

# PARENT/STUDENT

## Code of Conduct

## Handbook

School Year 2021-2022

**LEARN's** mission is to provide children with the academic foundation and ambition to earn a college degree.

# LEARN

A NETWORK *of* COLLEGE PREP ELEMENTARY SCHOOLS





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August 2021

Dear Parents/Guardians and Scholars,

Welcome to LEARN Public Charter School on Joint Base Anacostia-Bolling! We are excited to open our new campus after years of work to bring a high quality public school to JBAB

LEARN D.C. is part of a network of eleven public, tuition-free charter schools 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/s be a part of the LEARN family.

This Parent Handbook outlines our school policies to ensure a safe and nurturing learning environment for your children at our D.C. school campus location.

We trust that this information will be helpful in discussions with your scholars as they navigate the academic and social environment. If you have any questions about anything you read on the following pages, please contact your school principal, Ms. Cordelia Postell.

Communication between the school and families is important to student success.

We look forward to a productive and fulfilling school year.

Sincerely,

Dr. Jill Gaitens  
Executive Director  
LEARN D.C. Public Charter School



Dear LEARN D.C. Parents and/or Guardians,

Welcome to the 2021-2022 school year. I hope you spent the summer relaxing and enjoying time with your family.

To all of our parents, we look forward to you being a part of our LEARN family as you become immersed in our culture and involved in our schools and community. We appreciate the fact that you have chosen LEARN DC Public Charter School. Our incredible staff, each of whom is committed to excellence, is eager to meet and work with each of you this school year.

I would like to share a few thoughts with you as we embark on a journey into a new future. I invite you to reflect with me in the positive and confident manner that characterizes the mission of our school. With the leadership of our trustees and administrators, the efforts of exceptional staff, the support of our parents, the excellent achievements of our students, and the recognition of the broader community, we can be proud!! There is not the slightest doubt in my mind that collectively we have the energy, desire, enthusiasm and ability to do what is best for our students, parents and staff. I know that we are all in this together, collectively contributing in different ways to the success of our mission.

As our mission details, I accept the charge to equip our students who are entrusted to us, with the academic foundation and ambition necessary to earn a college degree. My life is a call to service and I strive to do my absolute best to support and empower all those engaged in providing outstanding education to the children in our care. I aspire to obtain these goals by equipping our leaders of tomorrow with the skills, knowledge and tools to meet high expectations for staff and students. I want to assure you that I will always do what I think is best for the students and staff of our schools.

This inaugural year, we commit ourselves to providing the very best educational experience possible. Our focus is on a growth mindset of continuous improvement and communication. We will update you often through our school newsletters, phone and text messages, school and community meetings, social media, as well as daily interactions. Additionally, we invite you to please take a moment to visit our school website frequently for updated information and resources. Have a meaningful and productive 2021-2022 school year.

All the best as we begin a new school year!

Cordelia Postell

Principal



# Parent/Student Handbook

## Section I – General School Information

### **Foreword**

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.

### **LEARN Mission and Values**

The mission of LEARN D.C. is to provide children with the academic foundation and ambition to earn a college degree. The LEARN network of charter schools currently serve over 4,000 scholars in eleven schools in the communities of Chicago, North Chicago, Waukegan in Illinois and one charter school in Washington D.C. LEARN college preparatory elementary schools provide a rigorous educational program that is built upon an intimate understanding of each individual's learning style and academic needs.

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, parents, 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 to fully develop the potential of each child. We believe it takes a community.  
– of parents, teachers, other adults, as well as the children within the community—to create a sustainable, supportive learning environment.

Additionally, under the leadership of our Director of Special Education & 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.

### **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 instructor is critical. We provide small group 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, parents, 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

### **What Makes LEARN Unique**

- Effective student-teacher ratio
- Extended school day (7½ hours)
- Ongoing weekly professional development for instructors
- Commitment to the social and emotional development of all scholars
- LEARN offers a variety of visual and performing arts programming as well as technology, art, music, and physical education.

## **LEARN D.C. Website**

The LEARN D.C. maintains a website in order to facilitate communication with parents, guardians, families, and students. The address is [www.learncharter.org](http://www.learncharter.org).

## **Eligibility, Registration and Enrollment**

### **Age and Residency 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

Each student enrolling in school for the first time should have a certified copy of his/her birth certificate and a physical examination with a completed immunization record before in order to complete enrollment at LEARN D.C. Students transferring from other schools must have evidence of these items in order to complete enrollment at LEARN D.C.

**Student Residency:** Enrollment at LEARN D.C. shall be open to any child who resides within the boundaries of the District of Columbia. A person who knowingly or willfully presents or assists another person to present to a school any false information regarding the residence of a pupil for the purpose of enabling that pupil to attend the school, shall be immediately withdrawn.

Students may attend on a tuition-free basis if the child meets the following residency requirements:

- The student resides in D.C. with his/her parents, guardian, custodian or other primary caregiver. In the absence of evidence to the contrary, residency for students under eighteen (18) years of age and not emancipated shall be presumed to be the bona fide residence of the student's parents, guardian, custodian or other primary caregiver.
- A student experiencing homelessness is not required to provide proof of residency. Please contact the school office for more information.

### **Divorced/Separated Parents**

In the event the student's parents 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 parents has established bona fide residency in the District.

In the event the student's parents 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 parents, the student shall be presumed to be a resident, if:

- The student's parents 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 parents 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 parents 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.

## **Enrollment**

All students must register through MySchoolDC.org to apply for enrollment. If a student is matched through the lottery or if a post lottery offer is made for enrollment, the following documentation will need to be provided to enroll a child.

- Seat Acceptance form
- Registration form
- Proof of Age (e.g., certified copy of birth certificate)
- Proof of residency form
- (2) Proofs of Residency (current utility bill, lease)
- Emergency Contact Information
- Ethnicity Survey
- Home Language Survey
- Updated medical and dental information, including immunization records
- Information on any special needs (e.g., current IEP or 504 Plan) or circumstances regarding your child (e.g. food allergies and asthma)
- LEARN forms

Once students are officially admitted, parents are expected to attend the parent orientation at the campus. The date of the Parent Orientation will be announced.

## **Re-Enrollment**

To re-enroll for the upcoming school year, you must provide the following documentation:

- Updated medical and dental information, including immunization records
- School Fee
- LEARN forms

A staff person will contact the family if additional information is needed. *Falsification of any documentation can lead to disqualifying your child.*

## **Student Transfer Information**

When a parent withdraws a student from LEARN DC in order to enroll their child in a new school, they are required to complete transfer forms available at the school office. All outstanding fees and fines must be paid. Students must return school-owned property.

## **LEARN Dress Code and Grooming**

Good grooming on the part of students is a factor in developing a desirable classroom climate, aids in the promotion of good citizenship, and establishes self-esteem and pride in our schools. A student's dress and grooming should not detract from the educational environment. LEARN has adopted a dress code policy that requires students to wear a specific uniform. The dress codes and uniform policies are gender-neutral. Unless excused due to special circumstances, students who fail to follow the dress code or uniform policy may be given detentions or excluded from extracurricular activities but will not be barred from attending class. A student may receive additional consequences for

violating the dress code or uniform policy if the student's dress disrupts or may disrupt the educational process and is unexcused due to special circumstances.

The following framework serves as guidance for student dress during the school day and during extra-curricular activities:

- Students must be in uniform at all times. Students will not be allowed to wear any clothing displaying depictions of death, dying, suicide, cigarettes, alcohol or other drugs, gang affiliation, derogatory sayings, or inappropriate language.
- Undergarments may not be worn as outerwear or be visible.
- Students may not write on skin.
- Coats and hats are not allowed during school days unless specified by the principal.
- Students may not wear heavy or thick chains or studded jewelry (including, but not limited to chained wallets or animal choke collars).
- Students must wear a complete uniform. Clothing must be proper fitting, including length and style.
- Pants must be worn at the waist.

### **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.

### **School Fee Waiver Policy**

#### **Confidentiality**

School records that identify individual students as applicants or recipients of fee waivers will be kept confidential and will not be disclosed.

#### **Waiver of Fees**

LEARN will accept fee waivers from eligible students. In some circumstances, we will waive all fees assessed. Eligible students include but are not limited to, children who are eligible for lunches under the Federal Free and Reduced Lunch program and those who have other extenuating circumstances such as loss of income due to a sudden job loss, severe illness or injury in the family, unusual expenses as a result of a flood, fire, or storm. All textbooks and materials used by these students are on a loan basis only and must be returned to the school at the end of the school year.

The parents and guardians of all students shall be notified of this policy at the start of each school year. Thereafter, the parents and guardians of all students enrolling in the LEARN D.C. for the first



time shall be notified of the policies and procedures. The first notice sent to parents who owe fees shall state that the Board waives fees in accordance with this policy and shall state the waiver application procedure including the name, address, and phone number of the person to contact regarding information about the fee waiver.

### **Eligibility**

Fee waiver applications are available at the school office. To be eligible for a fee waiver, a parent must come into the school office to fill out a fee waiver application **and** verify one of the following circumstances:

**1) Direct Certification:** Parent participation in one of the following federal programs: Temporary Assistance for Needy Families (TANF), Medicaid, or Supplemental Nutrition Assistance Program (SNAP)/Food Stamps.

#### **Verification:**

- a) TANF letter from the city/state;
- b) Medical enrollment documents; or
- c) SNAP/Food Stamp enrollment documents

**2) Categorical Eligibility:** If, under state or federal law, a student is: homeless, a migrant, in foster care, runaway or participating in Head Start.

#### **Verification:**

- a) Homeless: STLS Application and Approval;
- b) Migrant: Birth Certificate from country of origin and check stub; c) Foster Care: Official letter from social worker or foster home; or d) Runaway: No guardian or parent involvement

**4) Extenuating Circumstances:** Examples include parents who have recently experienced a very significant loss of income due to severe illness or injury in the family, or unusual expenses such as fire, flood, or storm damage.

**Verification:**

- a) Note from doctor confirming severe illness and pay stubs; or b)  
Report from public service department confirming emergency

**5) Federal:** A student, who based on the federal income guidelines, is eligible for **\*\*free breakfast and/or lunch pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758), the School Breakfast and Lunch Program Act (105 ILCS 125), or any other Act authorizing or requiring free school meal programs.**

**Verification:**

- a) Payroll stubs or tax returns; and
- b) Income guidelines prescribed by the Secretary of Education each year beginning on July 1. For income eligibility guidelines for 2016-2017, please see the chart below.

**\*\*LEARN** will not use information obtained during the student school fee verification process to determine or verify a student's eligibility for the free breakfast and/or lunch program(s).

In addition, **LEARN** will not use a student's application for the free breakfast and/or lunch program to determine or verify a student's eligibility for fee waivers.

**Automatic Fee Waivers:** If a student receives a fee waiver through one of the eligibility categories listed above, any other student living in the same household will also receive a fee waiver. No other circumstances qualify for automatic eligibility.

**Resolution of Disputes**

Fee waiver decisions will be made within thirty (30) calendar days of receipt of the application and all verification materials. The decision will be mailed to the address on file at **LEARN**. If denied, the decision will state the reason for the denial and include information regarding the appeal process. The notice will also state that the parent can re-apply for a waiver at any time if circumstances change.

**Appeal Process**

Parents may appeal the fee waiver decision within thirty (30) calendar days of their notified denial. The parent will be granted an appointment with a compliance officer and given the opportunity to explain why the fee waiver should be granted. The person who decides the appeal will not be the person who initially denied the fee waiver (Principal) or a subordinate of this person. If the appeal is denied, then **LEARN** will mail its decision to the parent within thirty (30) calendar days after receipt of the parent's request for appeal. The decision will state the reason for denial.

No fees will be collected from a parent who is seeking a fee waiver or in the appeal process until the parent has been notified of **LEARN**'s final decision. Students will also be able to participate in non-academic/non-district activities until a parent has been notified of **LEARN**'s final decision.

If a student receiving a fee waiver is found to no longer be eligible during the school year, and then **LEARN** will require the parent to pay an adjusted amount based upon the number of school days remaining in the school year.

## **Home-School Partnership**

The LEARN D.C. school community realizes the trust and responsibility that parents share with our schools. We believe that a home-school partnership will enhance the educational experience by providing clear communication on acceptable behaviors within the school environment and the larger community.

To maintain a working relationship between the home and school, we encourage parents to consider the following:

- Members of the school community and parents should establish positive, respectful communication between home and school.
- Staff members and parents should model positive behavior.
- An atmosphere of encouragement and high expectations provides an opportunity for students to give their best efforts.
- Attendance at parent teacher conferences, meetings, concerts, assemblies, fairs, demonstrations, extra-curricular, and sports activities provides opportunities for parents to support their children throughout the school experience.
- Enrichment activities such as plays, concerts, library and museum visits, and other cultural related activities enhance a child's learning.
- Clear procedures for homework and study activities will support the child's learning experience.
- Participation in Parent and Teacher activities provides another avenue of communication and involvement in the school community.

## **Parental Involvement**

LEARN encourages parental involvement. Parents 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 parents to become active partners in education. Opportunities exist at all eleven schools for parents to become involved in the classroom as volunteers, and in advisory capacities through Building Leadership Team participation.

## **Parent Communication**

Parents 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. has endeavored on several different initiatives to improve communication. The LEARN D.C. can be accessed at [www.learncharter.org](http://www.learncharter.org). On the website, a running calendar of events provides parents with up to date information regarding activities at LEARN D.C..

LEARN D.C. uses a student management system - "PowerSchool"- which provides private and immediate parent access to student progress and achievement. The system provides access to student information such as 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, parents are encouraged to call the school office to schedule an appointment with their child's teacher.

### **Emergency School Closing**

It is the responsibility of the Principal to take such action as deemed appropriate for the schools within his/her jurisdiction. Please tune to these stations for information. Emergency closing information may also be accessed electronically at the [emergencyclosings.com](http://emergencyclosings.com) web site. ***(We will also post the closing on the LEARN D.C. website, as well as notify by email, text, and telephone through our school communication system.)*** The LEARN D.C. makes the decision as to whether or not the school remains open, but the decision to send a child to school in severe weather is always the choice of the parent. Parents who feel conditions are unsafe for their scholar to attend school, even if school is open, may keep their child home that day. This will count as a day of absence.

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.

All schools hold safety drills. When an alarm is sounded, children and teachers are sent to a designated location in the building. Parents are asked to impress upon their children the seriousness of these drills. Silence and complete cooperation will be expected of every child.

### **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.

### **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 will contact CFSA if a parent initiates corporal punishment on school grounds.

## **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.

## **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 parent/guardian, provided that it is not disruptive to school activities or events. If a principal denies a parent/guardian's request, the parent 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 may also use cell phones, hand-held laptops, and other electronic devices for instructional purposes during the school day. Any device with photo capability is not permitted in bathrooms or locker rooms at any time.

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 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. 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 DC 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.

### **Transitional Bilingual Program (TBE) and Transitional Program of Instruction (TPI)**

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 Language Use Pattern & Cultural Background/Home Language Survey form. Services are available for those who need assistance in listening, speaking, reading, writing, and general academic skills after students are evaluated. Parents will be notified in writing in a language they understand if their student qualifies for services in either the LEARN D.C. Transitional Program of Instruction (TPI) or Transitional Bilingual Program (TBE).

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

A Report Card will be sent home with each student every trimester. Special progress report forms will be sent to parents whenever deemed necessary by the teacher. These reports will be sent home with recommendations for student improvement. Parents who have concerns should arrange a conference with the student's team.

### **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. The following criteria have been developed for commencement exercise participation. Parents will be informed following the second and third quarters if their student is at-risk of not participating in the commencement exercises. Parents will be notified if their student is being reviewed by the administration related to the commencement exercise criteria.

The criteria for commencement exercise participation are as follows:

- 1) Students who demonstrate and establish a pattern of continuous positive behavior, or students who demonstrate significant behavior improvements are eligible to participate in the commencement exercises. Students are expected to meet and maintain a high standard of behavior for the entire school year.
- 2) Students meeting the first criteria and earning a final passing grade in all subjects (including Fine Arts and Physical Education) are eligible to participate in the commencement exercises.

- 3) Students not earning a cumulative grade point average of 1.0 in all subjects are not eligible to participate in the commencement exercise and will be retained in their current grade placement. These students will be reviewed utilizing a research-based instrument, which considers student intelligence, academic achievement, and history of learning disabilities, parent involvement, and other relevant criteria. The results of the review will determine appropriate placement for the ensuing school year. This review and decision will be made by the School administration and will include parent involvement.
- 4) Students serving out-of-school suspensions running concurrent with the commencement exercise are not eligible to participate in any school activity, including the commencement exercise.

## **Section II – Student Attendance/Health**

### **Student Attendance**

Students are encouraged to attend class every day. A full-day of attendance for students in grades PK3 to 1<sup>st</sup> grade through 8th must be a minimum six hours.

Adverse weather conditions causing an interrupted or delayed start to the day as well as conditions which occurs beyond the control of the school which poses a hazardous threat to the health and safety of students does not prevent a school from recording a full-day of attendance for students that were present; however, LEARN must provide at least 60 minutes of instruction.

### **Early Dismissal**

LEARN discourages early dismissal. This refers to any student picked up before 4:30 pm. There will be no early dismissals after 4:00 pm as teachers and support staff are preparing for dismissal, unless it's an emergency. Entrance into the school buildings will be restricted starting at 3:30 PM. Additionally, students will be marked as absent for one half day if picked up prior to 2:00 pm. Finally, 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.

In the case of an early dismissal, Parents should contact the office beforehand, either by note or phone call explaining the reason, to arrange dismissing a student from school while in session. All students leaving school with an early dismissal must be picked up in the main office by a parent/guardian.

### **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 and the reasons for those 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,
- 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 immediate 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,
- An emergency or other circumstances approved by LEARN DC.

Parents must call the school office as soon as possible to inform the school of an absence. Students must provide a written excuse, signed by the parent upon their return to school. Parents 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.

### **Tardy**

Any student who arrives after the start of the school day at the school is considered tardy. Students are expected to arrive at class on time. Medical appointments and funeral attendance are valid reasons for excused tardiness. Parents 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.

### **Early Drop-Off**

Students are not allowed to enter the building before 8:30 am for breakfast unless the Principal has deemed it necessary for safety reasons; bears **NO RESPONSIBILITY** for students who are dropped off before that time.

### **Late Drop-Off**

Parents are expected to drop off students on time. Parents will not be allowed to drop students off at school after 1:00 PM unless approved by the Principal. Late drop off significantly impacts the classroom environment. Please bring your student to school on time.

### **Late Pick-Ups**

Parents are expected to pick students up on time. 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 problem.

### **Truancy**

Once enrolled at LEARN, regular attendance at school is expected. Parents 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 not 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**

Parents/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. Students are to arrive no earlier than 25 minutes before classes start. All students are to be picked up no later than the time classes are dismissed, unless they are enrolled in an extended-day or after-school program. If a parent, legal guardian, or authorized adult cannot be reached within an hour of when classes are dismissed, LEARN reserves the right to take appropriate action which may include notifying the police.

Instruction at LEARN D.C. begins promptly as scheduled. It is critical that all students be prepared to begin learning at that time. A student who is late misses valuable instructional time and conveys an unacceptable lack of regard for the school and education.

### **Authorization for Adults to Pick-Up Students**

If you wish 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.

Parents/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.

### **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 for the following students:

In cases of an epidemic or pandemic, will follow and institute guidelines based on recommendations or mandates from CDC and local/federal authorizing agencies. 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, the 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). Parents are expected to notify the school of any allergies to food or drugs or other physical needs their child may have.

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.

### **Accidents and Injuries**

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

### **Home Hospital Instructional Services**

LEARN D.C. provides direct teacher instructional services for any student with a health or physical impairment which, in the opinion of a licensed medical provider, will cause the child to be absent from school for more than two weeks. Services will begin as soon as eligibility has been established and the child's physical and mental health permits.

Instructional services will be provided for the student to have access to the missed instruction with the goal of returning to school with a minimal disruption in learning. A licensed teacher will provide these services in the home or hospital or in an agreed upon facility unless the attending physician certifies that the student should receive less instructional time.

When a medical provider indicates that a child will be absent from school for more than two consecutive weeks or 10 days intermittently, parents should contact the building principal. A medical certification form from a medical provider must be signed for services to begin.

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

Parents 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.

### **Head Lice**

When students are identified with having Lice parents/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 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 parents 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.

## **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) **Parent 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.

## **Wellness Policy**

### **BELIEF STATEMENT**

LEARN D.C. is committed to providing a learning environment that supports and promotes wellness, good nutrition, and an active lifestyle. LEARN recognizes the importance of establishing a healthy lifestyle in order for students to develop and learn. The entire school environment shall be aligned with healthy school goals to positively influence students' beliefs and habits. In addition, school staff shall be encouraged to model healthy eating and physical activity as a valuable part of daily life.

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, parents and students, and food service personnel.

### **Goals for Nutrition Education and Nutritional Promotion**

- The school will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.
- All students in grades PreK3 to 1<sup>st</sup> will have opportunities, support, and encouragement to be physically active on a regular basis.
- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.

- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- To the maximum extent practicable, LEARN will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program, and the Fruit and Vegetable Snack Program).
- Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

### **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.

#### **Guidelines:**

- Parents 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 parents are asked to provide a lunch from home and students will be instructed to avoid allergens in the school provided lunch.
- If medications are required, parents must provide medication and documentation according to our medication administration policy.
- Parents 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.
- Parents will work directly with the classroom teacher, principal, and/or school nurse regarding treats or foods brought into for classroom parties or events.

### **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.

### **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. Parents 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.

#### **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

#### **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.*

### **Goals for Physical Activity**

Students shall participate in daily physical activity that enables them to achieve and maintain a high level of personal fitness. Physical education shall be consistent with state and LEARN D.C. standards following a comprehensive health education curriculum that emphasizes

self-management skills. During physical education accommodations will be made for students with disabilities, 504/IEPs (with medical accommodations), and other limitations as indicated by a licensed physician.

Daily supervised recess is a state requirement and shall be provided for all elementary school students. LEARN D.C. will provide all students with 90 minutes of moderate to vigorous physical activity per week. Recess must be at least 20 minutes in length, shall include unstructured play, and can include organized games. Physical activity improves academic outcomes and increases overall fitness; therefore, recess shall not be withheld as a disciplinary action.

Students shall be provided opportunities for physical activity through before and after school programs.

### **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.

### **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.

### **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 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. 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, 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 the 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 parents 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 parents 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 in Section I. 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

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 parents 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 growing food safety and public health concern in schools throughout the country. An estimate of [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 the 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 the 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 the 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.

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

Vision screening will be done during the school year, as mandated, for students in specific grades, new students to the LEARN D.C., students who have an individualized education program (IEP), and those students referred by their teacher. A student is not required to undergo this screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months, and that report is on file at school. Vision screening is not an option and no consent form will be sent home. If a vision examination report is not on file at the school for your student, your student will be screened.

Hearing Screening will also be conducted during the school year, as mandated for students in specific grades, for new students to the LEARN D.C., students who have an individualized education program (IEP), and those students referred by their teacher. The LEARN D.C. screening process may not identify all problems related to vision and hearing.

### **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 parents 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 conference participants for a period of two (2) weeks.
- If, after the two (2) weeks ineligibility period, a student is passing all major subjects,

- he/she 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.

### **Notice of CPR and AED Videos**

Students and parents are encouraged to view the video on hands-only cardiopulmonary resuscitation (CPR) and automated external defibrillators (AED), which are available on the Illinois High School Association's website and the Illinois State Board of Education's website at [http://www.isbe.state.il.us/school\\_health.htm](http://www.isbe.state.il.us/school_health.htm).

## **Section III – Student Records and Identity Protection Policy**

### **Student Progress**

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

Report cards describing classroom performance are sent home every trimester to parents. Twice a year an opportunity for home-school communication in the form of parent-teacher conferences is made available. A parent may schedule a conference at any time to discuss student progress, achievement, behavior, or other issues related to the student.

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

### **Measures of Academic Progress (MAP)**

LEARN utilizes NWEA developed Measures of Academic Progress (MAP) assessment, a state-aligned computerized adaptive assessment program that provides educators with the information they need to improve teaching and learning. Educators use the growth of achievement data from MAP to develop targeted instructional strategies and to plan school improvement. With the ability to test students up to three times a year, MAP test results help educators make student-focused, data-driven decisions.

### **Parental Review of Instructional Materials**

Parents 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 Uniform Grievance Procedure. Inquiries may be addressed to building principals.

### **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 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. At the elementary or secondary level, a student's health records, including immunization records, are maintained by an educational agency or institution 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, birth date, 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 the 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 the 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 the LEARN D.C., the LEARN D.C. shall notify the parents/guardians and the student of the destruction schedule for the student's permanent record and the student 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**

The 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 parents' 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.

The 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, the LEARN D.C. may reach out to parents to inform them of, and/or connect them with opportunities to advocate for educational issues that impact their student and the LEARN D.C. The 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. The 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.

Parents 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**

The 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 the 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 the 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 parents shall be entitled unless the LEARN D.C. has been furnished with a certified copy of a court order or other legally authorizing document prohibiting such access. The LEARN D.C. shall send copies of the following to both parents at either one's request unless a court order or other legally authorizing document indicates otherwise:
  - a) Academic Progress Reports or records
  - b) Health reports; notices of school-initiated parent-teacher conferences; notices of major school-sponsored events, such as open houses, which involve pupil-parent interaction
  - c) School calendars distributed to parents

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 the 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 the LEARN D.C. within the time limits prescribed above without unduly burdening or interfering with the operations of the 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 the 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 the LEARN D.C. agree to extend the period for compliance, a failure by the 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, the 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.

- Any student who reaches 18 years of age, graduates from secondary school, marries or enters military service may consent to the release of information contained in his or her temporary student record.
- A parent/guardian of a student under age 18 who has not married, graduated from secondary school, or entered military service may consent to the release of information contained in the student's permanent and/or temporary records.

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, the 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.

The 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 LEARN D.C. 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 the 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:
  - a) The seriousness of the threat to the health or safety of the student or other persons
  - b) The need for such records to meet the emergency
  - c) Whether the persons to whom such records are released are in a position to deal with the emergency
  - d) 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, the 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 the LEARN D.C.'s Record Clerk, specifying the entry or entries to be challenged and the basis of the challenge.
- The LEARN D.C.'s Records Clerk or another representative of the 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:
  - a) To retain the challenged contents of the student record
  - b) To remove the challenged contents of the student record or
  - c) To change, clarify or add to the challenged contents of the student record
- If, as a result of the hearing, the 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 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 IV – Technology Use/Acceptable Use of Electronic LEARN D.C. & Internet**

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

#### **Reasons for Policy**

The LEARN D.C. provides electronic resources including but not limited to hardware, software, LEARN D.C. access, data files (including virtual files), Internet resources, social LEARN D.C.s, and other Web 2.0 resources and personal 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 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. 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 expectation 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.

### **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 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.

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:
  - a) Using other users Account passwords or identifiers;
  - b) Disclosing one's Account password to other users or allowing other users to use one's Accounts;
  - c) Getting unauthorized access into other users' Accounts or other computer LEARN D.C.s; or
  - d) Interfering with other users' ability to access their Accounts. Commercial uses are unacceptable. Unacceptable uses include, but are not limited to the following:
    - a) Selling or buying anything over the Internet for personal financial gain; or
    - b) Using the Internet for advertising, promotion, or financial gain; or
    - c) 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. Parents 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 parents' 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:
  - a) Safety on the Internet;
  - b) Appropriate behavior while online, on social LEARN D.C.ing Web sites, and in chat rooms; and

- c) 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 web site.

### **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.

The LEARN D.C. asks parents to sign the "Media Authorization Form". This form is kept on file as long as the child is enrolled in LEARN D.C.

Parents 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 Dos 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 parents.
- 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.

<http://www.cybercrime.gov/rules/rules.htm>



## **Section V – Transportation**

### **Transportation**

#### **Bus Transportation**

Special education students are transported in accordance with OSSE regulations.

## **Section VI – Building and Environment Safety**

### **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 School Principal, Class Teacher, or any other school staff. 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.

Students with Disabilities - In accordance with DC law, LEARN D.C. permits parents, guardians or a designee with professional expertise in the area of special education (not including lawyers representing parents 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 DC 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. All visitors must be escorted by the visited LEARN employee until they are either passed off to another LEARN employee or exit the building. 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**

The 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. The LEARN D.C. has contracted with Anderson Pest Control 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.

The LEARN D.C. personnel, certified in the handling of herbicides, occasionally make application of such materials on school grounds. Every effort is made to make such applications when school is not in session. Only approved herbicides are used.

Parents and staff may request written notification of all pesticide and herbicide applications by contacting the school office.

### **Hazardous Materials**

To promote the health and safety of the students, staff, parents 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.

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

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

The 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.



Title IX and 504 Coordinator: Alecia Ritzema @ [aritzema@learncharter.org](mailto:aritzema@learncharter.org),

## **Harassment Policy**

The LEARN D.C. has adopted a policy with expectations students and individuals working or volunteering within the LEARN D.C. will abide by this policy. Complaints of harassment, intimidation, or bullying are handled according to the reporting and due process procedures described in this handbook. The LEARN Executive Director or his/her designee shall use reasonable measures to inform staff members and students that the 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 [www.learncharter.org](http://www.learncharter.org).

### 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 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.

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.

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 through 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.

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.

It shall be a violation of this policy for any student, teacher, administrator, or other school personnel of the LEARN D.C. to harass 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 the LEARN D.C.

It shall be a violation of this policy for any student, teacher, administrator, or other school personnel of the LEARN D.C. to inflict, threaten to inflict, or attempt to inflict violence against a student, teacher, administrator, or other school personnel based upon the person's 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.

The LEARN D.C. will act to investigate all complaints, either formal or informal, verbal or written, filed based on 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.

## **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 DC 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 unwanted 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 ("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 on 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) .

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.  
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;
- 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.

#### **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 parents, 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 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 a 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.

#### **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 Manager of Student Services 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 Manager of Student Services (LEARN D.C. 504/ADA Coordinator: 202.914.6420)

### **Section 504/Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) and the federal Rehabilitation Act require the school LEARN D.C. to ensure that no individual will be discriminated against based upon a disability. Under federal law, qualified students with disabilities may be entitled to certain services or accommodations related to their school programming. Parents who believe their child has been discriminated against should follow the procedures outlined in this Handbook.

### **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, see page \_\_\_\_.

### **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, the 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 align with the mission and values of the LEARN 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.

The 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.

## 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 means any severe, pervasive, or persistent act or conduct whether physical, electronic, or verbal that:

1. May be based on a youth's 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; and
2. Can reasonably be predicted to:
  - a. Place the youth in reasonable fear of physical harm to their person or property;
  - b. Cause a substantial detrimental effect on the youth's physical or mental health;
  - c. Substantially interfere with the youth's academic performance or attendance; or
  - d. Substantially interfere with the youth's ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee.

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 of examples and may not include all examples of bullying.

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.

### **C. Cyber-bullying.**

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 LEARN D.C., unless an administrator or teacher receives a report that bullying through this means has occurred. This policy does not require a LEARN D.C. 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 D.C. Non-discrimination policy, see page \_\_\_\_.

### **D. 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.

### **E. 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.

### **F. 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 (see Section VIII) 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 Procedures for Violations of Non-Discrimination, Harassment or Anti-Bullying Policy**

Students or their parent(s)/guardian(s), employees, or community members should notify any LEARN D.C. Complaint Manager if they believe that the LEARN Board, its employees, or agents or another student has violated the Non-Discrimination Policy, Harassment Policy, or the Anti-Bullying Policy, or has violated their rights guaranteed by federal statute, including:

- o Title II of the Americans with Disabilities Act;
- o Title IX of the Education Amendments of 1972;
- o Section 504 of the Rehabilitation Act of 1973.

### **A. Reporting.**

Any student who believes he or she has been the victim of harassment based on race, color, national origin, sex, disability, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, political affiliation, or source of income or other protected basis by a student, teacher, administrator or other school personnel of the 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 Charter School LEARN D.C., is encouraged to immediately report the alleged acts to the Non-Discrimination Coordinator, Principal, Assistant Principal, or a Complaint Manager. Students may choose to report to a person of the student's same sex.

Complaints will be kept confidential to the extent possible given the need to investigate. An allegation that one student was harassed by another student shall be referred to the Building Principal or Assistant Building 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 sexual harassment or harassment based on race, color, national origin, disability, sex age, or any other basis identified above by a student, teacher, administrator or other school personnel of the LEARN D.C., or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extra-curricular activities, under the auspices of the LEARN D.C. is required to immediately report the alleged acts to an appropriate Complaint Manager or to another LEARN D.C. official designated by this policy.

The Complaint Manager(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 harassment directly to the LEARN CEO.

Any other person with knowledge or belief that a student has or may have been the victim of sexual harassment or harassment based on race, color, national origin, disability, sex, age, or any other basis as set forth above, is encouraged to immediately report the alleged acts to an appropriate LEARN D.C. official designated by this policy.

Upon receipt of a report, the Complaint Manager must notify the Non-Discrimination Coordinator without screening or investigating the report. 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; 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).

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 building 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 D.C. individuals with responsibility to identify, prevent, and remedy harassment. The LEARN CEO or designee shall:

- receive reports or complaints of sexual harassment and harassment based on race, color, national origin, disability, and other basis as identified by this policy;
- oversee the investigative process of harassment complaints;
- be responsible for assessing the training needs of the LEARN D.C.'s staff and students in connection with the dissemination, comprehension, and compliance with this policy;
- arrange for necessary training required for compliance with this policy; and
- insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when harassment is found, and take other appropriate action to rectify the

damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

- 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 Board.

**Conflict of Interest:** If prior to making a report of harassment or during the investigation and/or hearing process 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. Publication.**

The LEARN D.C. shall conspicuously post this policy against harassment and violence in each school that the LEARN D.C. maintains, in a place accessible to students, faculty, administrators, employees, parents 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, DC enforcement office (Citicorp Building, 500 W. Madison, Chicago, Illinois, 60661; 312-730-1560).

A copy of this policy shall appear in all publications including, but not limited to, the student handbook, employee handbook, LEARN D.C. website, and shall be made available upon request of parents, students, and other interested parties.

#### **D. 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.

#### **E. Annual Review.**

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

#### **F. Privacy.**

The 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.

## **Interim Measures**

Upon notice of the complaint/report, the LEARN D.C. will promptly take steps to protect the complaining party as necessary, including interim measures before the final outcome of the 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.

## **Mediation**

The 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, the 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. Further, sexual violence complaints are not to be mediated even on a voluntary basis.

## **Investigation**

The LEARN D.C. will act to investigate promptly and impartially, using a preponderance of the evidence standard all complaints, formal or informal, verbal, written, or electronic of prohibited harassment and will conduct an investigation within seven (7) calendar days upon receiving a grievance or complaint of harassment and or retaliation. During the process, the LEARN D.C. will apprise all parties of the status of the investigation at regular intervals.

Upon receipt of a report or complaint alleging harassment consistent with policy, the Complaint Manager shall immediately notify the Nondiscrimination 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 the 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, the 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.

## **Criminal Complaint**

With regard to allegations of sexual assault, the LEARN D.C. will inform the complainant of the right to proceed with a criminal investigation and a Title IX complaint simultaneously. The LEARN D.C. is obligated to conduct its investigation whether or not there is a criminal investigation pending addressing the same or similar allegations or such investigation has concluded. Reporting is mandatory.

## **Confidentiality**

The 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.

The LEARN D.C. notes, however, if a complaint requests anonymity and does not agree to release of information, the LEARN D.C. may be limited in its ability to respond to the complaint (including pursuing discipline against the accused) or the LEARN D.C. must override a request for confidentiality to address the complaint. The 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.

## **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. The 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 something in the LEARN D.C. may violate Equal Employment Opportunity laws, even if he/she did not use legal terminology to describe it.

### **Procedures for Addressing Violations of Non-Discrimination, Harassment or Anti-Bullying Policy**

- A. Upon receipt of a report that a violation has occurred, the LEARN D.C. will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation within seven (7) calendar days of the report of the violation. Appropriate actions may include but are not limited to counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, termination, discharge or other recourse.

Any action taken by LEARN for violation of the Non-Discrimination, Harassment, and the Anti-Bullying Policy shall be consistent with the requirements of state and federal law and LEARN D.C. policies for violations of a similar nature or similar degree of severity. In addition to applying the Student Code of Conduct where appropriate, in determining what is an appropriate response to a finding that violation of any one of these policies has occurred, the LEARN D.C. shall consider:

- what response is most likely to end any ongoing harassment;
- whether a particular response is likely to deter similar future conduct by the harasser or others;
- the amount and kind of harm suffered by the victim of the harassment;
- the identity of the party who engaged in the harassing conduct; and,
- whether the harassment was engaged in by school personnel, and if so, the LEARN D.C. will also consider how it can best remediate the effects of the harassment.

The LEARN D.C. will provide the parties written notice of a range of potential remedies and sanctions (apology; written warning; written reprimand; prohibition from holding office or participating in student activities, including sports; recommended counseling; required training; termination or other remedies). This may include services separate from or in addition to interim measures offered at the time the Complainant reported the harassment even if originally declined.

In the event that the evidence suggests that the harassment at issue is also a crime that violates criminal law, LEARN will apply the Student Code of Conduct and rules for police notification and mandatory reporting.

- B. To the extent the LEARN D.C. can do so while respecting the privacy rights of the individuals involved, including the duty of confidentiality under FERPA, the Complaint Manager shall inform the parties of any action taken in response to the complaint.
- C. Due process for a determination that a LEARN student has been engaged in unlawful harassment or bullying is governed by the Student Code of Conduct below.

If the results of the LEARN D.C.'s evaluation of a complaint of harassment results in a conclusion that an individual has engaged in unlawful harassment in violation of this policy, or that school personnel have failed to report harassment as required herein, that individual may appeal this determination by use of established Board procedures for appealing other adverse personnel and/or education related actions.

A written appeal to the Board may be requested by either party within three (3) days from receipt of the written report. If an appeal reaches the Board, the LEARN D.C. hearing officer shall conduct a hearing within ten (10) days of receipt of the appeal and make a written report to the Board summarizing the evidence heard at the hearing within ten (10) days of the hearing. If the procedures allow the parties access to information used at a hearing, the LEARN D.C. will provide similar and timely access to both parties. With respect to the hearing, the LEARN D.C. will provide equal opportunity to both parties and apply equal restrictions to ability of lawyers/representatives to speak or otherwise participate (or equally permit 3rd party expert testimony; equal cross examination on witnesses; equally present for the entirety of a hearing).

With respect to hearings pertaining to sexual assault: the LEARN D.C. must not require a complainant to be present at the hearing as prerequisite to proceed. The LEARN D.C. does not allow parties to personally question or cross-examine each other during a hearing. However, the complainant and accused will have equal opportunity to present relevant witnesses and other evidence. The complainant and the accused will have similar and timely access to any information that will be used in a hearing. The complainant and the accused shall have the right to present witnesses, subject to the right of cross examination by the hearing officer. The LEARN D.C. does not allow evidence of past relationships with anyone other than the alleged perpetrator.

Upon receipt of the written report from the hearing officer, the Board may take action, as it finds appropriate. The LEARN Board will take action within thirty (30) days of receipt of the hearing officer's report.

- D. Copies of all complaints of harassment and the investigations conducted pursuant to them

shall be maintained by the LEARN D.C. for at least five (5) years. The Nondiscrimination Coordinator shall be responsible for maintaining these records in a secure location.

- E. Submission of a good faith complaint or report of harassment will not affect the complainant or reporter's future employment, grades, learning or working environment or work assignments. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

## **Decision and Appeal**

After receipt of the Complaint Manager's report, the LEARN CEO shall render a written decision which shall be provided to both parties. If the Complainant is not satisfied with the decision, the Complainant may appeal to the LEARN Board by making a written request to the Complaint Manager. The Complaint Manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the LEARN Board. Thereafter, the LEARN Board shall render a written decision that shall be provided to the Complainant. This grievance procedure shall not be construed to create an independent right to a LEARN Board hearing.

## **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 VIII – Student Code of Conduct)**

### **LEARN DC Code of Conduct**

To discipline a child is to teach lifelong problem-solving skills and decision making providing a framework for positive interactions with others.

#### **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. Parents 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 DC 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.

#### **Positive Behavior Intervention Support and Responsive Classroom**

LEARN Charter School Network participates in PBIS, or Positive Behavior Intervention Support and Responsive Classroom. These methods provide school wide intervention for all students. At the beginning of the school year, students are taught behavior expectations for each area of school (i.e.: hallway, bathroom, assembly, etc.). As the school year progresses and data is gathered, students are re-taught behavior expectations in the same way they would be re-taught an academic concept that required mastery.

**How does it work?**

Students will participate in a “kick off” at the beginning of the school year. They will participate in learning all behavior expectations starting the first day of school. All staff members are committed to this process. Reward celebrations for all students take place each trimester throughout the school year to celebrate positive behavior.

**What are the School Wide Behavioral Expectations?**

In all of LEARN Network schools, the behavior expectations are the same and center on three basic principles which are: Be Respectful, Be Responsible, and Be Safe. These principles are posted in all buildings on a behavior matrix, which states what the behavioral expectations are in all areas of the building and on the school bus.

**What happens to the data?**

Schools collect data every year in order to improve services for students. PBIS data and discipline will be analyzed regularly by the PBIS Universal Team, as well as grade-level teams in order to determine what behaviors we need to work on, where those behaviors occur and what time of day. With that, we can improve supervision, facilitate school-wide reteaching strategies and address the specific needs of our school as they arise. The data does not follow the student in any way, and it is not included in cumulative files.

**Who is affected?**

Everyone in the school community is involved: parents, students, teachers, lunch personnel, custodians, teachers and administrators. All schools within the LEARN Charter School Network are participating in this initiative.

**What will my students learn?**

Your students will learn behavior expectations in every area of school. Behavior will be modeled to students through the use of video lessons and school-wide lesson plans. Your student will be expected to display mastery of behavioral expectations in the same way they master academic skills throughout the year.

**How can I help?**

Parent support is vital in the PBIS and the Responsive Classroom process. As usual, school personnel will be communicating with parents when a student struggles with mastering a specific behavior concept. Parents and school staff need to be “on the same page” when it comes to behavior expectations. In this way, the lessons learned at school will also benefit students in the home setting. Since all students will be learning the same skills, parents can support this effort by discussing behavior expectations at home, much the same way parents support academic efforts by discussing assignments, projects, and books.

**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 out of school suspension. When appropriate, the network will refer the student to resources that can assist the student in addressing drug or alcohol related abuse problems.

### **Misconduct and Disciplinary Options Overview**

Good student behavior is the goal of this disciplinary policy. At times, students may commit an error in behavioral judgment. When that occurs, discipline may be appropriate subject to a case-by-case review.

### **When and Where Conduct Rules Apply**

A student is subject to disciplinary action for engaging in prohibited student conduct, as described in the section with that name below, whenever the student’s conduct occurs during the school day or on school premises or is reasonably related to school or school activities, including, but not limited to:

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including, but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

### **Prohibited Student Conduct**

The school administration is authorized to discipline students for gross disobedience or misconduct. Gross disobedience and misconduct is any behavior that is of such an egregious nature as to constitute, on its face, gross disobedience or misconduct. Gross disobedience or misconduct also includes any conduct, behavior, or activity, as defined by the Network in its policies, procedures, rules, and codes of conduct, which causes, or may reasonably cause, school authorities to forecast substantial injury or disruption or material interference with school-related activities, with the rights of other students or school personnel, or the risk of same.

Gross disobedience or misconduct includes, but is not limited to, the following:

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials and vaping and/or vaping materials and/or products, including without limitation, electronic cigarettes or any alternative nicotine product, or any cartridge or component of an alternative nicotine product.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of alcoholic beverages are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.

3. Using, possessing, distributing, purchasing, selling or offering for sale:
  - a. Any illegal drug, controlled substance, or cannabis (including medical cannabis, marijuana, and hashish).
  - b. Any anabolic steroid unless being administered in accordance with a physician or licensed practitioner's prescription.
  - c. Any performance-enhancing substance on the District of Columbia State Athletics Association's banned substance list unless administered in accordance with a physician or licensed practitioner's prescription.
  - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician or licensed practitioner's instructions. The possession of medical cannabis even by a student for whom medical cannabis has been prescribed is prohibited.
  - e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
  - f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
  - g. "Look-alike" or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy.
  - h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

4. Using, possessing, controlling, or transferring a "weapon," as that term is defined in the Weapons section of this policy, or violating the Weapons section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the

device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals; or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a district staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
10. Engaging in sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signaling indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on

school grounds, school buses, or at any school activity.

15. Being absent without a recognized excuse; District of Columbia law and Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Cyber-Bullying is making an explicit threat or posting/ re-posting information on an Internet website or instant messaging against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school
20. Operating an unmanned aircraft system (UAS) or drones for any purpose on school grounds or at any school event unless granted permission by the LEARN DC Executive Director and the JBAB Installation Commander. .
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

For purposes of this policy, the term “possession” includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student’s person; (b) contained in another item belonging to, or under the control of the student, such as in the student’s clothing, backpack, or automobile; (c) in a school’s student lockers, desks, or other school property; or (d) at any location on school property or at a school-sponsored event.

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Network shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board’s authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

Disciplinary infractions are generally defined according to the following categories for reference and include examples and suggestions. Disciplinary infractions and options may include, but are not limited to the below examples and each is reviewed on a case-by-case basis.

Students may only be subject to out of school suspension or expulsion when they willfully cause, attempt to cause, or threaten to cause bodily injury or emotional distress to another person. "Bodily injury" means a cut, abrasion, bruise, burn, or disfigurement; physical pain; illness; impairment of the function of a bodily member, organ, or mental faculty; or any other injury to the body, no matter how temporary. "Emotional distress" means mental suffering or distress that requires more than trivial treatment or counseling.

**1 ) Minor Infractions:** Those behavioral infractions that are less serious than major infractions, but are needed to maintain a positive learning environment.

**2) Major Infractions:** Those behavioral infractions which are less serious than critical infractions, but do not present a substantial risk of harm to health, safety, and/or the educational environment.

**3) Critical Infractions:** Those behavioral infractions that are the most serious because of great potential harm to health, safety, and/or the educational environment. (May include a suspension or expulsion depending on the nature and severity of the incident and the steps taken beforehand to remediate the behavior)

### **Minor Infractions**

- Repeatedly tardy to school or class
- Failure to follow school rules or procedures
- Chewing gum in school or at school related events – student chewing gum will be asked to dispose of it promptly and respectfully
- Extreme dress or appearance which is disruptive or likely to be within the education environment.
- Bringing toys, a laser pen/pointer, or other related items to school without permission
- Moving within the school building or on school grounds without a pass, except during prescribed passing periods
- Locker or lock misuse
- Repeated failure to complete assigned consequence

### **Disciplinary Options**

- Verbal Warning
- After School Conference
- Parent Contact
- Community Service
- Counselor Contact

- Student/ Principal Contact
- Detention/Extended Detention

## **Major Infractions**

**A parent contact is made for each major infraction.**

- Excessive violations of minor infractions
- Rowdy behavior in the building or on school grounds that is extremely disruptive and potentially dangerous
- Disobeying lunchroom procedures
- Disrespect toward any student, school personnel, or adult (including swearing, using abusive language, body language, name calling, and/or making inappropriate comments)
- Verbal aggression toward other students, adults, or school personnel including harassment, bullying, intimidation, threatening behavior, or making threatening statements about, or to, another student, adult, or school personnel
- Disruptive behavior which interferes with the learning process within the classroom or at extra-curricular activities
- Defiance and/or insubordination: flagrantly, purposefully, or repeatedly failing to comply with or follow the instructions of school personnel
- Providing a false name when asked to identify oneself to school personnel: providing false information to school personnel, or impersonating another person verbally or in writing to provide false or misleading information
- Inappropriate display of affection
- Failure to report to an after school conference or detention, or complete assigned consequence
- Forgery of a parent or teacher signature
- Lying or cheating on or about homework, class work, or tests
- Spitting
- Throwing any objects within or outside of the school environment
- Throwing snowballs or using snow to intimidate or hit another student
- Possession and or use of cigarette (s) or tobacco products, matches, or lighters
- Unauthorized transfer of money
- Unauthorized use of cell phones or any cellular or calling device
- Gambling
- Misuse of technology (any violation or misuse of technology may revoke a student's access to technology, may result in disciplinary action or legal referral/ action)

## **Disciplinary Options**

Options are not listed in any specific order. The assignment of discipline will be determined on consideration of the infraction.

- Removal from class and/or activity
- Detention
- Community Service
- Counselor / Social Worker Contact
- Parent/Teacher/Student Conference<sup>1</sup>

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<sup>1</sup> Students will not be suspended or prohibited from returning to school after a suspension due to a parent's failure to attend a parent/teacher/student conference.



- Student Contact
- Social Probation
- Referral to the Principal
- Referral to the Social Worker / Counselor
- Student/Principal Conference
- Community Service

## **Critical Infractions**

**A parent contact is made for each critical infraction.**

- Excessive violation of major infraction(s)
- Threatening to use a weapon to cause bodily harm
- Deliberate destruction of another student's property
- Misuse of technology
- Inappropriate drawings, writings, or comments that depict violence, threaten, harass, bully, or intimidate another person
- Any harassment based on any proactive category.
- Sexual harassment/advances or other verbal or physical conduct of a sexual or sexually- based nature
- Engaging in hazing, bullying, or any verbal or physical aggression toward another student(s)
- Striking school personnel, physical aggression, or using abusive language toward personnel
- Any action by a student that threatens the health and safety of themselves or others (this includes, but is not limited to, pulling or activating the fire alarm, calling in a false threat or bomb threat, setting fires, possessing or setting off fireworks)
- Possession, purchase, use, sale, and/or distribution of alcohol or other drugs, look alike drugs or related paraphernalia on school premises
- Being under the influence of alcohol or other drugs
- Unauthorized use or possession of over the counter drugs or anabolic steroids or prescription drugs not prescribed to the student (all prescribed drugs – except those medically authorized for self- carry, should be in possession of the nurse or authorized administrator).
- Vandalism (writing, painting, drawing, scratching, or otherwise marking any inscription, figure, or mark of any type on any school or staff owned property) or theft of school property (i.e. including theft of food items during lunch; theft of classroom property)
- Truancy, absent without recognized excuse<sup>2</sup>
- Leaving school grounds without permission
- Gang reference, affiliation, or being involved in gang or gang-related activities on or around school grounds
- Being involved with any public school fraternity, sorority, or secret society
- Tampering with school documents including, but not limited to, report cards, detention

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<sup>2</sup> Students will not be suspended or expelled due to truancy, except that a student may be unenrolled after 20 or more consecutive, full-school-day unexcused absences are accumulated in accordance with the school's attendance policy.

notices, and school/home correspondence

- Possession of weapons, use control, or transfer of any object which may be used to cause bodily harm. This includes, but is not limited to firearms, knives, guns, brass knuckles, billy clubs, and ‘look-alikes’ as defined as 430 ILCS 65/1-1 and use of a weapon as defined 720 ILCS 5/24-1. Items such as baseball bats, pipes, bottles, locks, sticks, pencils, and pens may be considered a weapon if used or attempted to be used to cause bodily harm.
- Transmitting inappropriate or graphic images through a cellular device (sexting)
- Making explicit threats on an internet website against a student, employee, or any student related personnel
- Stealing, or attempting to steal/cause damage to school property
- Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing

## **Disciplinary Options**

Options are not listed in any specific order. The assignment of discipline will be determined based on consideration of the infraction.

- Detention
- Parent contact
- Parent/Teacher/Principal/Student Conference<sup>3</sup>
- Community Service
- Counselor/Social Worker Contact
- Student Contact
- Social Probation
- Suspension (1-10 days)<sup>4</sup>
- Revocation of Privileges
- Expulsion<sup>5</sup>
- Police involvement<sup>6</sup>
- Restitution
- Referral to Social Worker/Psychologist

## **Extracurricular Activities**

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<sup>3</sup> Students will not be suspended or prohibited from returning to school after a suspension due to a parent’s failure to attend a parent/teacher/student conference.

<sup>4</sup> Students may only be subject to out of school suspension when they willfully cause, attempt to cause, or threaten to cause bodily injury or emotional distress to another person. Students in grades K-5 will not be suspended for more than 5 consecutive school days. Students in grades 6-12 will not be suspended for more than 10 consecutive school days. No student will be suspended for more than 20 cumulative school days in a school year unless:

- the student is facing expulsion;
- the Executive Director provides written justification to the student and parent(s) explaining why more than 20 days is a more appropriate disciplinary action than another type of action; or
- the Executive Director provides written justification to the student and parent(s) explaining why the conduct necessitated an emergency removal.

<sup>5</sup> Students may only be subject to expulsion when they willfully cause, attempt to cause, or threaten to cause bodily injury or emotional distress to another person.

<sup>6</sup> School staff will consider whether a student’s behavior can be safely and appropriately handled through school-based disciplinary action before involving law enforcement, unless mandatory reporting is triggered.

The aforementioned discipline policy applies to the school-related conduct of all students involved in extracurricular activities and athletics both on and off campus. Discipline rules apply in school, on school property, at any school- sponsored event or activity, at any activity or event reasonably related to the school, and while students are traveling to and from school or any school-related activity or event. Additionally, these rules apply when any field trips or off- campus trips are taken as part of a course taken at the school. In order to be allowed to participate in extracurricular activities and athletics, a student must meet the school's participation policies.

### **Access to Extracurricular Activities**

Parents and students are expected to show good sportsmanship and conduct themselves in an appropriate, respectful manner at all activities related to the school. Attendance at events and participation in activities, whether as an athlete or fan, is a privilege. The exercise of such privilege is subject to proper behavior. LEARN's rules pertaining to rules of conduct and sportsmanship for athletic and extracurricular school events apply broadly to all spectators, students, and participants in the athletic and extracurricular events. Any person who violates the rules may be denied admission to school events for up to one year, provided that ten days' notice of the violation is given to the person and the opportunity for a hearing before the board pursuant to its rules and regulations is provided.

### **Locker Usage**

Lockers remain the property of the school and are provided to students without charge. School officials are authorized to open lockers and to examine content, including personal belongings of the students, when there is reasonable cause to believe that the contents threaten the safety, health, or welfare of students or staff, or include suspected stolen property or items that are specifically prohibited by law, board policy, or school regulation. All students are personally responsible for the contents of their lockers. Locker combinations must not be shared with other students for security purposes.

### **Searches of Students and Their Possessions**

Students and their belongings, including student lockers, may be searched by qualified school network employees if reasonable grounds exist to believe there is evidence of a violation of school rules or laws. Students or their possessions may be searched if there is reasonable suspicion to believe that the student is violating these rules or laws. School employees may inspect or search desks, parking lots, and other school property or equipment owned or controlled by the school to maintain safety and security in the schools without notice, consent, or search warrant. School authorities may request the assistance of law enforcement officials in conducting searches and inspections for illegal drugs, weapons, and other dangerous substances or materials. This search may include specifically trained canine units.

If a search produces evidence that a student has violated or is violating the law or school network policies or rules, school authorities may seize such evidence and take disciplinary action. School authorities may also turn over such evidence to law enforcement authorities. If a search of a student is necessary, the search will be reasonable in inception and scope.

### **After School Detention**

It is sometimes necessary to assign a detention. The detention will be served the day of or the day following the offense after a parent signature has been secured or permission is granted from the parent/guardian through phone contact. Students may be required to stay for a 30, 45, 60, or 90 minute period on one or more days. The building administrator or teacher will determine the detention period of time.

## **Definition of Related Terms:**

### **Social Probation**

Students who have been assigned Social Probation are not permitted to attend any school-sponsored programs (i.e., assemblies, entertainment, class trips, sports, dances, social activities, graduation ceremony, dinner dance, practices and related activities,) during or after school hours. Social Probation may be assigned or extended for a specified time by the principal. During the second semester, students who have had ten behavioral referrals resulting in detentions, or who have been suspended or out of school or who have a police contact, will be removed from the class trip and/or graduation activities. Additional disciplinary actions may result in removal from the dinner and/or graduation ceremony. Participation in these activities is a privilege, not a right.

If a student misses a detention, he/she will be removed from any social activities including but not limited to, assemblies, dances, field trips, sports and any student council activities.

### **Out-of-school Suspension (OSS) – Short Term (5 days or less)**

Before a student is assigned to OSS, they will be given a chance to meet with the Principal [LB1] to discuss the behavior and tell their side of the story. During this meeting, the Principal will share with the student what the behavior of concern is and the information that the school has to believe the behavior occurred. The student will then be given a chance to share their side of the story and/or explain the behavior. If the student is assigned to OSS, the Principal will notify the student and parent(s) in writing of the reason for and length of the suspension.

If the student's continued presence at school poses an immediate and continuing danger to other students or school staff, the Principal may suspend the student for the rest of that day and the following day without meeting with the student. However, before any further suspension is issued, the Principal will meet with the student as outlined below. This meeting could occur by phone if the student's presence at school poses a continuing danger to other students or school staff.

Students who are suspended are not permitted on school grounds and can't attend school-related activities or events for the duration of their suspension.

### **Out-of-school Suspension (OSS) – Long Term (6 days or more)**

The Principal may make a recommendation for long term suspension. The Executive Director makes the final decision after a disciplinary hearing is held with the student and parent(s). Once a recommendation for long term suspension is made, the student will be suspended pending a hearing.

Before the Principal makes a recommendation for long term suspension, they will meet with the student to discuss the behavior and give the student an opportunity to tell their side of the story. During this meeting, the Principal will share with the student what the behavior of concern is and the information that the school has to believe the behavior occurred. The student will then be given a chance to share their side of the story and/or explain the behavior.

If the student's continued presence at school poses an immediate and continuing danger to other students or school staff, the Principal may suspend the student for the rest of that day and the following day without meeting with the student. However, before any further suspension is issued, the Principal will meet with the student as outlined below. This meeting could occur by phone if the student's presence at school poses a continuing danger to other students or school staff.

If necessary, the Principal will investigate the circumstances of the behavior and the student's explanation. The investigation will be completed within three days of the incident or within three days of when the school was notified of the incident. If appropriate, the Principal may issue a short-term suspension pending the investigation.

If long-term suspension is recommended, the Principal will notify the student and parent(s) in writing of the reason for and length of the recommended suspension. This notice will include information about the basis for the recommendation, the information that the school has to support the recommendation, and the disciplinary hearing process. A disciplinary hearing will be held within 5 school days of the date that the recommendation for long-term suspension is issued. Extensions of this deadline may be made on a case-by-case basis if necessary.

The Executive Director will preside over the disciplinary hearing. At the disciplinary hearing, the Principal will share the information relied on to support the recommendation for long-term suspension. The student and parent(s) will be given an opportunity to fully respond to the information shared by the Principal and to present any additional information that they want the Executive Director to consider. The student may be represented by an attorney.

The Executive Director will notify the student and parent(s) in writing of the final determination on the next school day following the hearing.

Students who are suspended are not permitted on school grounds and cannot attend school-related activities or events for the duration of their suspension.

### **Expulsion**

The Principal may make a recommendation for expulsion. The Executive Director makes the final decision after a disciplinary hearing is held with the student and parent(s). Once a recommendation for expulsion is made, the student will be suspended pending a hearing.

Before the Principal makes a recommendation for expulsion, they will meet with the student to discuss the behavior and give the student an opportunity to tell their side of the story. During this meeting, the Principal will share with the student what the behavior of concern is and the information that the school has to believe the behavior occurred. The student will then be given a chance to share their side of the

story and/or explain the behavior.

If the student's continued presence at school poses an immediate and continuing danger to other students or school staff, the Principal may suspend the student for the rest of that day and the following day without meeting with the student. However, before a recommendation for expulsion is issued, the Principal will meet with the student as outlined below. This meeting could occur by phone if the student's presence at school poses a continuing danger to other students or school staff.

If necessary, the Principal will investigate the circumstances of the behavior and the student's explanation. The investigation will be completed within three days of the incident or within three days of when the school was notified of the incident. If appropriate, the Principal may issue a short-term suspension pending the investigation.

If expulsion is recommended, the Principal will notify the student and parent(s) in writing of the reason for the recommended expulsion. This notice will include information about the basis for the recommendation, the information that the school has to support the recommendation, and the disciplinary hearing process. A disciplinary hearing will be held within 5 school days of the date that the recommendation for expulsion is issued. Extensions of this deadline may be made on a case-by-case basis if necessary.

The Executive Director will preside over the disciplinary hearing. At the disciplinary hearing, the Principal will share the information relied on to support the recommendation for expulsion. The student and parent(s) will be given an opportunity to fully respond to the information shared by the Principal and to present any additional information that they want the Executive Director to consider. An attorney may represent the student.

The Executive Director will notify the student and parent(s) in writing of the final determination on the next school day following the hearing.

Students who are expelled are not permitted on school grounds and cannot attend school-related activities or events for the duration of their expulsion.

A parent has a right to appeal the expulsion and may contact the Executive Director, Dr. Jill Gaitens at [jgaitens@learncharter.org](mailto:jgaitens@learncharter.org) to request an appeal.

### **Pre-School Behavior Policy**

AppleTree connects the teaching of social, emotional and behavioral skills with positive verbal and visual praise and reinforcements. Children engage in daily opportunities to earn classroom celebrations for demonstrating behavioral or social-emotional skills they are learning about in lessons and practicing throughout the day.

AppleTree @ LEARN believes that children often misbehave because they have not yet learned to use the appropriate skill or how to articulate their specific needs in a social or educational situation. In turn, we believe that responses to child misbehavior or heightened emotional expression should be immediate, logical, and serve as an opportunity to teach replacement behaviors and emotional

regulation skills.

Every preschool classroom has a Calming Space. This is a comfortable and inviting space in the classroom that provides a designated space for children who need a few minutes to identify and regulate their emotions. Children are taught in the beginning of the year, and reminded throughout the year, that the Calming Space is a safe place to go if they are feeling angry, sad, frustrated, disappointed or aggressive.

If a child engages in behaviors that endanger themselves or others, he or she may be removed from the class for a brief period. Children are removed to ensure their safety and the safety of their classmates and teachers and once calm are welcomed back to their classroom community. AppleTree @ LEARN does not suspend students for misbehavior.

## **Suspension and Expulsion Procedures—Special Education**

### Suspensions of 1-10 Days each School Year

A school may suspend a special education student for up to and including ten days for any violation of school rules in the same way that students without disabilities are suspended. During a 1 to 10 day suspension, school networks are not required to provide services, conduct a manifestation determination review, or draft a behavior intervention plan. However, it is advisable that functional assessments and Behavioral Interventions Plans are drafted as soon as the need arises. A Behavior Intervention Plan should be developed when the student's behavior impedes their learning or the learning of others.

### Suspensions Over 10 Days each School Year

Special Education students may be suspended for more than 10 cumulative days per school year. Suspension of up to ten days for separate acts of misconduct is allowed, as long as the removals do not constitute a change in the student's placement.

Additional disciplinary procedures will be followed for students with disabilities who are suspended for more than 10 days in a school year. These procedures may include a manifestation determination review meeting and the provision of services during the suspension

A manifestation determination review meeting is required if:

- A student is suspended for more than 10 consecutive or cumulative school days in a school year, and
- The reason for the suspension constitutes a pattern based on these factors:
  - o The child's behavior is substantially similar to their behavior in previous incidents that resulted in previous removals; and
  - o The length of each removal, the total amount of time for each removal, and how close the removals are to each other.

When a manifestation determination review meeting is required, the Principal or Director of Special Education will notify the parent in writing and provide the parent with a copy of the IDEA's procedural safeguards on the day that the notice of suspension or expulsion is issued. The manifestation determination review meeting will be held within 10 school days to determine if a student's behavior

was a manifestation of their disability.

A manifestation determination review meeting is not required if:

- A student is suspended for more than 10 cumulative school days in a school year, and
- The suspensions don't constitute a pattern based on these factors:
  - o The child's behavior isn't substantially similar to their behavior in previous incidents that resulted in previous removals; and
  - o The length of each removal, the total amount of time for each removal, and how close the removals are to each other.

Educational services will be provided for any student with a disability who is suspended for more than 10 days in the school year while they're suspended, but in another setting. Services will be provided to enable the student to continue to participate in the general education curriculum and make progress towards their IEP goals. If appropriate, a functional behavior assessment and behavior intervention services and modifications will also be provided to ensure that the behavior does not recur.

Behavior Intervention Plan – The IEP team must either:

- a) Review and revise, if necessary, a behavior intervention plan; or
- b) Draft a Behavior Intervention Plan if one is not already in place. The meeting to address the Behavior Intervention Plan must be held no later than ten school days after removing the student for more than ten days in a school year.

For each subsequent suspension, the IEP team must review the behavior intervention plan to determine if revisions should be made.

### Manifestation Determination Review

The manifestation review meeting covers the relationship between a student's disability and the behavior that caused the suspension. The IEP team must first consider all relevant information of the child including:

- Evaluation and diagnostic results, any relevant information supplied by the parents, teacher/staff observations of the child, and the child's IEP and placement.
- After considering the above, there are two relevant questions that must be answered when making a manifestation determination.
  - 1) Was the conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
  - 2) Did the conduct in question was the direct result of the school's failure to implement the IEP.

If the IEP team answers yes to any of the above questions, the student's behavior must be considered a manifestation of the student's disability. If a student's behavior was a manifestation of their disability, the student must return to school unless the IEP team agrees otherwise. If the student's behavior is not a manifestation of their disability, the student may be disciplined according to the school's discipline policy applicable to all students. If the student's behavior is a manifestation of their disability, the IEP team must also conduct a functional behavior



assessment if one hasn't already been completed and develop a behavior intervention plan. If the student already has a behavior intervention plan, the existing plan must be modified, as needed.

### **Special Circumstances**

There are situations when a student with a disability can be removed from school for up to 45 school days without regard to whether their behavior was a manifestation of their disability. These situations include:

- Possession of a weapon on school premises or during a school function
- Possession or use of an illegal drug on school premises or during a school function
- Infliction of serious bodily injury on school premises or during a school function

With parent consent, the IEP team reserves the right to change a student's placement at any time.

### **Hearing Officer**

If there is concern that a student's attendance at school is substantially likely to result in injury to themselves or others, the school can request a hearing officer's approval to place the student in an interim alternative educational setting for up to 45 school days. The interim alternative educational setting would continue to provide services to enable the student to continue to participate in the general education curriculum and progress towards their IEP goals.

### **Students Not Yet Found Eligible for Special Education or Related Services**

There may be a situation where a student hasn't yet been determined as eligible for special education and related services, but may still receive the same discipline procedure as students with disabilities. This is possible only if the school knew the student potentially had a disability before the behavior requiring action took place.

For the school to know that a student may have a disability, one or more of these actions must have occurred before the behavior occurred:

- The student's parent expressed concern in writing about the need for special education to the Executive Director, Principal, Director of Special Education, or the student's teacher(s).
- The student's parent or guardian requested an evaluation of the student.
- The student's teacher or another member of our school's personnel expressed specific concerns about a behavior pattern to the Director of Special Education, Principal or Executive Director.

The school will not be deemed to have knowledge a student may have a disability if:

- The student was previously evaluated and didn't qualify for special education services;
- The parent refused special education services; or
- The parent refused to allow an evaluation of the child.

## **PARENT/GUARDIAN ACKNOWLEDGEMENT**

I have read the 2021-2022 Parent and Student Handbook and have shared it and/or explained it to my child. We agree to comply with these policies and all of the policies mandated by LEARN Charter School.

Student Printed Name(s) \_\_\_\_\_

Student Signature(s) \_\_\_\_\_

Parent/Guardian \_\_\_\_\_

Printed Name(s)

Parent/Guardian Signature(s)

Date of Acknowledgement