



## Guidance (Discipline) Policy

### *General Guidelines and guidance/discipline policies for Working with Children*

We use positive discipline techniques at Cedar Tree Academy. These techniques are based on the premise that even problem behaviors are spurred by a positive impulse—all behaviors are attempts, if occasionally misguided, to solve what children see as problems.

### *Positive Discipline Principles*

The positive discipline method used at Cedar Tree Academy PCS encourages children to become increasingly self-regulated. We believe in creating dialogue with children and teaching them how to become problem solvers. Children should be encouraged to come up with their own positive solutions, rather than to rely on adults to solve their problems for them. For example, if two children are fighting over a toy, the adult should ask them how they would like to resolve the conflict, rather than simply giving the toy to one party. Of course, if children begin to act destructive, their destructive behaviors must be stopped so that all children feel safe.

In situations requiring discipline, we distinguish between behaviors and the children themselves. For example, if a child is climbing the fence, we say “Fences are not for climbing,” or “It is not acceptable to climb the fence.” **We avoid blaming a child for an action.** Rather, limits are set in a neutral fashion. In general, children feel more comfortable when limits are clear (some children will contest limits to get attention; we attempt to redirect such behavior rather than engaging in a power struggle). It is also important to remember that feelings are valid to the individual having them. We encourage children to express their feelings in words, listen to them, and acknowledge their feelings. All children’s behaviors, however misdirected, are an attempt to solve a problem in the children’s eyes.

**Do not be surprised if children try out new behaviors at school that they have never before displayed at home.** Children can be intimidated by a group setting or become excited about mimicking behaviors they see in peers. It is important that we create a positive atmosphere in the classroom and on the playground at all times, encouraging helpful and cooperative behavior and discouraging destructive or competitive behavior. Adults need to model positive attitudes for the kids, to obey school rules and state regulations, and to act in a manner that they’d like the children to copy. Helpful behaviors that the children display should be praised. Negative behaviors should be ignored if they are not destructive, so that they are not seen as ways to get attention; if the negative behaviors are destructive, children should be redirected to other behaviors or activities.

Our goal is to create a caring community, both for the children and among the teachers and parents who work with them. Discipline is not only the desire to regulate child behavior, but also to help shepherd children into an ability to live with others peacefully and productively.

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Learning to behave for the good of the group is hard for young children. It needs to be taught like any other skill, and to be modeled by adults at all times.

Corporal punishment is never used at Cedar Tree Academy. Staff members using corporal punishment will face immediately disciplinary action. Parents using corporal punishment at school will be reported to Child and Family Services Agency and may be forced to withdraw from the school. Yelling, humiliation, and intimidation of children are also never appropriate at Cedar Tree Academy PCS.

### ***Green, Yellow and Red Light Behaviors***

Cedar Tree identifies behaviors using the concept of green, yellow and red-light behaviors. With very young children, choosing battles is vital and can sometimes be even more important than consistency (having the same rules all the time). Consistency becomes more important as children enter the elementary years and become interested in rules as a principle (this is one reason why preschool and elementary discipline often looks different).

Green light behaviors do not cause harm to the child or others. An example of a green light behavior might be a child taking off his/her shoes. If the weather is warm and you are not about to go to the park, it's probably okay.

Yellow light behaviors alert adults that something might go wrong but are not yet dangerous or violating rules. If a child approaches another child who has a toy, the adult might watch to see what happens, rather than intervene too quickly. It is important to let children solve problems on their own if they can. On the other hand, it is important to be alert to situations that may become problematic, since many such situations can be prevented if intercepted early.

Red light behaviors are dangerous or violates firm rules. An adult needs to step in immediately. If a child is about to hit another with a shovel, the adult must intervene and grab the shovel. Then, when the danger has passed, the adult can speak with the children about why this behavior was occurring. In the older grades at Cedar Tree Academy, scheduled time-outs can result from red light behaviors. This is developmentally appropriate, as children become increasingly rule-governed over time.

It is essential that in disciplinary situations, that all parties focus on the goal of helping every child to succeed and get along with others. Children try out a variety of behaviors as they grow and change, and they are by nature experimental and egocentric. Our job is to help them learn to explore their worlds within reasonable limits, and without hurting others, while maintaining a positive sense of self-worth. This is no easy task—it is assumed that all children will have ups and downs, and that our community will be here to help all children succeed.

Children cannot become self-disciplined unless adults teach them right from wrong. At Cedar Tree Academy, children will be taught the expectations for correct behavior and encouraged to

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live and act accordingly. When children know something is wrong, and choose to do it anyway, consequences will follow to communicate that the behavior is not acceptable and will not be tolerated in our school. The following chart will be used as a guide to help children self-regulate.

**Behavior/Consequence Chart**

<b>Behavior</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>
Fighting	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Bullying	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Physical Contact (harmful)	Time Out/Parent Phone call	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Vandalism/Property Damage	Time Out/Parent Call	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Inappropriate Language	Time out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Stealing/Theft	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Classroom Disruption	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Disrespecting Staff	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Lying	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting
Teasing/Taunting	Time Out	Counselor student/family meeting	Principal, Counselor/student family meeting	Referral for an RTI meeting

After a student has exceeded the number of infractions listed in the chart above, the school will explore other options, including suspension and/or expulsion, while staying in compliance with

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all state and federal regulations regarding suspension/expulsion. This will only be used after all other options have been exhausted.

\*Each infraction is explained for your reference below\*

**Fighting-** the exchange of punches between 2 or more people. All students that participate in a fight, both the aggressor and defender will receive a consequence.

**Bullying-** a form of aggressive behavior manifested by the use of force or coercion to affect others, particularly when the behavior is habitual and involves an imbalance of power. It can include verbal harassment, physical assault or coercion and may be directed repeatedly towards particular victims, perhaps on grounds of race, religion, gender, sexuality, or ability. Physical, emotional, and verbal bullying will yield the same consequences.

**Physical contact** - includes horseplay, wrestling, and pushing. Physical contact is the use of hands or feet in contact with another student or adult. Physical contact with malicious intent includes slapping, punching, kicking, pushing, or use of objects to hurt or harm someone.

**Vandalism/property damage-** writing on school items or property belonging to someone else or intentional destruction or attempt to destroy school property; including bulletin boards, walls, desks, chairs, books, lockers, bathroom stalls, etc.

**Inappropriate language-** any words, phrases or gestures that are deemed obscene or profane.

**Stealing-** Intentional taking of objects/property of value that belongs to someone else (value will be determined at administrator's discretion).

**Classroom disruption-** significant and repeated interruption of classroom instruction that prevents teacher from teaching and other students from learning.

**Disrespecting staff-** repeated and significant defiance or language used against staff member.

**Lying-** repeated non-truth told to an adult in an attempt to avoid a task or prevent consequences.

**Teasing/Taunting-** to irritate or provoke with persistent petty distractions, trifling raillery, or other annoyance, insulting or jeering.

### **Bullying Policy**

*Refer to the Appendix B.*

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## Special Education Discipline Procedures

**Authority of School Personnel.** Cedar Tree Academy personnel consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the discipline procedures of the Individuals with Disabilities Education Act, is appropriate for a child with a disability who violates a code of school conduct.

School personnel are authorized to remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate interim alternative educational setting (IEAS), another setting, or suspension for not more than ten consecutive school days (to the extent those alternatives are applied to children without disabilities) consistent with state requirements relating to the suspension of pupils.

A child with a disability may not be suspended for more than ten consecutive school days and a total of 15 school days in one school year.

School personnel are authorized to remove a child with a disability for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

If a child with a disability has been removed from his or her placement for 10 school days or less, Cedar Tree Academy provides services to the child if Cedar Tree Academy also provides services to children without disabilities who have been similarly removed.

For purposes of removals of a child with a disability from the child's current educational placement, a change of placement occurs if the removal is for more than ten consecutive school days or the child is subjected to a series of removals that constitute a pattern because:

- the series of removals total more than ten school days in a school year;
- the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
- such additional factors as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another.

Cedar Tree Academy determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

After a child with a disability has been removed from the current placement for ten school days in the same school year during any subsequent days of removal Cedar Tree Academy provides services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

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If the current removal is for not more than 10 consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the child's teachers, determine the appropriate services.

Cedar Tree Academy applies the relevant disciplinary procedures for children without disabilities to a child with a disability only if, as a result of the manifestation determination review, Cedar Tree Academy determines the behavior of the child was not a manifestation of the child's disability. Cedar Tree Academy applies the relevant disciplinary procedures in the same manner in which they would be applied to children without disabilities.

A child with a disability whose behavior is determined not to be a manifestation of the child's disability continues to be provided education services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Placement in Interim Alternative Educational Settings. School personnel are authorized to remove a child with a disability to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if:

- the child carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the state or a local educational agency;
- the child knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the state or a local educational agency; or
- the child has inflicted serious bodily injury upon another person while at school, on school premises, or at an Academy function under the jurisdiction of the state or a local educational agency.

The IEP team determines the interim alternative educational setting and the appropriate services to be provided. A child placed in an interim alternative educational setting:

- continues to receive educational services to enable the child to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
- if the behavior is not a manifestation of the child's disability, receives, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur;
- if the behavior is a manifestation of the child's disability, the child receives either:
  - a functional behavior assessment, unless Cedar Tree Academy had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implemented a behavioral intervention plan, or

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- if a behavioral intervention plan already has been developed, reviews the behavioral intervention plan, and modifies it, as necessary, to address the behavior.

On the date on which the decision is made to place the child in an interim alternative educational setting or to make a removal that constitutes a change of placement for violating a code of conduct, Cedar Tree Academy notifies the parents of that decision and provides the parents a procedural safeguards notice.

When Cedar Tree Academy determines that maintaining the current placement of a child with a disability is substantially likely to result in injury to the child or others, the agency may request an expedited due process hearing to change the child's placement to an appropriate interim alternative educational setting for not more than 45 school days. The request for a due process hearing may be repeated if Cedar Tree Academy believes that returning the child to the original placement is substantially likely to result in injury to the child or others.

### **Manifestation Determination Reviews**

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, Cedar Tree Academy, the parent, and relevant members of the child's IEP team (as determined by the parent and Cedar Tree Academy):

- review all relevant information in the student's file, including the child's IEP;
- any teacher observations; and
- any relevant information provided by the parents.

The conduct is determined to be a manifestation of the child's disability if Cedar Tree Academy, the parent, and relevant members of the child's IEP team determine that either:

- the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- the conduct in question was the direct result of Cedar Tree Academy's failure to implement the IEP.

If Cedar Tree Academy, the parent, and relevant members of the child's IEP team determine the conduct in question was the direct result of Cedar Tree Academy's failure to implement the IEP, Cedar Tree Academy takes immediate steps to remedy those deficiencies.

If the conduct was a manifestation of the child's disability, the IEP team returns the child to the placement from which the child was removed, unless the child has been placed in an interim alternative educational setting, or the parent and Cedar Tree Academy agree to a change of placement as part of the modification of the behavioral intervention plan, and either:

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- conducts a functional behavioral assessment, unless Cedar Tree Academy had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implements a behavioral intervention plan for the child; or
- if a behavioral intervention plan already has been developed, the IEP team reviews the behavioral intervention plan, and modifies it, as necessary, to address the behavior.

If the conduct was not a manifestation of the child's disability, the child receives, as appropriate:

- a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur; and
- educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

### ***Discipline Appeals Process***

A written appeal may be filed by a parent or student or legal representative on behalf of any student receiving a suspension or expulsion for any reason. An appeal shall be submitted to the principal of the school within ten (10) business days after receipt of the suspension or expulsion.

Upon receipt of an appeal, the principal shall appoint an Appeals Panel and shall forward all written appeal requests to the panel chairperson within three (3) business days.

- I. The Appeals Panel referenced above shall consist of not less than three (3) members to be selected from the following:
  - a. The principal's designee, who shall be the panel chairperson;
  - b. A school counselor;
  - c. A department chairperson;
  - d. A teacher, other than the one involved;
  - e. An attendance staff person;
  - f. A student body representative; or
  - g. A parent organization representative.
- II. Appropriate substitutions in the Appeals Panel described above may be made, when necessary; provided that a student body representative shall be on each Appeal Panel.
- III. The Appeals Panel shall hold a hearing within ten (10) calendar days after its appointment by the principal.
- IV. The student, parent, guardian or duly authorized representative shall appear at the hearing. One of these individuals shall be given the opportunity to present the student's case and

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upon request, to question the involved teacher and to be duly informed of the panel's recommendations.

- V. Each appeals panelist, including the chair, shall have an equal vote.
- VI. In the case of a tie vote, the Appeals Panel shall recommend that the initial grade be upheld.
- VII. The Appeals Panel's recommendation shall be forwarded immediately to the principal who shall issue the Panel's decision within ten (10) calendar days after the hearing.
- VIII. When an appeal is filed, the Student Hearing Office shall convene a hearing before an independent hearing officer who shall issue the final administrative decision in the matter.
- IX. The following procedural guidelines shall apply to hearings convened as described above:
  - a. The burden to show why the grade(s) in question should be changed shall be on the student or his or her parent or guardian;
  - b. Strict rules of evidence shall not apply;
  - c. Testimony or evidence shall be heard from both parties; and
  - d. A written determination shall be issued within five (5) business days of the hearing.

### **Placement During Appeals**

The parent of a child with a disability who disagrees with any decision regarding a disciplinary change in placement or a manifestation determination, or Cedar Tree Academy believes that maintaining the current placement is substantially likely to result in injury to the child or others may appeal the decision by requesting a hearing. During such appeal, the child will remain in the placement to which the child was removed pending the decision of the hearing officer or until the expiration of the disciplinary placement, whichever occurs first. The parent and Cedar Tree Academy may agree to a different placement during the appeal.

Unless Cedar Tree Academy and the parents agree in writing to waive the resolution meeting or agree to use the mediation process, Cedar Tree Academy conducts a resolution meeting within seven days of receiving notice of the parent's due process complaint.

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## Guidance (Discipline) Policy

During the early childhood years, children are learning to be responsible for their own behavior. We believe in establishing consistent, easy-to-understand limits and in having teachers who respond to inappropriate behavior with insight, sensitivity, and skill. When clear, consistent and age-appropriate limits are present; children increasingly become responsible for themselves. When out-of-bounds behaviors do occur, we believe it is important for children to understand why the behavior is inappropriate and how to modify it.

We work to prevent behavior problems by arranging each classroom so that children work in small groups and have a choice of activities. The range of activities will give your child the freedom and ability to experience success and become self-directed. Teachers are also trained to skillfully direct behavior along appropriate channels. Children are encouraged to verbalize their feelings to learn to positively work through strong emotions. Teachers act as role models and encourage children's appropriate behaviors. **Under no circumstances is corporal punishment permitted. Discipline will not be associated with food, rest or toileting.**

We believe that it is our responsibility to provide children with positive guidance and in our experience, most children will respond well to our approach. In the event that a child does not respond, we will notify the parents and work closely with them to develop a plan to help the child gain self-control and a positive attitude toward their peers and teachers.

When a pattern of behavior persist that endangers self, others or property, or significantly disrupts the program, we will work with the child's family to find solutions, up to and including referral for additional services or a more educationally appropriate setting.

**Your signature below indicates that you have read and understand the above Child Guidance (Discipline) Policy.**

Child's Name: \_\_\_\_\_

Grade: \_\_\_\_\_

Parent/Guardian's Name (Please Print): \_\_\_\_\_

Parent's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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## ATTENDANCE POLICY

Research studies in education show that school attendance is a major factor affecting student achievement, as chronic absenteeism is a proven, early warning sign of academic risk and school dropout, according to Attendance Works and Child & Family Policy Center. Parents, guardians, and students must adhere to the attendance policy and procedures below and should refer to the school calendar, when scheduling appointments and vacations.

Students enrolled are considered lawfully absent (**Excused Absence/Excused Tardy**) from school, including absence for any portion of the day, unless under the following conditions:

- a) Illness or injury of the child or the child's family member which requires hospitalization or bed rest.
- b) Physician or dental appointment.
- c) Infectious disease or parasitic infestation.
- d) Funeral service, memorial service, or bereavement upon the death of the child's family member.
- e) Life-threatening illness or injury of the child's family member.
- f) Compliance with a court order (e.g. visitation, subpoena).
- g) Special educator or related services as defined in 10 U.S.C. 1401 (2004) for the child's disability.
- h) Observance of a religious holiday or service, because the child's or parent's religion forbids secular activity on the instructional day.
- i) Extraordinary circumstances beyond the control of the child's parent.

A note that explains the reason for the child's absence must be sent following each absence (-no later than 5 days after the absence, see attached attendance letter/Appendix B). Parents and/or guardians will receive daily messages when students are absent and tardy via School Messenger. Teachers and Student Support Staff will also contact families when students are experiencing excessive tardies, early dismissals and unexcused absences. If a student arrives after 8:30am, they are considered unexcused tardy.

## UNEXCUSED ABSENCES

- Three (3) or more unexcused absences and/or unexcused tardies will result with a phone call and letter home.
- Three (3) *consecutive* unexcused absences will result with a phone call to parent, guardian and/or emergency contact. If parent, guardian and/or emergency contact cannot be reached, Cedar Tree Academy will contact

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Metropolitan Police Department to have them complete a safety/wellness check to ensure student's safety.

- Five (5) unexcused absences and/or unexcused tardies will result with a phone call, letter and **mandatory** attendance conference with the attendance monitor.
- Seven (7) unexcused absences and/or unexcused tardies will result with a phone call and additional letter. Executive director will be notified of absences.
- Ten (10) unexcused absences will result with a letter, **mandatory** attendance conference and Educational Neglect Report submitted to the District of Columbia's Child & Family Service Agency (after the second day of the 10<sup>th</sup> unexcused absence).
- Twenty (20) consecutive unexcused absences will result in dismissal from Cedar Tree Academy.

***Note: Trips and vacations will be coded as unexcused absences.***

## **ATTENDANCE APPEAL PROCESS**

A written appeal may be filed by a parent on behalf of any student receiving a reduced or a failing grade(s) due to unexcused absences. An appeal shall be submitted to the principal of the school within ten (10) business days after receipt of the failing grade(s).

Upon receipt of an appeal, the principal shall appoint an Appeals Panel and shall forward all written appeal requests to the panel chairperson within three (3) business days.

- I. The Appeals Panel referenced above shall consist of not less than three (3) members to be selected from the following:
  - (a) The principal's designee, who shall be the panel chairperson;
  - (b) A school counselor;
  - (c) A department chairperson;
  - (d) A teacher, other than the one involved;
  - (e) An attendance staff person;

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(f) A parent organization representative.

- II. Appropriate substitutions in the Appeals Panel described above may be made, when necessary.
- III. The Appeals Panel shall hold a hearing within ten (10) calendar days after its appointment by the principal.
- IV. The parent, guardian or duly authorized representative shall appear at the hearing. One of these individuals shall be given the opportunity to present the student's case and upon request, to question the involved teacher and to be duly informed of the panel's recommendations.
- V. Each appeals panelist, including the chair, shall have an equal vote.
- VI. In the case of a tie vote, the Appeals Panel shall recommend that the initial grade be upheld.
- VII. The Appeals Panel's recommendation shall be forwarded immediately to the principal who shall issue the Panel's decision within ten (10) calendar days after the hearing.
- VIII. When an appeal is filed, the Cedar Tree Board of Directors shall convene a hearing and shall issue the final administrative decision in the matter.
- IX. The following procedural guidelines shall apply to hearings convened as described above:
  - a) The burden to show why the grade(s) in question should be changed shall be on the student's parent or guardian;
  - b) Strict rules of evidence shall not apply;
  - c) Testimony or evidence shall be heard from both parties; and
  - d) A written determination shall be issued within five (5) business days of the hearing.

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## **GRIEVANCE POLICY AND PROCEDURES**

The procedures presented here are an attempt to provide mechanisms by which alleged violations of rights, rules or policies in the operation of and the services provided by Cedar Tree Academy PCS may be resolved in an orderly and timely manner.

Cedar Tree Academy PCS provides assistance through its grievance process to help the individual with a complaint to understand the various procedures and to pursue the most direct channel to be heard and seek satisfactory resolution. Complainants are encouraged to use this assistance during the informal and formal phase of problem solving.

### **1. What May Be Grieved**

The CTA grievance process should be used for the following **Categories of Grievances**:

- a. To deal with complaints and concerns pertaining to the educational environment, employment arrangements, or interpersonal conflicts;
- b. To resolve conflicts of discrimination and harassment based upon, race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

### **2. Who May Grieve**

Employees, students, parents, and visitors who believe they have been discriminated against or been the subject of harassment based on race, color, national origin, sex, age, or disability in admission or access to, or treatment in programs and activities of CTA may use the procedures as set forth below to file an informal or formal complaint.

### **3. Informal Grievance**

CTA works to resolve disputes with due diligence and understands that in many instances resolution may be obtained through proving a means of communication between the person(s) who believe that they have been discriminated against or have been a subject of harassment and the school administration. CTA encourages but does not require that any person who has a grievance speak directly with the designated CTA administrator in an effort to resolve the concern(s).

### **4. Formal Grievance**

#### **Step 1: Filing**

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A written notice must be completed and signed by the grievant and submitted to the designated CTA administrator at the particular campus within ninety (90) days of the alleged discrimination or harassment. A complaint form may be obtained from the school's main office. The written notice must identify the subject of the complaint, the time frame/date(s) of the occurrence and the resolution or relief sought. The written notice must be signed and dated.

## **Step 2: Investigation**

The designated CTA administrator will promptly conduct a thorough and impartial investigation of the complaint. The investigation will include 1) obtaining written evidence, 2) interviewing witnesses, and 3) allowing parties to present evidence. All matters relating to the investigation and/or the alleged discrimination or harassment are considered confidential and will not be disclosed to persons not involved in the investigation except as required by law.

## **Step 3: Response**

Within thirty (30) days of receiving the written notice, the designated CTA administrator will 1) respond to the grievant in writing summarizing the information obtained from the investigation, 2) determine whether the grievance is substantiated, and if so, 3) propose and appropriate resolution. If the grievance is substantiated, immediate action will be taken to resolve.

## **Step 4: Appeal**

If the grievant is not satisfied with the decision of the designated CTA administrator, he/she may appeal the decision through a signed written statement to the Executive Director (or designee) at 701 Howard Road, SE, Washington, DC 20020, 202.610.4193 (telephone) or 202.610.2845 (fax) within ten (10) days of the meeting.

A grievant who would like to appeal the findings or remedy or does not wish to utilize this process may file a complaint with the Office of Civil Rights at any time before or during the grievance procedures. The regional office for the District of Columbia is located at 400 Maryland Avenue, SW, Washington, DC 20202 and can be reached at (202) 453 -6020 (telephone) or (202) 453-6021 (fax).

If the issue cannot be resolved between the family and school-based leadership alone, please contact the following:

**Carla Bailey, Board President, Cedar Tree Academy**  
**[cbailey@cedartree-dc.org](mailto:cbailey@cedartree-dc.org)**

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### **PROHIBITION AGAINST RETALIATION**

CTA does not tolerate or permit retaliation against a grievant who *files* a complaint pursuant to this policy. Immediate action will be taken against any person found to have retaliated against a grievant that has made a complaint.

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## Complaint Form

Please complete every appropriate item and submit within ninety (90) days after the incident of alleged discrimination or harassment to:

**Cedar Tree Academy**  
**Attn: Business Office**  
**701 Howard Road SE**  
**Washington, DC 20020**  
**Phone: 202-610-4193 Fax: 202-601-2845**

A complaint must be filled within 90 (ninety) days of the event which is the subject of the complaint.

- Please **print clearly** all requested information.
- Attach additional pages and supporting documentation if necessary.
- Anonymous complaints will not be accepted.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Student Name (if complaint is being filed by a parent): \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone/Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

School/Work Location: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Supervisor's Name (for employee complaints only): \_\_\_\_\_

**1. Circle below why you believe you were discriminated against:**

- Age
- Race
- Color
- Disability
- Marital Status
- Gender/Sexual Harassment/Pregnancy
- Religion

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Retaliation\*(for complaint)  
Ethnicity/National Origin/Nationality  
None of the above

\* Retaliation is defined as adverse action taken in response to an individual's participation in a protected activity. A protected activity is opposing discriminatory action (e.g. filing a complaint, etc.) or participating in a discrimination-related proceeding.

**2. Name/Title/Location of person(s) you believe discriminated against you.**

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_

**3. Date(s) on which alleged act(s) of discrimination occurred:**

1<sup>st</sup> occurrence happened from \_\_\_\_\_ to \_\_\_\_\_

2<sup>nd</sup> occurrence happened from \_\_\_\_\_ to \_\_\_\_\_

**4. Where did it take place?**

\_\_\_\_\_

**5. Explain what happened. (Cite names and evidence, if any, and attach extra pages if needed)**

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6. If you believe you were treated differently than others, please provide the name(s) of those treated differently, what the difference in treatment was and the contact number for the individual receiving different treatment.

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7. List witness or people who can verify your allegations

Contact Name: _____	Contact Number: _____
Contact Name: _____	Contact Number: _____
Contact Name: _____	Contact Number: _____

8. If you have any records that verify or relate to your complaint, please attach them to this form.

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I attest that the information in this complaint is true and accurate to the best of my recollection. I agree to fully comply with the investigative process.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

You will be contacted by a member of our staff within five (5) business days to schedule an appointment to discuss your concerns. If you have not heard from CTA within this time frame, please call 202-610-4193.

Note: **All complaints require completion of this form. Any other form will not be accepted. Complaint forms in additional languages are available on request.**

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## **Notice of Rights for Disabled Students and Parents Under Section 504 of the Rehabilitation Act of 1973**

The Rehabilitation of 1973, commonly known as "Section 504" (§504), is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against persons with disabilities who may participate in, or receive benefits from, programs receiving federal financial assistance. In the school setting §504 applies to ensure that eligible students with disabilities are provided with educational benefits and opportunities equal to those provided to non-disabled students. You are receiving this document because you are either an adult student or the parent of a minor student who has or is suspected of having a disability under §504.

Under §504, a student is considered "disabled" if he or she suffers from a physical or mental impairment that substantially limits one or more of their major life activities, such as learning, walking, seeing, hearing, breathing, working, caring for oneself, eating, sleeping, standing, lifting, bending, speaking, reading, concentrating, thinking, communicating, and performing manual tasks. Section 504 also applies to students with a record of having a substantially limiting impairment, or who are regarded as being disabled even if they are truly not disabled. Students can be considered disabled, and can receive accommodations and/or services under §504, even if they do not qualify for, or receive, special education services.

The purpose of this Notice is to inform parents and student of the rights granted to them under §504. The federal regulations that implement §504 are found at Title 34, Part 104 of the Code of Federal Regulations (CFR). They include the following rights:

1. You have a right to be informed about your rights under §504. [34 CFR 104.32]. The public school that you or your child attends must provide you with written notice of your rights under §504 (this document represents written notice of rights as required under §504). If you need further explanation or clarification of any of the rights described in this notice, please contact the 504 Coordinator for the school that you or your student is attending. (Building 504 Coordinator for Cedar Tree Academy is the Behavior Intervention Specialist).
2. A child who has a physical or mental impairment that substantially limits a major life activity ("eligible child") has the right to a free appropriate public education designed to meet his or her educational needs as adequately as the needs of nondisabled students are met. [34 CFR 104.33].
3. An eligible child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students.
4. To the maximum extent appropriate, an eligible child has the right to be educated with children who are not disabled. The eligible child will be placed and educated in regular classes, unless the Academy demonstrates that his or her educational needs

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cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. [34 CFR 104.34].

5. The eligible child has the right to services, facilities, and activities comparable to those provided to non-disabled students. [34 CFR 104.34].
6. The Academy must undertake an evaluation of your child prior to determining eligibility under Section 504 and developing his or her appropriate educational placement or program of services under §504, and also before any subsequent significant change in placement. [34 CFR 104.35].
7. If formal assessment instruments are used as a part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of §504 regarding test validity, proper method of administration, and appropriate test selection. [34 CFR 104.35]. The Academy will consider information from a variety of sources in making its determinations, including, for example:
8. Placement decisions regarding your child must be made by a group of persons (a 504 Committee or Team) knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, children with disabilities should be educated with non-disabled children. [34 CFR 104.35].
9. If your child is eligible for services under §504, he or she has a right to periodic reevaluations to determine if there has been a change in educational need. Generally, a reevaluation will take place at least every three years. [34 CFR 104.36].
10. You have the right to be notified prior to any action (be it a proposal or refusal) regarding the identification, evaluation, or placement of your child. [34 CFR 104.36].
11. You have the right to examine relevant documents and records regarding your child (generally documents relating to identifications, evaluation, and placement of your child under 504). [34 CFR 104.36].
12. You have the right to request an impartial due process hearing if you wish to contest any Academy action with regard to your child's identification, evaluation, or placement under 504. [34 CFR 104.36]. You have the right to participate personally at the hearing and to be represented by an attorney, if you wish to hire one.
13. If you wish to request an impartial due process hearing, you must submit a written Request for Hearing to the Academy 504 Coordinator at the address below.
14. An impartial hearing officer will be appointed. You will be notified in writing of the hearing date, time, and place. Further details about the hearing process are set forth in the Academy's 504 procedures. The 504 procedures are available from the school the Director of Special Education.

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15. If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction.
16. If you feel that the Academy has violated an express term of its §504 policies and procedures, you have the right to present a grievance to the Academy 504 Coordinator (or Executive Director). Further details about the grievance process are set forth in the Academy's 504 procedures. The 504 procedures are available from the Executive Director.

If you feel the Academy has violated Section 504, you also have a right to file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. The address of the OCR Regional Office that covers the District of Columbia is:

**Office for Civil Rights  
Section 504 & ADA Coordinator, Rebecca Yerman  
707 Edgewood Street, NE  
Washington, DC 20017  
202-635-4590**

### **Section 504 Grievance Procedures**

If any person believes that Cedar Tree Academy PCS has violated the regulations of Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, he/she may submit a complaint to Cedar Tree Academy PCS's Section 504/ADA coordinator.

Complaints involving students, employees, parents, and visitors of Cedar Tree Academy PCS may be submitted to:

**Robinette Lewis Breedlove, ED D  
Director of Business Operations  
701 Howard Road SE  
Washington, DC 20020  
(202) 610-4193**

The grievance procedures outlined below establish how complaints will be investigated and resolved. These grievance procedures are intended to provide for a prompt and equitable resolution of complaints.

Any person who believes they have been discriminated against based on disability or otherwise wishes to bring a complaint related to Cedar Tree Academy PCS's application of Section 504 or ADA may file a complaint by following the steps outlined below:

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### **Step 1**

A complaint form must be completed and signed by the complainant and submitted to the Director of Operations who will investigate the matters of grievance outlined in the complaint and reply in writing to the complainant within ten (10) business days.

### **Step 2**

If the complainant wishes to appeal the decision of the Director of Operations, he/she may submit a signed statement of appeal to the Executive Officer within ten (10) business days after receipt of the response from the Director of Operations. The Executive Director will meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days of the meeting with the parties.

### **Step 3**

If the complainant is not satisfied with the decision of the Executive Officer he/she may appeal through a signed written statement to the school Board of Trustees within ten (10) business days of the receipt of the Executive Officer's response. In an attempt to resolve the grievance, the Board shall meet with the concerned parties and their representatives within thirty (30) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

### **Step 4**

The complainant may file a complaint with the Office for Civil Rights at any time before or during the grievance procedures. The regional office for the District of Columbia is located at 400 Maryland Avenue, SW, Washington, DC 20202 and can be reached at 202.453.6020 (telephone) or 202.453.6021 (fax).

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## Section 504/ADA Complaint Form

Date: \_\_\_\_\_

I. Name of Person Whose Behalf Complaint is Being Brought: \_\_\_\_\_

Name of Person Brining Complaint: \_\_\_\_\_

Relationship/Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

### Summary of Complaint

II. If others are affected by the possible violation, please list their names and/or positions. List any suggestions on resolving the complaint.

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III. Please describe any corrective action you wish to see taken with regard to the possible violation. You may also provide other information relevant to this complaint.

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Signature of Complaint

Date

Signature of Person Receiving Complaint

Date

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### **NOTICE OF NON-DISCRIMINATION**

Cedar Tree Academy is committed to ensuring that all of its employees act in conformity with federal and District of Columbia Non-Discrimination Laws, including Titles IV and VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act, the Age Discrimination Act of 1975, and the District of Columbia Human Rights Act of 1977.

Accordingly, Cedar Tree Academy provides educational opportunities without regard to, and does not discriminate on the basis of actual or perceived race, color, religion, national origin, sex (including sexual harassment, and discrimination based on pregnancy, childbirth, related medical conditions, breastfeeding, and reproductive health decisions), age, marital status, personal appearance (including body type/size), sexual orientation, gender identity or expression, 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 credit information.

Employees found to have engaged in prohibited discrimination will be subject to disciplinary action.

#### **Harassment is a form of discrimination.**

- *Prohibited harassment includes:*
  - Any unwelcome physical, verbal, nonverbal, or electronic conduct
  - Based on an individual's actual or perceived race, color, religion, national origin, sex (including sexual harassment, and discrimination based on pregnancy, childbirth, related medical conditions, breastfeeding, and reproductive health decisions), age, marital status, personal appearance (including body type/size), sexual orientation, gender identity or expression, 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 credit information
  - That is so severe, persistent, or pervasive that it adversely affects a student's ability to participate in or benefit from an educational program or activity (e.g., greater difficulty concentrating or studying, fear of going to class, lower grades, skipping a class or activity to avoid a harasser).
- *Prohibited sexual harassment of a student by another student* includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication (including electronic communication) of a sexual nature that adversely affects the student in the ways set forth above.

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- *Prohibited sexual harassment of a student by a school employee* includes both welcome AND unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication (including electronic communication) of a sexual nature.
- *A hostile work environment* exists if the harassment is sufficiently serious that it denies or limits the complainant's ability to participate in or benefit from the school's program (e.g., skipping class, dropping out of an activity, having trouble concentrating in class).

Employees or students found to have engaged in prohibited harassment will be subject to disciplinary action.

### **PROHIBITION AGAINST RETALIATION**

Retaliation includes any adverse action taken against an individual because they reported discrimination, provided information about an act of discrimination, or witnessed an act of discrimination. Cedar Tree Academy prohibits retaliation against any individual who has made a complaint pursuant to this policy in good faith, assisted in an investigation, or otherwise exercised rights protected by law. Cedar Tree Academy also prohibits taking any adverse action against an individual based on an unsubstantiated allegation or rumor of harassment.

### **REPORTING PROCEDURES**

Any individual, including a student, parent/guardian, or visitor, who believes conduct that violates this policy has occurred should report the alleged acts pursuant to Cedar Tree Academy's Complaint Policy. Individuals should report potential violations of this policy to a teacher, counselor, the school Principal, the school Principal/designee, or Chief Executive Officer. A school employee who receives a report of harassment or who should reasonably know about an incident of harassment shall notify Cedar Tree Academy's Director of Human Resources.

Robinette Lewis, Director of Human Resources

Phone: 202-610-4193

E-mail: [Rlewis@Cedartree-dc.org](mailto:Rlewis@Cedartree-dc.org)

Mail: 701 Howard Road SE

Washington, DC 20020

### **CONFIDENTIALITY**

To the greatest extent possible, Cedar Tree Academy shall respect the privacy of individuals who report potential violations of this policy, individual(s) against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable laws.

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## Notification of Rights under Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students age 18 or older ("eligible students") certain rights with respect to the student's education records.

**(1) The right to inspect and review** the student's education records within 45 days of the day the CEDAR TREE ACADEMY receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school principal or other appropriate school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

**(2) The right to request amendment** of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students may write the school principal, clearly identify the part of the record they want changed and specify why it should be changed. If CEDAR TREE ACADEMY decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

**(3) The right to consent (in writing) to disclosures of personally identifiable information** contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. For example, CEDAR TREE ACADEMY discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled, when such disclosure is requested for purposes of the student's enrollment or transfer. In addition, FERPA authorizes disclosure without consent to school officials whom CEDAR TREE ACADEMY has determined to have legitimate educational interests. A school official is a person employed by CEDAR TREE ACADEMY as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person or company with whom CEDAR TREE ACADEMY has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); an official of another school system where a student seeks or intends to enroll, or where the student is already enrolled; or a parent, student or other volunteer serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

**(4) The right to withhold disclosure of directory information.** At its discretion, CEDAR TREE ACADEMY may disclose basic "directory information" that is generally not considered harmful or an invasion of privacy without the consent of parents or eligible students in accordance with the provisions of District law and FERPA. Directory information includes:

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A. Student Name  
B. Student Address  
C. Student Telephone Listing  
D. Name of School Attending  
E. Participation in Officially Recognized  
Activities and Sports

F. Weight and Height of Members of Athletic  
Teams  
G. Diplomas and Awards Received  
H. Student's Date and Place of Birth  
I. Names of Schools Previously Attended  
J. Dates of Attendance

**Parents or eligible students may instruct CEDAR TREE ACADEMY to withhold any or all of the information identified above (i) by completing the attached "Release of Student Directory Information"**

**(5) The right to file a complaint** with the U.S. Department of Education concerning alleged failures by CEDAR TREE ACADEMY to comply with the requirements of FERPA. The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. SW, Washington, DC 20202.

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### Release of Student Directory Information

The Family Educational Rights and Privacy Act (FERPA) is a federal law that requires CEDAR TREE ACADEMY, with certain exceptions, to get your permission before disclosing personally identifiable information from education records. However, CEDAR TREE ACADEMY may disclose basic "directory information" that is generally not considered harmful or an invasion of privacy without your consent. The primary purpose of directory information disclosure is to allow CEDAR TREE ACADEMY to include this type of information in certain school publications such as pamphlets for drama productions, graduation programs, honor rolls or sports team activity sheets for football, basketball, etc. Directory information can also be disclosed to outside organizations such as federal and state agencies offering jobs and educational benefits, media sources, and companies that make class rings and publish yearbooks.

The information listed below has been designated as directory information under District of Columbia law and FERPA, and may therefore be released at the discretion of CEDAR TREE ACADEMY. You have the right to instruct CEDAR TREE ACADEMY that it may not release any or all of this information without obtaining your prior written consent by completing this form. Your decision on this form will be valid for the remainder of the current school year.

**A new Release of Student Directory Information form must be completed each School Year.**

Please place a check mark on the line beside any directory information items listed below that you do not want CEDAR TREE ACADEMY to disclose without your consent, if any.

- |  |   |
|--|---|
| <input type="checkbox"/> Student Name                                  | <input type="checkbox"/> Diplomas and Awards Received         |
| <input type="checkbox"/> Student Telephone Listing                     | <input type="checkbox"/> Student Address                      |
| <input type="checkbox"/> Name of School Attending                      | <input type="checkbox"/> Student's Date and Place of Birth    |
| <input type="checkbox"/> Participation in Officially                   | <input type="checkbox"/> Names of Schools Previously Attended |
| <input type="checkbox"/> Recognized Activities and Sports              | <input type="checkbox"/> Dates of Attendance                  |
| <input type="checkbox"/> Weight and Height of Members of Athletic Team |   |

By signing below I am giving written notification to CEDAR TREE ACADEMY that it may not disclose the directory information items I have placed a check mark beside above unless I give prior written consent. I understand that such information may still be disclosed by CEDAR TREE ACADEMY if disclosure is otherwise permissible under FERPA.

\_\_\_\_\_  
Student Name (please print)

\_\_\_\_\_  
Parent/Guardian Name (please print)

\_\_\_\_\_  
Signature of Parent/Guardian or Student (if at least 18 years old)

\_\_\_\_\_  
Date

**\*If this form is not returned by September 15, it will be assumed that the above information may be designated as directory information for the remainder of the school year. \***

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### **Open Meeting Policy**

The Board of Trustees encourage the public to attend and be a part of how the Cedar Tree Academy Board of Trustees make its decisions. It is the goal of the Cedar Tree Academy Board of Trustees to conduct business in an orderly, productive and timely manner.

### **Process for Announcing Meetings to the Public**

All meeting dates will be posted in the lobby of the school five (5) days prior to the scheduled meeting date. A calendar of open board meetings will be posted on the school's website.

### **Board Meeting Accessibility**

The Board will hold a board meeting once per quarter for a total of four (4) meetings during the school year. All meetings will be open to the public. The Board reserves the right to hold closed board meeting before or after all open board meetings.

### **Procedures for Requests to Be Placed on Agenda**

Agenda items are to be submitted to the school office no later than 10 days prior to the scheduled board meeting. This allows for review and research, if necessary; and facilitates for a meaningful discussion and appropriate action. Items submitted less than 10 days before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Request for placement on any board meeting agenda must be submitted in writing to the School Office. The written request must include the following information:

1. Identification of the requestor, contact information, and speaker(s) on the subject matter
2. A detailed description of the subject matter
3. The requested meeting date
4. Seven copies of all supporting documentation/material(s) related to the request

The School Chief Executive Officer along with the School's Attorney, in consultation with the Board Chair will determine whether all required information have been submitted for the board's consideration for the requested action. When appropriate, the request will be placed on the agenda for action. The requestor will be contacted by the School Administrator as to whether the item will be placed on the agenda.

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