

SCHOOL-WIDE DISCIPLINE PLAN

Goals and Expectations

1. Children are in school to learn and to allow others to learn.
2. Children are expected to be respectful, courteous, and helpful to others.
3. Children are responsible for their own behavior.
4. Children will respect our school and its property.

Discipline Code - Levels of consequences for aggressive and defiant behavior:

A student will start on Level 1 every day for any behavior listed in the rules for Aggression and Defiant Behaviors unless there is a special circumstance attached to the behavior. Each teacher will begin with Level 1 Consequences in their classroom. When it gets to Level 3, the student completes a behavior form and the teacher will contact the parents. When a student has 2 days of Level 5 within a grading period/s, he/she is automatically moved to Level 6. Each grading period starts with a clean slate for behavior. **Levels are listed below – least to most restrictive.**

Level 1: 1st incident of Aggressive or Defiant Behavior in a school day. The teacher will: 1. Make a PRIVATE statement with student about their behavior in a firm voice (away from the instructional area).

Level 2: 2nd incident of Aggressive or Defiant Behavior in a school day. The teacher will:

1. Relocate the student within the classroom to the “Level 2 Spot” (this should be in close proximity to the teacher) to continue work.
2. A public statement of behavior will be made to the student regarding their behavior.
3. The student will remain in the “Level 2 Spot” no longer than: grades K-2 for 5 minutes, and grades 3-6 for 10 minutes.

Level 3: 3rd incident of Aggressive or Defiant Behavior in a school day. The teacher will:

1. Move the student to a co-teacher’s classroom.
2. The student will be given a Behavior Planning Form to complete. A. What did you do? B. why did you choose to do it? C. My Plan to Do Better is: (list 4 behaviors you will start doing to be successful at school).
3. Student will remain with co-teacher for: grades K-2 for 15 minutes, grades 3-6 for 15 minutes or until the end of the class period.
4. Teacher will discuss Behavior Plan with the student.
5. Missed assignments will be made up during detention.
6. Contact parent to discuss the problem and officially warn the parent and student of possible future consequences. Notify parent of detention.

Level 4: 4th incident of Aggressive or Defiant Behavior in a school day. The teacher will:

1. Complete and submit discipline referral form to administrator.
2. Administrator will assign action. Possible actions: conference, detention, emergency removal, ISS, diversionary court, out of school suspension.
3. Student will call his/her parent to inform them of their behavior.
4. Missed assignments will be made up during their free time.

Level 5: 5th incident of Aggressive or Defiant Behavior in a school day. The teacher will:

1. Complete and submit discipline referral form.
2. Administrator will assign action.
3. Student calls parent AGAIN to inform them of their behavior.
4. Re-entry conference with student and all adults involved is required before student returns.

Level 6: 6th incident of Aggressive or Defiant Behavior in a school day. A student who reaches level 5 two (2) times in grading period will be placed on level 3 for the remainder of the grading period.

Defiant Behavior

- Failure to follow a reasonable request.
- Cheating, forging, plagiarism, etc.
- Minor stealing or hiding peer's personal property.
- Teasing, taunting, instigating behaviors, mocking others.
- Lying. Inappropriate behavior in structured and non-structured areas.
- Possession or use of personal electronics: pagers, cell phones, gameboys, walkmans, etc.
- Arriving late to the classroom/activity without authorization.
- Disrupting classes or school activities.
- Bickering between students.
- Pounding on walls. Bodily noises.
- Running and screaming in the halls.
- Unsafe use of equipment and materials.

Aggressive Behavior

- Verbal aggression towards others: name calling, swearing, sexual or negative comments
- Physical aggression towards others – no mark or blood: horseplay that incites a reaction, throwing objects, in others' personal space, pulling out chair from under others, etc.
- Possession of or looking at sexually explicit material: magazines, Internet sites, etc. Tamper with staff work or computer.
- Known aggression off campus between students.
- Minor property damage – personal or school: overturning furniture, tampering with others' work, knocking stuff off desk in anger. Inappropriate language or conversation: lewd language in halls or building, talking about off campus usage of drugs, partying, etc.
- Messing up school property: food or drink in halls and classrooms, littering, graffiti, gum. Insubordination: mocking or sarcasm with teachers/staff.

Fair Access to School

MMBDA complies with the Student Fair Access to School Amendment Act. to School Amendment Act, no student in grades K-8 can receive an out-of-school suspension or expulsion, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person. MMBDA will only suspend or expel a student for

infractions show that the student willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.

Right of Appeal

A parent or guardian may make a written request to the school Principal to appeal a long-term suspension or expulsion within one school day of receiving notification of the suspension. The Principal will generally schedule the Appeal Hearing within two school days of receiving the written request. The student may be represented at the hearing only by parents or guardians and one additional adult, who may be legal counsel, a member of the clergy, a social worker, etc. The hearing will be conducted by the Principal. The hearing shall be closed to the public and may include the presentation of evidence, testimony, and questioning of those present. The hearing may be recorded verbatim by stenographic, tape, or other means. The Principal will normally notify the parent or guardian of the decision within one school day of the Appeal Hearing. If the suspension is overturned, school-maintained records will reflect that conclusion. If a parent or guardian fails to appear for a scheduled appeal hearing, the right to appeal is waived, and the original disciplinary decision will stand. If the suspension or expulsion is upheld and the parent or guardian wants to continue the appeal process, the parent or guardian may make a written request to the Mary McLeod Bethune Day Academy Board of Trustees Chair, Valerie Smith, v.smith@mmbethne.org, stating why the suspension should be reversed or modified within two school days receiving the MMBDA Discipline Committee Appeal Hearing decision. The Hearing Officer (Board Chair designee) will generally schedule the Appeal Hearing within two school days of receiving the written request. The student may be represented at the hearing only by parents or guardians and one additional adult, who may be legal counsel, a member of the clergy, a social worker, etc. The hearing will be conducted by the MMBDA Board of Trustees Discipline Committee. The hearing shall be closed to the public and may include the presentation of evidence, testimony, and questioning of those present. The hearing may be recorded verbatim by stenographic, tape, or other means. The Board of Trustees will normally notify the parent or guardian of the decision within three school days of the Appeal Hearing. If the suspension or expulsion is overturned, the school-maintained records will reflect that conclusion. If the Board of Trustees Discipline Committee upholds the suspension, the suspension shall be imposed, and such decision will be final. If a parent or guardian fails to appear for a scheduled appeal hearing, the right to appeal is waived, and the original disciplinary decision will stand.

Due Process Procedures for Students with Special Needs

Students with disabilities have the same rights and responsibilities as other students, and may be disciplined for the same behavioral offenses listed above. A multidisciplinary team will hold a manifestation meeting to determine if the incident was a manifestation of their disability if the student is approaching their 10th suspension day or shows a pattern of behavior(s).

If it is determined that the student's behavior was a manifestation of the student's disability, the student – absent extenuating circumstances—will be returned to his/her educational placement. If it is determined that the student's behavior was not a manifestation of his/her disability, the student's file will be reviewed to determine disciplinary action in accordance with the policies contained in this section.

Ultimately, we aim for the students to take **action** for themselves by applying their understanding, knowledge, skills and attitudes to take the initiative in being academically honest, and to take pride in their own accomplishments. Should a student be found not following these guidelines consciously, a teacher will speak to him/her, ask the student to complete an ABC sheet if deemed appropriate, and involve the parents if necessary.

ATTENDANCE

Daily School Attendance

School attendance is required for all children who reach five years of age on or before December 31st of the current school year. They must attend school until their 18th birthday or high school graduation. It is the responsibility of parents and guardians to see that their child attends school regularly.

On any given day that your child is unable to attend school, a phone call to the school letting us know your child will be out is requested. A written excuse is required of each student following an absence to be presented to the child's teacher upon his/her return. Mary McLeod Bethune Day Academy Public Charter School recognizes excused and unexcused absences

MMBDA shall implement a specific protocol for attendance monitoring and absenteeism, including a focus on prevention of unexcused absences and the use of academic and behavioral interventions to address the needs of students. School officials are responsible for taking attendance accurately every day in the student information system (SIS).

A written note must be provided to the school by the student's parent within five (5) school days after the student's return to school in order for an absence to be excused. Upon receipt of appropriate documentation within this time period, schools must update absences as excused within 48 hours.

C. Excused Absences

The following absences may be classified as an excused absence:

- Illness of the student (a doctor's note is required for a student absent three or more days in a term);
- Illness of a child for parenting students (a doctor's note is required for a student absent five or more days in a term);

- Medical or dental appointments for the student;
- Death in the student's immediate family;
- 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;
- Necessity for a student to attend a judicial proceeding, or court-ordered activity, as a party to the action or under subpoena;
- Observance of a religious holiday;
- Absences to allow students to visit their parent who is in the military, immediately before, during, or after deployment;
- School visits for students in K through grades (one day);
- Absences of expectant or parenting students for a time period specified by their doctor and any accommodations mandated by law;
- Take Your Daughters & Sons to Work Day;
- Religious event or celebration outside of a religious holiday (up to five cumulative days); and
- An emergency or other circumstance approved by MMBDA.

The following absences may also be excused without written documentation from the parent, as verified by the school:

- Lawful out of school suspension or exclusion 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 MMBDA to provide transportation in cases where MMBDA has a legal responsibility for the transportation of the student;
- An emergency or other circumstance approved by MMBDA.

If a student or parent anticipates an absence not covered by the excused absences listed above, they may submit a request for an excused absence due to a special circumstance to the school principal. The principal shall consult with his or her Instructional Superintendent before determining whether to grant the excused absence request.

Any absence that does not meet the criteria of an excused absence or fails to satisfy the documentation requirement of an excused absence within the allowable timeframe will be classified as an unexcused absence.

If a student is absent for a total of up to **four (4) cumulative days** in each grading period, a parent's written excuse is sufficient for explaining the absence. Such absence will be excused if it falls under one of the excused absence reasons noted above.

If a student is absent for **five (5) or more cumulative days** per term, further documentation is required beyond communication by the parent for the absence to be excused. Written explanation of the student's absence must be submitted by a doctor or staff of a relevant agency, on official doctor's office/agency letterhead and signed by a relevant official. Note:

- Medical or dental absences must be submitted on official doctor/dentist office stationery or form; and
- Student's required presence at judicial proceedings must be documented by a document from the court stating the need for the student's presence on all the relevant dates.
- Funeral programs may be accepted as appropriate documentation.

D. Absences Due to School-Sponsored Activities

1. Athletics

Students participating in MMBDA-sponsored athletic events during regular school class hours are considered present. Students must adhere to all attendance requirements as dictated by state regulations. In order to participate in any athletic tryout, practice, game or match, a student must be present in school on the day of that event, unless the student has an excused absence

2. Other Activities

Students participating in MMBDA-sponsored events, field trips, or study abroad travel during the regular school day are considered present.

3. IEP or 504 Plan Service Delivery

Students who miss class to receive related services documented on their Individualized Education Programs (IEPs) or 504 plans are considered present.

4. Suspensions

Students shall be marked present while serving in-school suspension. Student absences due to out of school suspension shall be classified as excused.

E. School-Based Attendance Interventions Related to Absences

1 day of unexcused absence	Contact parent on the same day and each time a student has the equivalent of one day of unexcused absence, with daily follow-ups as necessary.
3 days of unexcused cumulative absences	Send 3-Day Unexcused Absence Letter to parent.

4 days of absences (excused or unexcused)	Phone call home after four absences to discuss the student's attendance.
5 days of unexcused cumulative absences	Send 5-Day Unexcused Absence Letter to parent and refer student to Student Support Team (SST) for an attendance intervention conference to be held within five days of the referral. (Applicable to five unexcused absences within one term.) The SST will develop an action plan in partnership with the student and the student's parent.
7 days of unexcused cumulative absences	Send Metropolitan Police Department (MPD) warning letter to parent.
10 days of unexcused cumulative absences	Student is considered chronically truant. Contact the District Child Family Services Agency (CFSA) for students aged 5-13. Refer student for follow-up attendance SST interventions for students aged 14 and older. The SST assigned to the student will notify school leader of action plan within two days of the referral.
15 days of unexcused cumulative absences	Submit referral within two days to Court Social Services Division (CSS) for students aged 14 through 17.
20 days of unexcused consecutive absences	Notify parent that student is eligible for withdrawal due to 20 consecutive days of unexcused absences.

F. Prohibited Actions Related to Absenteeism

DC law prohibits specific actions related to student truancy and absenteeism as follows:

- No minor may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.
- No minor may be un-enrolled from MMBDA due to unexcused absences or due to late arrival to school unless the student has accumulated 20 or more full-school-day consecutive unexcused absences.
- No student will be transferred from their school for absenteeism, including students who are attending an out of boundary school.
- At the beginning of the school year, no student should be withdrawn unless they fail to attend at least one (1) day of school in the first three (3) weeks of school

without notification for such absence; or transfers to another educational institution.

G. Attendance, Grading, and Promotion

Student grading and promotion can be impacted by an accrual of unexcused absences as follows:

Secondary students with ten (10) unexcused absences in any class shall receive an initial written notice that they are at risk of receiving a grade of “FA” (failure due to absences) in that subject upon accumulating more than thirty (30) unexcused absences, unless an exception applies.

- Secondary students with fifteen (15) unexcused absences in any class shall receive an additional written warning that they are at risk of receiving a grade of “FA” (failure due to absences) in that subject upon accumulating more than thirty (30) unexcused absences.
- Secondary students accumulating more than thirty (30) unexcused absences in a course within a full school year shall receive a failing final grade in that course with a resulting loss of course credit.
- Students accumulating more than thirty (30) unexcused absences within a school year shall only be promoted if a written justification is submitted by the principal to the Executive Director, or the student attends summer school and is reevaluated for promotion.

H. Late Arrival for Secondary Students

- Students will be marked tardy if they arrive in class 5 minutes or more after the official start of the period.
- Students who enter class late should be given clear guidance regarding how to get caught up with the class lesson.
- Students will be allowed to enter their scheduled course regardless of what time they arrive. Teachers should make every effort to make late arriving students feel welcomed.
- There is no point in a class period that a tardy will convert to an absence. If a student attends a portion of the class, he or she will be considered present and tardy.
- Students must always have access to make-up work.
- Multiple instances of a student being tardy may not be accumulated to count as an absence.
- Responses to student tardiness should be appropriate and logical. A student should never be suspended due to being tardy.

I. Early Dismissal

MMBDA will not recognize early dismissal of students unless that dismissal is related to an excused absence. Parents must notify the school when requesting an early dismissal.

J. Pre-K Students

Pre-K students are subject to the same requirements regarding excused and unexcused absences. Schools are expected to implement school-based attendance interventions as follows:

1 day of unexcused cumulative absences	Contact parent on the same day and each time a student has the equivalent of one day of unexcused absence, with daily follow-ups as necessary.
3 days of unexcused cumulative absences	Send 3-day Unexcused Absence Letter to parent.
5 days of unexcused cumulative absences	Send 5-day Unexcused Absence Letter to parent and refer student to Student Support Team (SST) for an attendance intervention conference to be held within five days of the referral. (Applicable to five unexcused absences within one term.) The SST will develop an action plan in partnership with the student and the student's parent. In addition to the SST, a referral should be made to the ECE Family Services Team (FST).

Because pre-K students are not of compulsory age, they are not subject to truancy consequences. No pre-K student may be un-enrolled due to unexcused absences unless the student has accumulated 20 or more full-school-day consecutive unexcused absences and the school has documented all instances of family outreach, and offers of support services. No student may be unenrolled due to late arrival to school.

Student Make-Up Work

When classroom work is missed, each student must make up the work and complete all assignments necessary to fulfill and complete all class requirements and receive a passing grade.

Inclement Weather

During the winter months, **please tune into WTOP, radio, Channel 4, 5, 7, and 9 television stations to receive snow-related school closing information.**

You may also view our website (News and Information page) for up-to-date school closing information: The school's website is: www.mmbethune.org .

Staff Development Days

Several days during the school year are designated as Staff Development Days. On these days, school is either early dismissal or school is not in session. These days will be listed on the School Calendar. Parents will be reminded of these dates in advance so that appropriate daycare arrangements can be made.

Staff and teachers use Staff Development Days to attend workshops, visit other schools, and participate in other professional activities which are important in furthering their understanding of high quality teaching and learning..

CHILD FIND POLICY

Mary McLeod Bethune Day Academy PCS seeks to assist the State to ensure that all children within the District of Columbia are identified, located and evaluated who are school-age 5 through the school year in which they turn 20 and who are in need of special education and supportive assistance - - including homeless children, state wards, state agency clients, students who have been suspended or expelled, children attending private schools receiving home instruction, children incarcerated in county jails, children who have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused homelessness, and children who are suspected of being disabled and in need of special education and supportive assistance even though they are advancing from grade to grade.

Mary McLeod Bethune Day Academy PCS *Child Find* responsibility shall be accomplished through a school-wide process, which, while not a definitive or final judgment of a student's capabilities or disability, is a possible indicator of special education needs. Final identification of students with disabilities and programming for such students occurs only after an appropriate evaluation and a determination by the IEP Team.

The *Child Find* process includes obtaining data on each child through multiple measures, direct assessment, and parent information regarding the child's academic and functional performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing and cognitive skills. Mary McLeod Bethune Day Academy PCS may schedule *Child Find* activities during its annual prekindergarten – grade 8 enrollment to assist in planning for necessary special education and related service at the start of the school year. If screening occurs in the spring prior to school entry, Mary McLeod Bethune Day Academy PCS will refer the child to the Special Education department of Mary McLeod Bethune Day Academy PCS and/or the DC Child Find office.

If the *Child Find* process indicates that a student may require special education and supportive services in order to benefit from regular education, the student shall be referred to the IEP Team to determine the student's eligibility for special education services. School staff, parents, or agency representatives or other individuals with knowledge of the child may refer children to the IEP team if they believe that the student, because of a disability, may be in need of special education and supportive services in order to benefit from regular education.

CHILD ABUSE REPORTING

Every child has the basic human right to be safe. Abuse and neglect threaten a child's safety, placing him/her at risk of physical and emotional injuries and even death.

Under the D.C. Code, §4-1321.2, teachers are legally obligated to report any sign of child abuse. The school will report any signs of child abuse to the authorities.

Types of Child Abuse

Physical Abuse

A physical injury inflicted by other than accidental means on a child by another person, and the failure of a parent or guardian to protect the child. This may also include unexplained Injuries and the parent's refuses to take the child to a doctor

Neglect

The child is without parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental, or emotional health and the deprivation is due to lack of financial means.

Sexual Abuse

The child has had any inappropriate sexual contact. This includes rape, incest, or any other signs of sexual inappropriateness.

Parental/Caregiver Abuse

The parent or caregiver cannot or will not provide meet the child's basic needs and provide a safe environment for the child. The caregiver is also unable to provide the ongoing emotional support necessary for the health and well-being of the child.

Title IX of the Educational Amendments of 1972 is the landmark legislation that bans sex discrimination in schools, whether it be in academics or athletics. Title IX states:

"No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal aid."

Nondiscrimination Statement

The Mary McLeod Bethune Day Academy PCS (MMBDA) is committed to ensuring equal, fair, and meaningful access to employment and educational services. Mary McLeod Bethune Day Academy PCS does not discriminate in any employment practice, educational program, or educational activity on the basis and/or association with a person or group with one or more of these actual or perceived characteristics of age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, marital status, medical condition, national origin, political affiliation, pregnancy, and related conditions, race, religion, retaliation, sex (including sexual harassment), sexual orientation, Vietnam Era Veterans' status, or any other basis prohibited by California state and federal nondiscrimination laws respectively. Not all bases of discrimination shall apply to both educational services and employment. The Office of Equal Opportunity is charged with overseeing, leading, and directing the MMBDA's efforts to meet the legal obligations set forth in state and federal civil rights laws and regulations in MMBDA employment and delivery of educational services. Inquiries regarding nondiscrimination and civil rights should be directed to Title IX Coordinators of the Mary McLeod Bethune Day Academy PCS.

Notice of Student Nondiscrimination/Notice of Nondiscrimination

is committed to making schools free from unlawful discrimination and providing equal opportunities for all individuals in education. The MMBDA prohibits discriminatory practices whose purpose or effect has a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment. The MMBDA promotes programs that ensure that discriminatory practices are eliminated in all MMBDA activities. Any student who engages in discrimination of another student or anyone from the MMBDA may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in discrimination may be subject to disciplinary action up to and including dismissal. Any student or parent/guardian who believes that discrimination has occurred should immediately contact the principal for resolution at the site.

Student Sexual Harassment Policy

MMBDA is committed to making the school free from sexual harassment. This means that the MMBDA prohibits harassment made by someone from or in the educational setting. Sexual harassment can be such actions as unwelcome sexual advances; requests for sexual favors; or verbal, visual, or physical conduct of a sexual nature made by someone from or in the educational setting. MMBDA prohibits conduct that has the purpose or effect of having a negative impact on the student's academic performance, or of creating

an intimidating, hostile, or offensive educational environment. MMBDA further prohibits sexual harassment in which a student's grades, benefits, services, honors, program or activities are dependent on submission to such conduct.

How to File a Discrimination, Bullying or Harassment Complaint

The MMBDA believes discrimination, harassment, and bullying issues may be resolved at the school site. As such, students, parents/guardians should report any act of discrimination, harassment, or bullying by a student, staff member or third party to the site principal. Once a complaint is made to the principal, the following actions will occur:

- The responsible school official will conduct a prompt, thorough and impartial investigation into the complaint, and acknowledge receipt of the complaint within 10 working days and attempt to resolve the matter informally with the complainant.
- When sexual harassment is reported, interim steps will be taken to stop harassment and protect the victim from further harassment pending outcome of the complaint.
- At any time during the complaint process students, parent/guardian, and/or staff member may contact the Title IX Coordinator to file a complaint directly with the MMBDA. A student, parent, or staff member is not required to attempt resolution before contacting the MMBDA Title IX Coordinator.

Filing a Uniform Complaint. At any time during the informal resolution process, students or parent/guardians may file a Uniform Complaint Form that can be obtained from the school site and/or MMBDA Office divisions – Instructional Support Services or Personnel Support Services. The Uniform Complaint should be filed with the school executive director or Board President depending on the nature of the complaint:

Executive Director

Linda McKay
l.mckay@mmbethune.org
202-459-4710

MMBDA Board President

Valerie Smith
v.smith@mmbethune.org

Investigation. Mary McLeod Bethune Day Academy PCS will immediately undertake an effective, thorough, and objective investigation of the allegations and provide a written summary that shall serve as a closeout letter to the original complaint. The report will include a summary of the facts, a decision on the complaint, reason for the decision and corrective actions that have or will be taken, including remedies for the victim. The complainant has the right to present witnesses and evidence as well throughout this process.

Action. If the MMBDA determines that its policies prohibiting discrimination, harassment, or bullying has been violated, disciplinary action, up to and including expulsion and/or dismissal will be taken. Remedies will also be provided to the victim and remedial action(s) will be required of the school site.

Remedial actions will be taken that are designed to end the harassment, prevent its

recurrence, and address its effects on the harassed student.

Follow up with the student and/or staff member will occur to ensure the harassment has stopped and that there is no retaliation.

The MMBDA prohibits retaliation against any participant in the complaint process including witnesses. A separate Uniform Complaint may be filed if retaliation occurs against any individual involved in the processing of discrimination, harassment, or bullying complaint. Each complaint shall be investigated promptly and in a way that respects the privacy of all parties concerned.

Student/Parent Complaints & Inquiries Contact

A student and/or parent who has a complaint of discrimination and/or sexual harassment should first contact the principal for resolution at the school site. If the complaint cannot be resolved, the designated individual at the Mary McLeod Bethune Day Academy PCS for student/parent complaints and inquiries regarding Title IX is:

Mary Bunn

Title IX Coordinator

Mary McLeod Bethune Day Academy PCS

1404 Jackson St., N.E.

Washington, DC 20017

(202) 459-4710

Staff Complaints & Inquiries Contact

A school staff member who has a complaint of discrimination and/or sexual harassment should first contact the principal for resolution at the school site. If the complaint cannot be resolved, the designated individual at the Mary McLeod Bethune Day Academy PCS for complaints and inquiries regarding Title IX is:

Mary Bunn

Title IX Coordinator

1404 Jackson St., N.E.

Washington, DC 20017

(202) 459-4710

TECHNOLOGY

Internet User Regulations

Acceptable Use (Internet Safety) Policy, Access to Information Policy Statement:

Mary McLeod Bethune Day Academy Public Charter School Public Charter School (MMBAPCS) provides computers and internet for students, faculty, staff and others in

SECTION 6. - OPEN MEETINGS

6.1 The Board shall conduct its meetings in an open and public manner and shall abide by the provisions of Washington, DC Revised Statutes. The Board may hold Executive sessions as provided for in Washington, DC Revised Statutes from time to time. Regular scheduled board meetings will be held on a quarterly basis. Meetings will be open to the public and will be announced on the school's webpage at least two weeks prior to the date of the meeting.

**MARY MCLEOD BETHUNE DAY ACADEMY
PUBLIC CHARTER SCHOOL**

**FERPA POLICY DISCLOSURE OF STUDENT RECORDS UNDER THE FAMILY
EDUCATIONAL RIGHTS PRIVACY ACT (FERPA)**

Purpose: To clarify the restrictions on disclosure of students' education records under the Family Educational Rights Privacy Act ("FERPA") for Mary McLeod Bethune Day Academy Public Charter School ("School") and its employees.

Policy: The School may not release personally identifiable information contained within student education records to a third party unless such release is expressly permitted under FERPA. A student's education records under FERPA include all records directly related to the student and which are maintained by a School. Records covered by FERPA therefore include, but are not limited to: grades, report cards, transcripts, attendance information, academic appeals, and records of any disciplinary proceedings. This list is not exhaustive and is provided only as an example of the wide range of information considered to be an "education record" under FERPA.

Contact Person: For any FERPA related questions or concerns, please contact Ms. Tonette Cooks, Data Manager, at 202-506-3620 or t.cooks@mmbethune.org

Definitions:

Eligible Student: A student 18 years of age or over.

Procedures:

Disclosure

The School will protect the privacy of all student education records and will not disclose personally identifiable information within student education records to anyone other than the Parent or Eligible Student unless (1) the Parent or Eligible Student has provided prior written consent to such disclosure using the attached "Consent to Disclose Student Education Records" form (Exhibit A); (2) the information to be disclosed has been classified as "directory information" in Schools' annual FERPA notification (described further below); or (3) the disclosure is permitted under one or more FERPA exceptions, some of which are presented below, but must be specifically determined to apply in a particular circumstance by the Board before the disclosure occurs.

The legal guardian of a student includes any individual or entity acting as a parent in the absence of a parent or guardian, including, but not limited to, any governmental agency or third party who is granted custody, care and control of a child or granted legal custody pursuant to a court order.

Parent or Eligible Student unless (1) the Parent or Eligible Student has provided prior written consent to such disclosure using the attached "Consent to Disclose Student Education Records"

form; (2) the information to be disclosed has been classified as “directory information” in the School’s annual FERPA notification (described further below); or (3) the disclosure is permitted under one or more FERPA exceptions, some of which are presented below, but must be specifically determined to apply in a particular circumstance by the School’s administration before the disclosure occurs.

Consent to Disclose Student Education Records Form (“Consent Form”)

Unless the requested records are not covered by FERPA, have been classified “directory information” in the annual FERPA notification, or another exception applies, a Parent, or Eligible Student must provide advance written permission to release the student’s education records to an outside third-party. The Parent’s or Eligible Student’s permission must be given through completion of the attached Consent Form. No information may be released beyond the scope of the permission as indicated in the form.

Once completed, the signed Consent Form will be kept in the School’s office. Parents or Eligible Students may revise their consent at any time during the year by completing a new form. No form shall be effective for more than one academic year.

Directory Information

Allowable Information

The School may disclose student information that has been classified as “directory information” in its annual FERPA notification. Directory information refers to information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, the following student information:

1. Student name
2. Address and telephone number
3. E-mail address
4. Photograph
5. Date and place of birth
6. Grade level
7. Dates of attendance
8. Participation in officially recognized activities and sports
9. Weight and height of members of athletic teams
10. Degrees, honors, and awards received

Directory information cannot include a student’s Social Security number. A student’s ID number or user ID can be considered directory information, but only if that identifier cannot be used to gain access to the student’s education records without utilizing a password or personal identification number.

Annual FERPA Disclosure Regarding Directory Information and Opt Out Option

In order for the School to disclose directory information, it must first provide public notice in an annual FERPA notification to Parents and Eligible Students of the following:

1. The types of personally identifiable information that is designated as directory information;
2. A Parent's or Eligible Student's right to refuse the designation of any or all of those types of information about the student as directory information; and
3. The period of time within which a Parent or Eligible Student has to notify the School in writing that he or she does not want any or all of those types of information about the student designated as directory information.

The required annual FERPA notification can be provided within other informational documents sent by the School or as separate School correspondence.

Exceptions

Allowable Disclosures

There are several exceptions that permit the release of student education records under FERPA. The following are some common examples of parties who can receive disclosures without the student's written consent in a manner that does not violate FERPA:

1. A contractor, consultant, volunteer to whom the School has outsourced institutional services or functions, if the party is under the direct control of the School and has met the Third-Party Requirements described below.
2. Other schools, school districts or institutions of postsecondary education in which the student is seeking to enroll or to transfer credits.
3. Authorized representatives of the DC Public Charter School Board (PCSB), the District of Columbia Office of the State Superintendent of Education ("OSSE"), U.S. Department of Education ("DOE"), the U.S. Attorney General ("AG"), or the U.S. Comptroller General ("USCG") for audit, evaluation, or compliance activity with respect to Federal or state education programs.
4. Organizations conducting studies for, or on behalf of, the Board, a School, or another governmental entity provided such organization has met the Third-Party Requirements described below.
5. Schools' accrediting agencies.
6. To appropriate parties, if necessary to protect the health or safety of a student or other individuals.
7. To comply with a judicial order or lawfully issued subpoena.

Responses to requests for student records can be made to the third-parties identified above. School staff must notify the PCSB FERPA Contact prior to the release of these records, provided that such notification is feasible. Schools must within 15 days of such release provide the PCSB with a brief description of such release via upload to AOIS.

Recordkeeping Requirements

A record of any disclosure must be made in students' education records, which describes: (1) the party or parties who received the students' records; and (2) the legitimate interests of the party or parties had in requesting and obtaining the information. In the event that the disclosure is to an authorized representative of the PCSB, School, OSSE, the DOE, AG, or USCG, the record of the disclosure may be made by class, school, or other appropriate grouping. (For example, if OSSE requested all student records from the School, a record could be made indicating that the entire School's student records were provided, rather than placing a record in each student's file.)

Notification Requirements

If the School receives a judicial order or lawfully issued subpoena, there are certain notification requirements it must make before disclosing the students' records. The Parent or Eligible Student must be notified of the order or subpoena in order to give an opportunity to seek protective action. Before disclosing student education records pursuant to a judicial order or lawfully issued subpoena, please consult with School counsel.

Third-Party Requirements

If the School discloses student records that contain personally identifiable information to an authorized representative, such as a contractor, consultant or research organization, a written agreement must be entered into. The agreement must specify the following:

1. The designated official or entity that constitutes an authorized representative;
2. The type of student records to be disclosed to the authorized representative;
3. The purpose for which the student records are being disclosed;
4. A requirement that the authorized representative must destroy any personally identifiable information when it is no longer needed for the purpose specified, and a time period in which the information will be destroyed; and
5. Policies and procedures to protect personally identifiable information within the students' records from re-disclosure and unauthorized use by the authorized representative.

If charter school staff are contacted by a party purporting to be an authorized representative of the PCSB, OSSE, the DOE, AG, or USCG requesting student records, or purporting to be a representative of an organization conducting a study or studies for, or on behalf of one of these entities, they must notify the PCSB FERPA Contact prior to the release of student records.

Health and Safety Emergencies

The School may disclose student education records that contain personally identifiable information to appropriate parties, including parents of a student, in connection with an emergency, if necessary to protect the health or safety of students or other individuals. In disclosing student records, a determination must be made that there is a clear and significant threat to individuals' health or safety. If a disclosure is made due to a health or safety emergency,

the School must record a description of the significant threat to students or other individuals that formed the basis for the disclosure, and the parties who received the information.

Other FERPA Requirements:

Right to Request Inspection of Student Records

Every Parent or Eligible Student must be allowed to personally inspect copies of his or her records upon request. The School must therefore either provide copies of student records to Parents and Eligible Students upon request, or make arrangements to allow for inspection of requested records within 45 days of when the request was received.

A reasonable fee for copies of student records may be charged, but not if imposition of a fee will prevent the Parent or Eligible Student from receiving copies of the records. No fee may be charged solely in order to search for or retrieve a student's education records.

Right to Request Amendments to Records and Hearings

If a Parent or Eligible Student believes that the education records maintained by the School relating to the student contains information that is inaccurate or misleading, he or she may ask for the records to be amended, in writing. If, based on that written statement, the School decides not to amend the records as requested it must inform the Parent or Eligible Student of its decision and the right to a hearing. The hearing may be conducted by any School staff who was not involved in the initial decision not to accept the Parent's or Eligible Student's request to amend the relevant records.

In the event of a hearing, if the School staff who conducted the hearing decides that the information in question is inaccurate or misleading, it must direct relevant staff to amend the records accordingly and inform the Parent or Eligible Student of the amendment in writing. If, on the other hand, School staff decides that the information is not inaccurate or misleading, it must provide its decision in writing and inform the Parent or Eligible Student of the right to place a statement in the records commenting on the contested information. School staff's decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Reasonable Protection of Student Information

School will take all reasonable measures to limit access to student information. Physical student records shall be kept in a locked room and filed in a locked drawer. Information stored electronically shall be password protected either locally on a computer or in School's Student Information System. Access to student records will be granted only to designated employees.