.

### **Nutrition**

All LEARN D.C. schools are committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, lean protein and fat-free or low-fat dairy, that are moderate in sodium, low in saturated fat, have zero grams trans-fat per serving (nutrition label or manufacturer's specification), and to meet the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of students, help mitigate childhood obesity, model healthy eating habits to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

LEARN D.C. is committed to offering school meals through the National School Lunch Program (NSLP), School Breakfast Program (SBP), and other supplemental programs, that:

- are accessible to all students;
- are appealing and attractive to students;
- are served in clean and pleasant settings;
- meet or exceed current nutrition requirements established by local and federal statutes and regulations;
- ensure all qualified students will become eligible for free lunch;
- schools will provide at least 30 minutes for students to eat lunch and sufficient time during the lunch period for every student to pass through the service line;
- promote healthy food and beverage choices by using Smarter Lunchroom techniques, such as the following:
  - whole fruit options offered in attractive, accessible settings;
  - sliced or cut fruit offered, especially for age-appropriate students;
  - alternative entrée options (e.g., salad bar, vegetarian options, etc.) are highlighted on posters or signs within all service and dining areas;

- student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas;
- placing white milk at the front of the coolers; and

LEARN D.C. will strive to implement the following Farm to School activities:

- School utilizes promotions or special events, such as tastings, that highlight the local/regional products.

### **Food or Physical Activity as a Reward or Punishment**

Physical activity improves academic outcomes and increases overall fitness; therefore, recess shall not be withheld as a disciplinary action. In addition, physical activity will not be used as a punishment. In regards to nutrition guidelines, school personnel shall be encouraged to use non-food incentives or rewards with students and shall not withhold food from students as punishment.

### **Inactivity Reduction Goal**

When students are expected to be sedentary for long periods of time (i.e. standardized testing days, inclement weather), breaks involving moderate activity will be implemented into the school day.

### **Physical Education and Physical Activity**

LEARN D.C. acknowledges the positive benefits of physical activity for student health and academic achievement. It is the goal of LEARN D.C. that students engage in the recommended 60 minutes per day of physical activity. Additionally, recognizing that physical education is a crucial and integral part of a child's education, we will provide opportunities to ensure that students engage in healthful levels of vigorous physical activity to promote and develop the students' physical, mental, emotional, and social well-being.

The components of LEARN D.C.'s physical education program shall include a variety of kinesthetic activities, including team, individual, and cooperative sports and physical activities.

### **Pre-Kindergarten (Pre-K) Physical Activity Recommendations:**

LEARN D.C. Pre-K shall ensure that students receive 90 to 120 minutes of active play daily. These minutes shall consist of a combination of adult-led/structured active play and child-initiated/unstructured active play. LEARN D.C. will seek to offer active play outdoors, weather permitting. LEARN D.C. will ensure that:

- these active play minutes shall be achieved through recess, active transitions (marching, hopping, etc.), and classroom games that involve physical movement;
- as with physical education minutes, OSSE shall report to the mayor, D.C. Council, and Healthy Youth and School Commission (HYSC) annually regarding compliance with physical activity minutes for Pre-K children in public and charter schools;
- these school nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

## **Health Education**

LEARN D.C. is dedicated to providing formal, structured health education, consisting of planned learning experiences that provide the opportunity to acquire information and the skills students need to make quality health decisions. As such, LEARN D.C. will provide students a comprehensive school health education that address a variety of topics such as alcohol and other drug use and abuse, healthy eating/nutrition, mental and emotional health, personal health and wellness, physical activity, safety and injury prevention, sexual health, tobacco use, and violence prevention. Health education curricula and instruction should address the [DC Health Education Standards](#) and incorporate the [characteristics of an effective health education curriculum](#). LEARN D.C. will provide health education that:

- is offered at least 75 minutes per week at each grade level, K-8, as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- is incorporated into classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- incorporates an age-appropriate sequential health education curriculum that is consistent with District and national standards for health education;
- incorporates active learning strategies and activities that students find enjoyable and personally relevant;
- incorporates opportunities for students to practice or rehearse the skills needed to maintain and improve their health;
- incorporates a variety of culturally-appropriate activities and examples that reflect the community's cultural diversity;
- incorporates assignments or projects that encourage students to have interactions with family members and community organizations;
- requires the health instructors to participate at least once a year in professional development in health education; and
- requires professional development for all teachers in classroom management techniques in the past two years.

Additionally, in an effort to ensure reinforcement of health messages that are relevant for students and meet community needs, LEARN D.C. will base its health education program, at least in part, on the results of the Health and Physical Education Assessment and in collaboration with the community. LEARN D.C. will also seek to imbed health education as part of student visits with the school nurse, through posters or public service announcements, and through conversations with family and peers.

The entire Wellness Policy is available for review from the LEARN D.C. site administrator.

## **Cold Weather Guidelines:**

- Above 32° F with or without wind chill: Recess should be held outdoors.
- Between 15° F and 31° F with or without wind chill: Principal's discretion.
- Below 15° F with or without wind chill: Recess should be held indoors.

## **Hot Weather Guidelines:**

- Heat index of 90° F or below: Recess should be held outdoors.
- Heat index between 91° F and 94° F: Principal's discretion.

- Heat index above 95° F: Recess should be held in a cool location.

### **Student Health**

Parent(s)/guardian(s) must present proof of a health examination by a licensed physician stating the student has received all immunizations and screenings for preventable communicable diseases, as required by the Department of Public Health Rules.

In cases of an epidemic or pandemic, LEARN will consider and institute guidelines based on recommendations or mandates from CDC, local/federal authorizing agencies, leadership and organized committees. Prioritizing safety, if a scholar is unable or unwilling to follow the guidelines and protocols set forth by the school (including participating in screening, wearing masks, and social distancing), or engages in behaviors that can affect the overall safety of scholars and staff, the school will work with the family to consider an alternate learning plan, including full remote instruction. Similarly, LEARN D.C. may decide to implement alternative learning plans for the entire student body as a whole, which may include Hybrid or Remote instructional models.

Annual physical examinations are also required for students wishing to try out for, practice, or participate in interscholastic sports. Additional examinations may be required when deemed necessary by school authorities. All physical examinations must be performed by a licensed M.D. (Medical Doctor) or D.O. (Doctor of Osteopathy). Guardians are expected to notify the school of any allergies to food or drugs or other physical needs their child may have.

Guardians of children between the ages of six months and six years must provide a statement from a physician or health care provider that their child has been risk assessed for lead poisoning before the child will be admitted into any LEARN D.C.-operated kindergarten, early childhood, or child care program.

Students have until the first day of school to comply with the requirements of this policy and to submit documents to be in compliance. If students have not complied, the student will be excluded from school until proof of having received the required health examinations and immunizations are presented.

### **Athletic Physicals/Eligibility**

Physicals for LEARN team sports are necessary after a student has been selected as a member of the team. All physicals must be completed prior to the start of the first game of the season and will be deemed valid for one (1) calendar year. Physical forms are available through the coaches of each sport or may be picked up in the main office.

*There is a section on the form that does **NOT** pertain to students in elementary school activities.* The section regarding permission for the random testing for steroids and performance-enhancing substances is a high school only section. Elementary or middle school students and Guardians are not required to sign that section as it pertains only to high school students.

All students who wish to participate in team sports, including cheerleading, must also participate in physical education. Students who are not currently participating in physical education, for any

reason, are not eligible to try out or participate in any team sports or intramural athletic offerings.

- Academic progress shall be reviewed at two (2) week intervals.
- Participants who demonstrate unsatisfactory (U) grades in one (1) or more major subjects will be deemed ineligible for participation for a period of two (2) weeks.
- If, after the two (2) weeks ineligibility period, a student is passing all major subjects, they shall be reinstated to full participation.
- Should any participant continue for a second two (2) weeks to qualify under-provision, he/she shall be removed from the school's eligibility roster.

### **Dental Examinations**

All students are required to have dental examinations. Proof that the student has been examined by a licensed dentist, in accordance with the D.C Department of Public Health rules, must be presented to the school before the first day of the school year.

### **Vision and Hearing Screening Tests**

Vision and hearing screening should be completed per the OSSE Health Form each year. LEARN D.C. will support as necessary.

### **Accidents and Injuries**

All accidents or injuries should be reported immediately to the school office personnel.

### **Home Hospital Instruction Program**

The Home and Hospital Instruction Program (HHIP) offers an individualized, blended-learning instructional model to students who are medically confined for two weeks or more. The HHIP team engages the student, parents/guardians, medical professional, and school-based team with the goal of successfully transitioning the student back to their school of enrollment or appropriate school-based setting.

To be considered eligible for HHIP services, all forms must be completed & submitted. The student must meet the following criteria:

- confined to the home and/or hospital for two weeks or more for medical reasons OR
- experienced intermittent absences that are equivalent to 2 weeks or more (based on historical or present data) due to chronic health impairments

When a medical provider indicates that a child will be absent from school for more than two consecutive weeks or 10 days intermittently, Guardians should contact the building principal. Along with other forms, a medical certification form from a medical provider must be signed for services to begin. Services will begin as soon as eligibility has been established and the child's physical and mental health permits. Please contact your school's principal or Student Supports Coordinator for additional information, including required forms.

If a child is to be absent from school for a shorter period of time, Guardians should contact the school office where arrangements will be made for homework assignments and books.

## **Allergen Policy**

### **Identifying Students with Food Allergies**

1. **Request for Allergy Information:** In order to effectively plan for and manage student allergy risks at school, parents/guardians are asked to promptly notify the school upon their child being diagnosed with a food allergy or their suspicions of a food allergy. At least annually at the beginning of each school year, principals shall request parents/guardians to report information about their child's known or suspected food allergies. The Office of Special Education and Student Support Services shall make food allergy disclosure forms available to schools for this purpose.
2. **Guardian Submissions:** When a parent/guardian reports that their child has a diagnosed food allergy or other life threatening allergy, the school shall request the parent/guardian to provide the following:
  - a. Written authorization to obtain detailed medical information on the child's condition from the physician.
  - b. Written consent to share diagnosis and other information with school personnel.
  - c. Written consent to administer or self-administer medications during the school day, as applicable in accordance within the medication policy. The consent to administer or self-administer medications must be renewed annually.
  - d. An Emergency Action Plan and Treatment Authorization (Emergency Action Plan) completed and signed by their child's licensed health care provider and signed by the parent. LEARN campuses have aligned plans based on the EAP.
  - e. Any medications necessary to prevent or treat allergic reactions along with relevant prescription and dosage information. Replace medications after use or expiration.
  - f. A description of the student's past allergic reaction, including triggers and warning signs
  - g. Current emergency contact information and prompt notice of any updates.
  - h. A description of the student's emotional response to the condition and the need for intervention.
  - i. Recommendations on age-appropriate ways to include the student in planning or care and implementing their 504 Plan.
3. **Non-Cooperation:** If the parent/guardian of a student with a known or suspected food allergy or other life threatening allergy fails or refuses to cooperate with the implementation of an appropriate 504 plan or any documentation required to offer a 504 Plan, the school shall implement a simple Emergency Action Plan (EAP) stating to call 911 immediately upon recognition of symptoms along with sending written notification to the parent/guardian of the student's EAP.

### **Allergen Aware Policy**

LEARN D.C. is a Food Allergy Aware School that is dedicated to fostering the health, nutrition, and well-being of all students, including those with food allergies, by providing a supportive and safe school community. While knowing it is impossible to completely eliminate all allergen exposure, our main goal is to minimize as many risks as possible.

Although we cannot guarantee a nut-free, seafood-free, or "allergen-free" environment, we do

have an “Allergen Aware” policy. Your child is less likely to be exposed to allergens at school when we work together to create a management plan for your child.

We have adopted a series of school-wide guidelines to become an even more healthy, and safe educational environment:

- Guardians must submit medical documentation and an Allergy Action Plan signed by their physician at the beginning of every school year and when new allergies are identified. The Plan must include known allergen(s), signs and symptoms specific to the child when exposed to the allergen(s), medications prescribed and permission to administer at school, and actions to take when exposure occurs.
- If students require food substitution, medical documentation must be submitted to the school nurse and signed by their physician indicating food to avoid and substitute. The documentation will be reviewed by the school nurse and approved by the food service program manager or dietician. Until substitution is approved Guardians are asked to provide lunch from home and students will be instructed to avoid allergens in the school provided lunch.
- If medications are required, Guardians must provide medication and documentation from the student’s healthcare provider (signed and dated) according to our medication administration policy.
- Guardians will provide a list of foods containing possible allergens to the teacher and the nurse.
- Annually, faculty and staff will review anaphylaxis signs and symptoms and how to use an Epi-Pen. The school nurse will train staff on appropriate allergy response.
- Guardians will work directly with the classroom teacher, principal, and/or school nurse regarding treats or foods brought in for classroom parties or events.

### **Administration of Medicine to Students Policy**

LEARN D.C. recognizes that it is necessary for the critical health and well-being of students in certain circumstances to take medication during school hours. LEARN D.C. authorizes school nurses or trained personnel to administer to students, or to allow the self-administration of, both prescription and over-the-counter medication during the school day when students require such medication in an emergency, in order to attend school as long as a Medication Administration/Self-Administration Consent Form is submitted by the student’s parent/guardian and healthcare provider. LEARN D.C. also authorizes school personnel to render additional emergency medical assistance when necessary to protect the student’s health, safety and welfare.

LEARN D.C. is authorized to establish administrative procedures to implement this Policy, of which procedures shall include a designation of employees authorized to administer medication, the manner in which both prescription and over-the-counter medication will be administered to students, and procedures for self-administration by students. **All medical authorization forms are available at the school nurse’s office.**

LEARN D.C., and its employees and agents are exempt from liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epi-pen (whether or not undesignated), or an opioid antagonist. The parents/guardians must sign and return an acknowledgement to LEARN D.C. that they



indemnify and hold harmless LEARN D.C., its schools, and its employees and agents against any claims, except for a claim based on willful and wanton conduct arising out of the administration of asthma medication, an epi-pen (whether designated or undesignated), or an opioid antagonist.

### **Authorization For the Administration/Self-Administration of Medication and Emergency Medical Assistance**

School employees shall not administer to a student or permit a student to self-administer prescription or over-the-counter medication in non-emergency situations unless a completed Medication Administration/Self-Administration Consent Form is obtained. Such form shall contain the following:

1. A written order from the student's physician, dentist or other person legally authorized to prescribe medication. The written order shall contain:
  - a. The student's name;
  - b. Date of birth;
  - c. Licensed prescriber's name, signature, and phone number;
  - d. Name of medication;
  - e. Whether the prescribed medication is for an asthmatic condition;
  - f. Dosage of medication;
  - g. Route of administration of medication;
  - h. Frequency and time of administration of medication;
  - i. Date of prescription and order;
  - j. Discontinuation date;
  - k. Diagnosis requiring medication;
  - l. Intended effect of medication;
  - m. Possible side effects;
  - n. Other medications the student is receiving;
  - o. Other requirements or special circumstances;
  - p. Whether student possession and self-administration is authorized
2. A written request and waiver of liability from the parent or guardian and physician requesting the administration of medication by school employees or requesting that LEARN D.C. permit the student to self-administer his/her medication.
3. Emergency medical assistance shall be provided, during school hours or at school sponsored activities, to all students whose Guardians have signed a written authorization for the provision of such assistance.
4. Authorizations required by this Section shall be placed in the student's file, with a copy to the school nurse and principal of the school which the student attends.

### **Administration of Medication**

When the conditions contained of these Rules and Regulations are satisfied, medication shall be administered to students in the following manner:

1. Prescription medications shall be brought to school in the original container which shall display:
  - a. The student's name;
  - b. Prescription number;

- c. Medication name, dosage, route of administration and other required directions;
  - d. Licensed prescriber's name;
  - e. Date and refill instructions;
  - f. Pharmacy name, address, and phone number;
  - g. Name or initials of pharmacist.
2. Over-the-counter medications shall be brought to school in their unopened original container with the seal unbroken and the student's name affixed to the container.
  3. All medications shall be stored in a separate locked or secure area. Medications requiring refrigeration shall be refrigerated in a secure area.
  4. The principal and the school nurse shall designate the employee or employees authorized to dispense the medication including employees who are required to administer medication in an emergency situation. Teachers or other non-administrative school employees, except school nurses, who may be certificated or uncertificated registered professional nurses, shall not be required to administer medication to students. However, such employees may be so designated if they agree or volunteer to administer the medication. When necessary, the school nurse shall instruct these employees concerning the manner in which the medication shall be administered, the circumstances requiring the administration of medication and the possible side effects.
  5. Each dose of medication shall be documented for the student's health records. Documentation shall include date, time, dosage and route and signature or initials of the person administering or supervising the administration of the medication. In the event the medication is not administered as ordered, the reasons therefore shall be entered in the record. Logs should be kept electronically in LEARN D.C.'s student information system and recorded on the paper "Daily Medication Record."
  6. When requested by the student's physician, the medication's effectiveness and side effects shall be assessed and documented.

### **Discretionary Administration of Medication**

If a parent consents to the administration of medication on a discretionary basis, the school nurse, under the order's of the student's healthcare provider, shall provide the necessary information and instructions for the administration of the medication including detailing any side effects to the designated personnel. The administration of medication on a discretionary basis shall be done only by a school nurse, who may be a licensed or non-licensed school registered professional nurse or a previously designated and instructed employee after consultation with and approval of the school nurse.

### **Emergency Medical Treatment**

School personnel shall render emergency medical assistance to any student experiencing a life threatening emergency; unless Guardians have refused (in writing), such assistance when paramedical personnel or licensed physicians are not available or have not arrived and such assistance is necessary to protect the student's health, safety or welfare. The school personnel providing emergency medical assistance shall attempt to contact the principal as soon as possible and contact a licensed physician or certified paramedical personnel to provide or assist in providing emergency medical assistance.

The student's parent or guardian shall be contacted as soon as possible after the injury giving rise to the need for emergency medical assistance. After emergency assistance is given and the incident/accident is stable, an incident or accident report must be completed by the school

personnel who witnessed the circumstance and delivered to the Director of Security and Safety at LEARN.

### **Self-Administration of Medication**

If a parent authorizes a student's self-administration of medication, the procedures set forth in these Rules and Regulations concerning the administration of medication by school personnel shall be followed, including completion of a Medication Administration/Self-Administration Consent Form by both the parent and physician. Self-administration of all medications shall be in the presence of designated school personnel and the medication shall be stored at the student's LEARN school.

However, a student who has been prescribed a life-saving medication such as an asthma inhaler or an epinephrine auto-injector, by a physician, or other medical professional authorized to prescribe such medication under the law, may possess and use his/her asthma medication and/or epinephrine auto-injector during school or at school-sponsored activities without the supervision of District personnel provided his or her parent or guardian has so authorized on the Medication Administration/Self-Administration Consent Form.

### **Undesignated Epi-Pen Auto-Injector**

Food allergies are on the rise and are a growing food safety and public health concern in schools throughout the country. An estimated 5.6 million children have food allergies and every three minutes a food allergy reaction sends someone to the emergency room. Food allergy is the most common cause of potentially life-threatening reactions, also known as anaphylaxis. Immediate administration of epinephrine is the first line of treatment for severe allergic reactions.

Under District of Columbia law, a physician is authorized to prescribe epinephrine auto-injectors in the name of a school district or a nonpublic school to be maintained for use whenever necessary.

This emergency supply of epinephrine auto-injectors may be used in three circumstances:

- Administration of an epinephrine auto-injector to a student with an unknown allergy who is having a first-time anaphylactic reaction.
- Self-administration of an epinephrine auto-injector by a student with a known allergy who has forgotten his/her auto-injector or it is otherwise unavailable.
- Administration of an epinephrine auto-injector to a student with a known allergy.

Undesignated epinephrine auto-injectors shall only be administered by a licensed School Nurse when, in the nurse's professional judgment, a student is experiencing a potentially life-threatening allergic reaction. Emergency services also shall be contacted and staff members will be expected to escort the student to the hospital if permitted by the emergency services protocol. The nurse shall submit a written report regarding the use of the undesignated epinephrine auto-injector to the prescribing physician and the parent within 48 hours.

Undesignated epinephrine auto-injectors shall be stored in an unlocked cabinet in the nurse's office or a common space easily accessible by staff. The school nurse shall be responsible for checking the expiration of the auto-injectors on a monthly basis and will dispose of expired auto-injectors in a manner consistent with this policy. The school nurse also is responsible for obtaining new prescriptions for epinephrine auto-injectors upon expiration of the inventory.

Finally, the school nurse must keep a log of the inventory of epinephrine auto-injectors indicating the date of receipt of the auto-injector as well as the date of use and/or date of disposal.

### **Compliance with Rules**

Students shall not allow other students to carry, possess or use their prescription or non-prescription medication, and violation of this rule may result in discipline.

### **Disposal of Medication**

The parent(s) or guardian of a student will be responsible at the end of the treatment regime for removing from the school any unused medication which was prescribed for their child. If the parent(s) or guardian does not pick up the medication by the end of the school year, the school nurse will dispose of the medication and document that the medication was discarded. Medications will be discarded in the presence of a witness.

### **Dissemination of the Policy**

A copy of the Policy and these Rules and Regulations shall be distributed to the parents or guardians of each student within 15 days after the beginning of each school year or within 15 days after starting classes for a student who transfers into the school during a school year. A copy of the Policy and these Rules and Regulations shall also be printed in the Student Handbook. In addition, at the beginning of the school year, students shall be informed of the contents of the Policy and these Rules. **NOTE: An employee of LEARN D.C. can provide emergency assistance.**

School attendance may increase a student's risk of exposure to allergens that could trigger a food-allergic reaction. While it is not possible for LEARN D.C. to completely eliminate the risks of exposure to allergens when a student is at school, a Food Allergy Management Program using a cooperative effort among students' families, staff members, and students helps LEARN D.C. reduce these risks and provide accommodations and proper treatment for allergic reactions.

The parents/guardian and physician must complete the Food Allergy Emergency Action Plan form and the Individual Health Care Plan (IHCP) form and return them to the school nurse. These forms must include the name of any/all drugs and the dosage.

### **Inclusion/Exclusion Policy**

In order to ensure the health and safety of children and staff at LEARN D.C., the following policy has been developed to determine when a child must be excluded from school and when he/she may safely return.

Exclusion of children (and adults) from LEARN is recommended if the exclusion could potentially reduce the likelihood of spread of illness. Guardians are encouraged to disclose all symptoms and illnesses that their child may have. The final decision regarding exclusion lies with the school nurse, principal, and/or principal's designee. The examples below are a guide and are not an exhaustive list for exclusion due to medical illness.

**Children will be excluded for the following symptoms and may return to school when**

**symptoms no longer exist and they are able to participate in normal classroom activities:**

- Fever greater than 101°F before fever-reducing medicine is given. A fever greater than 105°F may require urgent medical attention.
- Respiratory distress
- Excessive drowsiness, lethargy, or difficulty to arouse
- Rash with fever
- Sudden, severe pain that begins on the right side or near the navel and shifts to the lower right abdomen; nausea and vomiting; loss of appetite; and low grade fever
- Vomiting (greater than three independent episodes)

**Children will be excluded for the following symptoms and required to return to school with a physician's note and when symptoms have improved:**

- Pink/redness of eyes, with white or yellow discharge on the eyelids, matted eyelids after sleep, eye pain, or redness of the eyelids or skin surrounding the eye.
- Unidentifiable rash
- Small bumps or blisters that cause severe itching; bumps are most often located on the webs of the skin between fingers and toes, the inner part of the wrist, forearms, and the folds under the arms
- Sudden throat pain; painful swallowing; red and swollen tonsils with white patches or streaks of pus; swollen or tender lymph nodes in the neck; fever; and stomach pain
- Symptoms of COVID (following OSSE and LEARN protocols regarding COVID-19)

**Students who present with the following symptoms should not be excluded from the classroom until the end of the school day; if follow up care is required they must return with a note from the doctor:**

- Reddish, ring like rash that is often itchy or flaky; raised perimeter with a clear central area.
- Lice

*The school nurse has the discretion to require a doctor's note for any child whose current health status is of concern.*

**Head Lice**

When students are identified with having Lice, Guardians/families are notified with information on proper treatment recommendations. The American Academy of Pediatrics recommends that students are allowed to stay in class, but discouraged from close direct head contact with others.

Parent/guardian notification of potential lice exposure in the school setting shall be distributed to the affected classroom(s) per written information on an as-needed basis. This information should include symptoms and recommendations for treatment. Specific questions can be addressed in consultation with the school nurse.

The school nurse or principal designee will notify facilities of classroom exposure. The school nurse or principal's designee will assess the students upon their return to school. **Adhering to a**

**“No Nit Policy” to determine re-admittance to school is not recommended by either the American Academy of Pediatrics or the National Association of School Nurses.**

### **Ringworm**

Ringworm can only be diagnosed by a licensed physician. Students who present with a raised circular rash will be sent to be assessed by the school nurse. If the school nurse is unavailable, the rash should be covered with a bandage until the end of the day. Students should not be excluded from school or their classroom as long as the rash can be covered. The school nurse or principal’s designee will notify parents or guardians of return to school restrictions which include a written note from their physician indicating a return to school date.

### **Bedbugs**

If a bug is found on a student or in the classroom, an adult should discretely capture and contain the bug. The bug should be placed in a zip lock bag away from all students and handed over to the facilities manager at the school. The school nurse or principal’s designee will notify facilities of the incident. Facilities will schedule an inspection of the exposed classrooms and notify the school nurse or principal’s designee of inspection results and recommendations. If the bug is found on a student, the school nurse or other trained personnel will notify the affected student’s Guardians of the incident. It is extremely difficult to identify the originating source of bedbugs and treatment can take months; therefore, students will not be excluded from school or their classroom for bedbugs. The school nurse or trained personnel will notify staff of steps to take after a bed bug exposure is identified.

## **Section XIV - Technology & Internet Policies**

### **Acceptable Use Policy (AUP) for the Internet**

#### **Reasons for Policy**

The School LEARN D.C. provides electronic resources including but not limited to hardware, software, network systems, LEARN D.C. access, data files (including virtual files), Internet resources, social LEARN D.C.s, and other Web 2.0 resources and personal use technology devices for its students and employees. These resources are a part of the School LEARN D.C.'s instructional program and promote educational excellence by enabling employees and students to share information and resources, communicate, learn new concepts, research diverse subjects, and create and maintain school-based websites. The School LEARN D.C. is not responsible for any information that may be lost, damaged, or unavailable when using the electronic resources, or for any information that is retrieved or transmitted via the Internet. The School LEARN D.C. will not be responsible for any unauthorized charges or fees resulting from the use of its electronic resources.

The School LEARN D.C. has adopted this Acceptable Use Policy ("Policy") to set guidelines for accessing the School LEARN D.C.'s electronic resources, including the computer LEARN D.C., online storage of any materials on the electronic storage services provided by School LEARN D.C., or the Internet service provided by the School LEARN D.C. Every year, students and employees who want access to electronic resources (including but not limited to the computer LEARN D.C. and Internet) for that upcoming school year need to sign and submit this Policy to the School Site Principal. Students who are under 18 years also must have their parents or Guardians sign this Policy. By signing this agreement, the student, employee, and parent or guardian agree to follow the rules set forth in this Policy and to report any misuse of electronic resources, (including but not limited to the computer LEARN D.C. or the Internet) to a teacher or supervisor. Parties agreeing to this policy also understand that the School LEARN D.C. may revise the Acceptance Use Policy as it deems necessary. The School LEARN D.C. will provide notice of any changes either by posting such a revised version of the Policy on its website or by providing written notice to the students, employees, and parents or Guardians.

The electronic resources may only be used during the time the user is a student or employee of the School LEARN D.C. Anyone who receives access to the School LEARN D.C.'s electronic resources, including any Account that is a part of the School LEARN D.C.'s electronic resources, is responsible for making sure it is used properly.

#### **Acceptable Uses of Electronic Resources**

All use of the LEARN D.C.'s electronic resources must be in support of education and/or research, and be in furtherance of a Board of Directors stated goal, or for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no exception of privacy in any material that is stored, transmitted, or received via the School LEARN D.C.'s electronic LEARN D.C. or School LEARN D.C. computers. General rules for behavior and

communications apply when using electronic resources. The School LEARN D.C.'s *Authorization for Electronic Resource Access* contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by school officials. Staff may use the Internet for personal use only if such use is incidental and occurs during their duty-free time. All student accounts created by LEARN D.C. for students or created by students at LEARN D.C. request may be monitored by LEARN D.C. staff.

### **Internet Safety**

Each School LEARN D.C. computer with Internet access shall have a filtering device that blocks entry to visual depictions that are: (1) obscene, (2) pornographic, and/or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act (CIPA) or other applicable federal law(s) and as determined by the Principal or designee. The Principal or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized people may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Principal or system administrator. The Principal or designee shall include measures in this policy's implementation plan to address the following:

- Ensure staff supervision of student access to electronic resources including social LEARN D.C.ing and other Web 2.0 resources;
- The education of students regarding appropriate online behavior including interacting with other individuals on social LEARN D.C.ing websites and in chat rooms
- Restrict access to the inappropriate matter as well as restricting access to harmful materials;
- Ensure student and staff privacy, safety, and security when using electronic resources;
- Restrict unauthorized access, including "hacking" and other unlawful activities; and
- Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as names and addresses.

If a user is uncertain about whether a particular use of electronic resources is appropriate, he or she should consult the Principal or system administrator.

### **Social LEARN D.C.s, other Web 2.0 Resources, and Personal Technologies**

#### **Definitions:**

1. **Includes:** Means "includes without limitation " or " includes, but is not limited to"
2. **Social LEARN D.C.:** Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. Examples include Facebook, LinkedIn, My Space, Twitter, YouTube, and Snapchat.
3. **Personal Technology:** Any device that is not owned or leased by the School LEARN D.C. or otherwise authorized for School LEARN D.C. use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or



information of LEARN D.C.s. This includes smartphones, tablet computers, and other personal electronic devices.

4. **Account:** Staff and students must use assigned accounts with passwords to access the School LEARN D.C.'s electronic resources. Each member of the staff and each student will receive his/her own unique School LEARN D.C. Account.

### **Usage and Conduct**

All school employees and students who use personal technology and social media shall:

- Adhere to the high standards for appropriate school relationships, ethics and conduct at all times, regardless of the ever-changing social media and personal technology platforms available.
- Use only School LEARN D.C.-provided or approved methods to communicate with students and their Parents/guardians. Not interfere with or disrupt the educational or working environment or the delivery of education or educational support services.
- Comply with Responsibilities Concerning Internal Information. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or School LEARN D.C. employees without proper approval.
- Refrain from using the School LEARN D.C.'s logos without permission. Copyright, and all School LEARN D.C. copyright compliance procedures.
- Obtain prior approval from the school LEARN D.C. administration for the use of personal technology or a personal computer. Social media, for personal purposes, can only be used during non-work hours. Any duty-free use must occur during times and places where the user will not interfere with job duties or otherwise be disruptive to the school environment or its operation.
- Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its students' and employees' personal technology.
- Be subject to remedial and any other appropriate disciplinary action for violations of this policy.

### **Authorization for Electronic Resource Access**

Each staff member must sign the School LEARN D.C.'s *Authorization for Electronic Resource Access* as a condition for using the School LEARN D.C.'s electronic resources. Each student and his or her parent(s)/guardian(s) must sign the *Authorization* before being granted use. All users of the School LEARN D.C.'s electronic resources, including School LEARN D.C. computers, shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the LEARN D.C. electronic device.

The failure of any student or staff member to follow the terms of the *Authorization for Electronic Resource Access*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

### **Unacceptable Uses of School LEARN D.C. Electronic Resources**

The following uses of the School LEARN D.C.'s electronic uses, including any Account provided by the School LEARN D.C. are unacceptable. Uses that violate any state or federal law or municipal ordinance are unacceptable. Unacceptable uses include, but are not limited to the following:

- Selling or purchasing.
- Accessing, transmitting, or downloading child pornography, obscene depictions, harmful materials, or materials that encourage others to violate the law.
- Transmitting or downloading confidential information or copyrighted materials.
- Uses that involve the accessing, transmitting, or downloading of inappropriate matters on the Internet, as determined by the school board, a local educational agency, or other related authority.
- Uses that involve obtaining and or using anonymous email sites.
- Uses that cause harm to others or damage to their property are unacceptable.
- Unacceptable uses include, but are not limited to the following:
  - Deleting, copying, modifying, or forging other users' emails, files, or files without that User's permission;
  - Damaging electronic resources such as computers, files, data, or the LEARN D.C.;
  - Using profane, abusive, or impolite language;
  - Disguising one's identity, impersonating other users, or sending anonymous email messages;
  - Threatening, harassing, or making defamatory or false statements about others;
  - Accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
  - Accessing, transmitting, or downloading computer viruses or other harmful files or programs, or in any way degrading or disrupting any computer system performance; or
  - Accessing, transmitting, or downloading large files, including "chain letters" or any type of "pyramid schemes."
  - Using electronic resources to pursue "hacking," internal or external to the LEARN D.C., or attempting to access information that is protected by privacy laws.
- Uses that jeopardize access or lead to unauthorized access into Accounts or other electronic resources are unacceptable. Unacceptable uses include, but are not limited to the following:
  - Using other users Account passwords or identifiers;
  - Disclosing one's Account password to other users or allowing other users to use one's Accounts;
  - Getting unauthorized access into other users' Accounts or other computer LEARN D.C.s; or
  - Interfering with other users' ability to access their Accounts. Commercial uses are unacceptable. Unacceptable uses include, but are not limited to the following:
    - Selling or buying anything over the Internet for personal financial gain; or
    - Using the Internet for advertising, promotion, or financial gain; or
    - Conducting for-profit business activities and engaging in non-government related fundraisings or public relations activities such as solicitation for religious purposes, lobbying, or political purposes

## **Internet Safety**

In compliance with the Children's Internet Protection Act ("CIPA"), the School LEARN D.C. will implement filtering and/or blocking software to restrict the access to Internet sites containing child pornography, obscene depictions, or other materials harmful to minors less than 18 years of age. The software will work by scanning for objectionable words or concepts, as determined by the School LEARN D.C. [NOTE: CIPA does not enumerate any actual words or concepts that should be filtered or blocked. Thus, CIPA necessarily requires that the School LEARN D.C. determine which words or concepts are objectionable.] However, no software is foolproof, and there is still a risk an Internet user may be exposed to a site containing such materials. An Account user who incidentally connects to such a site must immediately disconnect from the site and notify the system administrator, a teacher, or supervisor. If an account user sees another user is accessing inappropriate sites, he or she should notify the system administrator, a teacher, or supervisor immediately.

In compliance with CIPA, the School LEARN D.C. and its representatives will implement a mechanism to monitor all minors' online activities, including website browsing, email use, chat room participation, and other forms of electronic communications. Such a mechanism may lead to discovering a user has violated or may be violating this Policy, the appropriate disciplinary code, or the law. In such an instance, the School LEARN D.C. shall take any necessary action to enforce the appropriate disciplinary code or the law. Monitoring is aimed to protect minors from accessing inappropriate matters, as well as help enforce this policy, on the Internet, as determined by the school board, local educational agency, or other related authority. The School LEARN D.C. reserves the right to monitor other users' (e.g., employees, students 17 years or older) online activities; to access review, copy, necessary; and to enforce appropriate and applicable disciplinary provisions for employees and/or students who violate School Board Policies, ordinances, state and/or federal laws. If a student under the age of eighteen accesses his/her account or the internet outside of school, a parent or legal guardian must supervise the student's use of the Account or Internet at all times and is completely responsible for monitoring the use. Filtering and/or blocking software may or may not be employed to screen home access to the Internet. Guardians and legal guardians should inquire at the school or LEARN D.C. if they desire more detailed information about the software.

Student information shall not be posted unless it is necessary to receive information for instructional purposes, and only if the student's teacher and parent or guardian have granted permission.

Account users shall not reveal on the Internet personal information about themselves or about other persons. For example, an Account user should not reveal their full names, home addresses, telephone numbers, school addresses, or Guardians' names on the Internet.

Account users shall not meet in person anyone they have met on the Internet in a secluded place or a private setting. Account users who are under the age of 18 shall not meet in person anyone they have met on the Internet without their parent's permission.

Account users will abide by all school LEARN D.C. security policies.

## **Education, Supervision, and Monitoring**

It shall be the responsibility of all members of the School LEARN D.C. staff to educate,

supervise and monitor appropriate usage of the online computer LEARN D.C. and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, and the Neighborhood Children’s Internet Protection Act. The disabling or otherwise modifying of any technology protection measures shall be the responsibility of the President or designated representatives. School LEARN D.C. staff will provide age-appropriate training for students who use the School LEARN D.C. Internet facilities. The training provided will be designed to promote the LEARN D.C.s commitment to:

- The standards and acceptable use of Internet services as set forth in the School LEARN D.C. Internet Safety Policy;
- Student safety with regard to:
  - Safety on the Internet;
  - Appropriate behavior while online, on social LEARN D.C.ing Websites, and in chat rooms; and
  - Cyberbullying awareness and response.
  - Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of LEARN D.C.’s acceptable use policies.

### **Privacy Policy**

The system administrator has the authority to monitor all electronic resources, including all Accounts, e-mail, and other materials transmitted or received via the School LEARN D.C.’s electronic resources. All such materials are the property of the School LEARN D.C. **Account users do not have any right to or expectation of privacy regarding such materials. LEARN D.C. users should assume that you have no privacy when using all school LEARN D.C. electronic resources.**

### **Storage Capacity**

To ensure those utilizing electronic resources remain within the allocated disk space, and other files or data that take up excessive storage space, the system administrator will also routinely delete messages from account users’ inbound and outbound log files, messages saved to the archive folders on the system, and messages posted to the School LEARN D.C.’s website.

### **Penalties for Improper Use**

The use of the School LEARN D.C.’s electronic resources is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of use of School LEARN D.C. electronic resources, including any Accounts. Inappropriate use may lead to any disciplinary and/or legal action, including but not limited to suspension or expulsion or dismissal from employment from the School LEARN D.C., or criminal prosecution by government authorities. The School LEARN D.C. will attempt to tailor any disciplinary action to meet the specific concerns related to each violation.

### **Disclaimer**

The School LEARN D.C. makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from the unauthorized use of School LEARN D.C. electronic resources. The School LEARN D.C. also

denies any responsibility for the accuracy or quality of the information obtained through the School LEARN D.C.'s electronic resources.

Any statement, accessible on the School LEARN D.C.'s electronic resources, is understood to be the author's individual point of view and not that of the School LEARN D.C., its affiliates, or employees. Account users are responsible for any losses sustained by the School LEARN D.C. or its affiliates, resulting from the users' intentional misuse of the electronic resources.

### **Media Authorization**

Students in LEARN D.C. may be photographed and/or videotaped at school. Photos and videos become teaching and communication tools within the school and community. They may be used for educational purposes in LEARN D.C. newsletters/web pages, on local cable access programming related to the LEARN D.C., or shared with the news media to communicate school events. Student names are not used on the LEARN D.C. website. In addition, the press and media periodically take photos of students to publicize school activities and events.

LEARN D.C. asks Guardians to sign the "Media Authorization Form". This form is kept on file as long as the child is enrolled in LEARN D.C. Guardians may change the media authorization for their child at any time by submitting the change in writing, using the Media Authorization Form. This form may be obtained from your child's school.

### **Department of Justice Do's and Don'ts**

#### **DO:**

- DO use the Internet to help with schoolwork.
- DO use the Internet to "visit" museums in faraway places like The Smithsonian Institution.
- DO use the Internet to meet children in other countries or to keep in touch with pen pals who live far away in this country or other countries.
- DO be careful about talking to "strangers" on a computer LEARN D.C. Who are these people anyway? Some people say and do things that are NOT NICE.
- DO use the Internet to learn more about universities and colleges that you may be interested in attending.
- DO respect the privacy of other users on the Internet, just as you expect your privacy to be respected. How would you feel if someone reads your private email or your grades?
- DO be careful when you "download" (copy) programs from the Internet. Use a virus scan program before loading it on your computer. Some programs on the Internet contain viruses that can harm your computer.

#### **DON'T:**

- DON'T give your password to anyone.
- DON'T answer messages that make you feel uncomfortable because they seem improper, indecent, or threatening. TELL an ADULT RIGHT AWAY.
- DON'T give any personal information, such as your family's address, phone number, credit card or calling card numbers, your school's name, or your picture to anyone on a

- computer LEARN D.C. that you don't personally know.
- DON'T arrange to meet anyone you've met on the Internet without telling your Guardians.
  - DON'T try to break into computers. It's not a game. It's a crime and it's an invasion of privacy.
  - DON'T steal copyrighted computer programs ("software") by copying it from the Internet. This is the same as stealing it from a store.
  - DON'T make copies of any copyrighted material, like books, magazines, or music without the permission of the author, publisher, or artist.
  - DON'T copy material that you find on the Internet and pretend that it's your own work.

### **Cellular Phones and Other Information Technology Devices**

Cellular phones or other information technology and electronic devices are not to be used during regularly scheduled school hours unless authorized. These phones and devices include, but are not limited to: computers, cellular phones used to exchange or access information, pagers, and personal digital assistants or handheld devices, that are used to access the internet, electronic mail or other information sites and that may or may not be physically connected to the LEARN D.C. infrastructure.

Students are permitted to use cellular telephones before and after the school day or during transport to and from school or school-related or sports activities, or for any good cause after considering a written request from a guardian, provided that it is not disruptive to school activities or events. If a principal denies a guardian's request, the guardian may appeal to the LEARN CEO or designee. If brought to school, these devices are to be turned off and stowed away during the regular school day. It is the student's responsibility to ensure devices are turned off.

Students found in possession of these devices during times of unauthorized use will be subject to interventions and consequences under the Student Code of Conduct. Misuse of these devices may result in the device being confiscated.

LEARN D.C. is not responsible for lost or stolen portable communication and other electronic devices.

LEARN D.C. will not take or threaten to take action against a student or prospective student, including discipline, expulsion, un-enrollment, refusal to admit, or prohibiting participation in a curricular or extracurricular activity, because the student or prospective student refused to:

- Disclose a user name, password, or other means of account authentication used to access the student's personal media account or personal technological device;
- Access the student's personal media account or personal technological device in the presence of school-based personnel in a manner that enables the school-based personnel to observe data on the account or device;
- Add a person to the list of users who may view the student's personal media account or access a student's personal technological device; or
- Change the privacy settings associated with the student's personal media account or personal technological device

LEARN D.C. may search a student's personal device or compel a student to produce data accessible from the student's personal media account if the school has a reasonable suspicion that the student is using device or personal media accounts to perpetrate a violation of school policy. Before a device is searched, LEARN D.C. will document the reasonable suspicion and notify the student and the parent including the data or components to be searched . The scope of the search will be limited to information and sources identified to the family and student before the search.

LEARN D.C. may also search a student's personal device if doing so is necessary due to imminent threat to life or safety. In such a situation, LEARN D.C. will provide a written description of the reasonable suspicion, nature of the search, and information collected to the family within 72 hours.

LEARN D.C. may seize the device for up to 48 hours to prevent deletion of information.

Nothing in this policy prohibits LEARN D.C. from accessing publicly available information by other means or voluntary sharing that may occur from other students.