



APPENDIX A – OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION NCLB COMPLAINT RESOLUTION POLICY

INTRODUCTION

The Federal No Child Left Behind (NCLB) Act of 2001, Title IX Part C, Sec. 9304 (a)(3)(C) mandates that the State Educational Agency (SEA) adopt written procedures for the “receipt and resolution of complaints alleging violations of law in the administration of the programs.”

PURPOSE

To establish guidelines for resolving complaints regarding operations of programs authorized under NCLB in a fair and timely manner. This section describes the process for resolving complaints by individuals or organizations that a local educational agency (LEA,) the DC SEA, or a grantee that is administering any of the NCLB programs have violated any related state or federal law, rule, or regulation.

AUTHORIZATION

These procedures for resolving complaints are authorized under 20 U.S.C. 7844 and 20 U.S.C. 7883.

APPLICABILITY

Complaints may be submitted using the procedures detailed in this document. This complaint resolution procedure applies to all NCLB State entitlement or discretionary programs administered or monitored by the SEA and may be used by SEA offices, LEA offices (within the DCPS or DC public charter schools), subgrantees who are administering a NCLB program., or those served by NCLB programs.

POLICY STATEMENT

It is the policy of the SEA to investigate all allegations of noncompliance with state or federal law, rules or regulations, but it is expected that all reasonable attempts be made first to resolve the complaint at the local level where services to students are being implemented.

In order to initiate a complaint that an **administrative entity (AE)** is not in compliance, a complainant must submit a written, signed document that (1) describes the pertinent facts; (2) identifies the alleged violations of the law; (3) recommends how the complainant would have the AE resolve the complaint, and (4) provides an explanation of the outcome or (5) evidence that some attempt was made to have issue resolved at the appropriate local level.



COMPLAINANTS

Complainants can include public agencies, parents, teachers, administrators or other individuals, organizations or stakeholders involved with an activity, program, or project operated under one of the NCLB grants.

DEFINITION OF A COMPLAINT A “complaint” is a written signed statement filed by an individual or an organization. See the **POLICY**

STATEMENT for details of the content of the statement.

PROCESSING ENTITY

The complaint must be mailed to the appropriate AE office at the local level. If the local entity cannot resolve the complaint, the complaint should be forwarded to Victor Vyfhuis, Executive Director at the Office of Federal Grants Programs (OFGP)/SEA, DC Public Schools, 825 North Capital Street, NE, 8th Floor, Washington, DC 20002. If the complaint pertains to an LEA or subgrantee in the District of Columbia, OFGP will investigate the complaint. If the complaint pertains to OFGP or any other State office, OFGP will send the complaint to the Deputy Chief State School Officer for investigation.

COMPLAINT RECEIVED BY THE AE

Complaints are to be responded to from receipt to closure within 60 **business days**.

The AE will issue a **letter of acknowledgement** to the complainant within 14 calendar days of receipt of a complaint. The letter will include the following information:

- The date the office received the complaint;
- How the complainant may provide additional information;
- The name of the assigned **complaint investigator (CI)**; and
- Timelines for the resolution of the complaint. If the complaint involves an LEA, OFGP will also send a copy of the **letter of acknowledgement** to the LEA local superintendent or corresponding administrator.

PROCESS FOR INVESTIGATING COMPLAINTS

- The complaint will include all information specified in the policy statement
- The assigned CI will review the facts and circumstances of the complaint. Upon receipt of a written complaint, a **record** of the source and nature of the complaint, including the applicable program involved in the complaint, statute violated and facts on which the complaint is based will be initiated.

- **A Letter of Allegations** will be developed after contact with the complainant and AE has been made. The **Letter of Allegations** will 1) identify the complainants alleged issues (i.e., which specific federal or state law or regulation related tot the provision of services was violated 2) identify the documentation the AE will need to provide in order to assist the CI in making a determination of compliance or noncompliance and 3) indicate the date the AE will need to submit a written response to the CI.
- An on-site, compliance monitoring visit will be conducted if necessary, including a publicly announced meeting to hear testimony from all interested parties, if the CI determines such a meeting is needed.
- A determination will be made as to whether a violation of law or regulation has occurred.
- If the CI determines a violation has occurred, the AE will be required to take corrective action to return to compliance. Timelines for completion of the corrective action must be submitted to the office of the CI.
- If a violation has occurred, it will be determined whether a sanction will be applied or Title program funds need to be returned (the amount of funds to be returned will be specified).
- All parties will be notified of the results of the review and determinations.
- If the CI determines that no violation of law or regulation has occurred, the AE will attempt to resolve or negotiate programmatic concerns with the complainant
- Once a determination is made (consistent with federal and/or state and/or rules/regulations), the complaint investigator will develop a **Letter of Findings** to address whether or not the AE is in compliance. **The Letter of Findings** will be sent to the AE and to the complainant. The letter will either contain a statement that explains the need for corrective action, or will state that the office of the CI does not sustain the complaint. If the CI finds an additional violation, which was not cited in the original **Letter of Allegations** that finding may be added to the **Letter of Findings**.
- When there are exceptional circumstances present with regard to a particular complaint an extension of time may be granted to complete the investigation.

FORMAL COMPLAINTS REGARDING PARTICIPATION OF PRIVATE SCHOOL CHILDREN

Complaints regarding the participation of private school children in NCLB programs will be handled using the same process, described above. Additionally, the U.S. Secretary of Education will be notified of such a complaint at the time it is received by the SEA.

NCLB provides that private school officials have the right to formally complain to the SEA if they believe an LEA did not engage in consultation that was meaningful and timely, or if the LEA did not give due consideration to the views of the private school officials. Any complaint involving the poverty data on private schools may also be addressed to the SEA. Private school officials with concerns should send their written complaints to the OFGP State office.



APPEALS TO THE U.S. DEPARTMENT OF EDUCATION

Following formal resolution at the SEA level or lack of resolution within a reasonable period of time, the complainant may appeal the SEAs decision to the U.S. Secretary of Education within 30 days. The Secretary then would investigate and issue a letter of finding within 120 days after receipt of the appeal.



APPENDIX D - DISCLOSURE OF STUDENT RECORDS UNDER THE FAMILY EDUCATIONAL RIGHTS PRIVACY ACT (FERPA) POLICY

Purpose: To clarify the restrictions on disclosure of students' education records under the Family Educational Rights Privacy Act ("FERPA") for Ingenuity Prep Public Charter School (the "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 the 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.

Definitions:

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

Parent: A parent or legal guardian of a student at the School. (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.)

PCSB FERPA Contact: Staff member or designee of D.C. Public Charter School Board ("PCSB") designated as the School's point of contact on FERPA-related issues and compliance.

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; (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:

- 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.
- Other schools, school districts or institutions of postsecondary education in which the student is seeking to enroll or to transfer credits.
- 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.
- 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.
- Schools' accrediting agencies.



- To appropriate parties, if necessary to protect the health or safety of a student or other individuals.
- 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

The School shall use reasonable methods to ensure that School officials obtain access to only those education records in which they have legitimate educational interests. If the School does not use physical or technological access controls, it must ensure that its administrative policy for controlling access to education records is effective and that it restricts access to officials with legitimate educational interests.

A **school official** is a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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.



APPENDIX F - EDUCATION OF HOMELESS CHILDREN AND YOUTH PROGRAM EDUCATIONAL RIGHTS PUBLIC NOTICE

The mission of the Education of Homeless Children and Youth Program is to ensure free, appropriate, public educational opportunities for homeless children and youths; to provide technical assistance to schools, shelters and the community; and to heighten awareness of homeless issues. Homeless children and youth should have equal access to the same educational opportunities and services as non-homeless children and youth. In addition, homeless children and youth should have the opportunity to meet the same challenging academic achievement standards to which all students are held pursuant to Title X of No Child Left Behind; McKinney-Vento Homeless Assistance Act federal law.

1. What is the definition of homeless children and youths? The term “homeless child and youth” means:

- Children and youth who lack a fixed, regular, and adequate nighttime residence; and includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelter (including D.C. transitional housing); are abandoned in hospitals; or are awaiting foster care placement;
- Children and youth who have a primary nighttime residence that is a private or public place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned building, substandard housing, bus or train stations, or similar settings;
- Migratory children who qualify as homeless because they are living in circumstances described above; and
- Unaccompanied youth, including youth who are not in the physical custody of a parent or guardian, who qualify as homeless because they live in circumstances described above.

2. Can a homeless child enroll in school?

Yes. The child may continue enrollment in the school of origin for the duration of homelessness. The school is the one the child attended prior to becoming homeless or the school in which the child was last enrolled. The child may also enroll in the school for the attendance area where he or she is living temporarily. If a dispute arises over school selection or enrollment, the school must immediately enroll the homeless student in the school, pending resolution of the dispute. If the local school cannot resolve the dispute, the school must follow the Dispute Resolution Process, not to exceed fifteen (15)



days. The local school must provide the parent, guardian or unaccompanied youth with a written statement of the school placement decision and the appeal rights.

3. Whom should be contacted if a dispute arises regarding enrolling a homeless child or youth in school or if other assistance is needed?

The Education of Homeless Children and Youth Program has been designed to assist children and youth who are experiencing homelessness and their families regarding educational issues. If a homeless child or youth is experiencing difficulty in enrolling in school, please contact the Education of Homeless Children and Youth Office at (202)741-0470.

4. What services are provided by the Homeless Children and Youth Program ?

The Homeless Children and Youth Program provides the following services: transportation assistance; dispute resolution; emergency school enrollment assistance; special projects; Homeless Awareness Month; staff development; and interagency collaboration.

In accordance with Federal law and U.S. Department of Agriculture (USDA) policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint alleging discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410 or call, toll free, (866) 632-9992 (Voice). TDD users can contact USDA through local relay or the Federal Relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

Also, the District of Columbia Human Rights Act, approved December 13, 1977 (DC Law 2-38; DC Official Code §2-1402.11(2006), as amended) States the following:

Pertinent section of DC Code § 2-1402.11: It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation of any individual. To file a complaint alleging discrimination on one of these bases, please contact the District of Columbia's Office of Human Rights at (202) 727-3545.



APPENDIX G - NOTICE OF NONDISCRIMINATION

Ingenuity Prep shall not discriminate on the basis of race, color, ethnicity, religion, national origin, gender, age, disability, sexual orientation, or other protected class in accordance with applicable federal, state or local laws in hiring or other employment practices of the school. Further, Ingenuity Prep shall be open to all students in its authorized geographic area on a space available basis and shall not discriminate in its admission policies or practices on the basis of race, color, ethnicity, religion, national origin, gender, disability or sexual orientation. Ingenuity Prep admits students of any race, color, ethnicity, religion, national origin, gender, disability or sexual orientation to all the rights, privileges, programs, and activities generally afforded or made available to students at the school. It does not discriminate on the basis of race, color, ethnicity, religion, national origin, gender, disability or sexual orientation in administration of its educational policies, admission policies, scholarship and loan programs, or athletic or other school administered programs.



APPENDIX H – TRUANCY POLICY

Truancy is defined as any school-age child (ages 5 – 18) with ten (10) cumulative unexcused absences at any time during the school year.

No later than two (2) days after the accrual of multiple absences as described above, truant students are reported to the District of Columbia Child and Family Services Agency (CFSA) Office of the Attorney General, depending on student’s age; and Court of Social Services, Superior Court of the District of Columbia, depending on student’s age.

If at any time however, educational neglect is suspected, we immediately notify the authorities. At each unexcused absence, a call goes out to the parent/guardian of each absent student by 10:00 am on the day of the absence. Parents/guardians must call the school to report the absence of their child by 8:00 am.

For students with recurring attendance issues or for parents/guardians who don’t report the absence of their child to the school, the front-desk staff makes a personal phone call to the home seeking the reason for the student’s absence and messaging the importance of students being in school, on-time, and ready for learning. The reason for the absence is noted in a PowerSchool log entry.

Every absence:

- Front Office staff call student's parent/guardian

At three absences (unexcused):

- A call is placed to the parent/guardian with reminders to discuss the reasons for the student’s absenc.

At five (7) absences (unexcused):

- Teachers schedule a conference with the family and a member of the Attendance Team to jointly discuss the student’s attendance issues; to review attendance expectations and consequences; to discuss any interventions or support needed; to execute an attendance contract, if applicable, etc. If the parent/guardian does not show up for the attendance meeting, a “sorry you missed your meeting” letter is also sent to the parent/guardian for additional documentation.

At seven (9) absences (unexcused):



- A phone call is placed by the school social worker and a letter is sent home with the student's current absences and reminder of the school attendance policy.

At ten (10) absences (unexcused), Ingenuity Prep reports the issue to:

- D.C. Child and Family Services Agency 400 6th Street, SW Washington, DC 20024 (202) 442-6100 <http://cfsa.dc.gov/DC/CFSA>

Should the absences continue:

- At thirteen (13) absences (unexcused), a conference is scheduled with the parent, a member of the Attendance Team, and a school leader
- Additional truancy reports are made for every 5 absences (e.g., 15, 20, and so on)

When reporting a truant student to any District entity, we provide the following records:

- the student's attendance record;
- any prevention and intervention plans;
- documentation related to referrals and outcome of such referrals;
- documentation representing evidence of communications, services, and attendance-related interventions taken by the school;
- documentation of suspected educational neglect; d
- documentation of personal contacts with, and written notification to, parents/guardians with regard to the unexcused absences;
- and, the student's Individualized Education Program (IEP) with any supporting evaluations or assessments, if applicable.



APPENDIX I – DISCIPLINE POLICY

See next page.

Ingenuity Prep prepares students to succeed in college and beyond as impactful civic leaders.



INGENUITYPREP

Student Discipline Plan

2019-2020 School Year

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Schoolwide Plan

Mission

Ingenuity Prep prepares students to succeed in college and beyond as impactful civic leaders.

Discipline Philosophy

Ingenuity Prep's approach to discipline is driven by its mission-aligned goals of preparing students to succeed in college and beyond as impactful civic leaders. Informed by "emotional constancy" and a "warm/strict" approach, adults across the Ingenuity Prep community will ensure 1) rules and procedures -- including their mission-aligned rationale -- are understood and authentically embraced by students, 2) high expectations for adherence to these rules and procedures are consistently upheld, 3) and there is an appropriate balance of recognition of students meeting expectations and appropriate follow-up with students who do not meet expectations, per the school's clearly outlined discipline plan protocols. In all interactions -- even the most trying situations involving the administration of discipline -- adults' emotional constancy and warm/strict approach should ensure student dignity is upheld.

Restorative Justice

Ingenuity Prep is beginning the implementation of restorative justice practices as named below. Restorative practices result in a culture which is inclusive, builds fair process into decision-making practices, and facilitates students' learning to address the impact of their actions through an approach that allows for true accountability, skill building, cooperation, and mutual understanding.

Through restorative practices, members of the school community will:

1. have an opportunity to be heard
2. understand the greater impact of one's actions
3. learn to take responsibility
4. repair the harm one's actions may have caused
5. recognize one's role in maintaining a safe school environment
6. build upon and expand on personal relationships in the school community
7. recognize one's role as a positive contributing member of the school community

Suspension and Expulsion

Through proactive support of and engagement with students and families, Ingenuity Prep will seek to minimize the number of out-of-school suspensions and expulsions it administers. On the occasion a student *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person*, he/she may be suspended from the school for a specified number of days or expelled from the school for the remainder of the school year by the CEO (for suspension or expulsion) or an Administrative Designee (for suspension only). Expelled students may re-apply to attend school the following year. The school will attempt to contact the student's parents/guardians before a suspension or expulsion and will send a written letter with details about the incident within one business day. If a student is a candidate for expulsion, the family will be invited to a meeting with the CEO and another appropriate school representative to discuss the incident and attempt to address the behavior without excluding the student from school. If, after this meeting, the student remains a candidate for expulsion there will be a separate Expulsion Determination meeting with the CEO, the Chair of the Board of

Trustees, and other appropriate school representative. The family may have representatives (attorneys, mentors, family members) attend any of these meetings.

Short Term Suspension

For short-term suspensions (4 days or less) the decision to suspend a student shall be made by the CEO or Administrative Designee with or without the recommendation of the student's teacher or other school employee. The CEO or Administrative Designee will determine the number of days for suspension based on the severity of the infraction, the age of the student, and previous infractions. The suspension shall become effective immediately unless otherwise stated by the CEO or Administrative Designee. After three suspensions from school within the same school year for the same or different infractions, the student will be a candidate for expulsion.

Ingenuity Prep encourages (but does not require) parent/guardian to attend a meeting with the CEO or Administrative Designee before a student returns to school. The CEO or Administrative Designee will work with the parent/guardian to schedule this meeting at the time the parent/guardian is notified of the suspension.

Long-Term Suspension and Expulsion

A student who *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person* may be a candidate for long term suspension (5 days) or expulsion for up to one calendar year. Prior to the determination for a long-term suspension or expulsion, the family will be invited to participate in a meeting, with the CEO and another school representative, so that the family, student, and school administration can better understand the incident and determine if a long-term suspension or expulsion is warranted. The family may have representatives (attorneys, mentors, family members) attend any of these meetings. This meeting is an opportunity for the student and family to engage in a dialog about the incident in order to share all pertinent information about the incident and/or student's situation.

If, after this meeting, the school administration determines that it may still take actions to suspend or expel the student, a Long-Term Suspension or Expulsion Determination meeting will be scheduled with the CEO and appropriate school personnel. Ultimately, the decision to administer a suspension exceeding ten days or expulsion rests with the CEO.

As is the case with short-term suspensions, Ingenuity Prep encourages (but does not require) a parent/guardian to attend a meeting with the CEO or Administrative Designee before the student returns to school.

Academy Discipline Plans

In addition to the schoolwide plan, Ingenuity Prep academies have developed differentiated, developmentally-appropriate responses to student behavior. The following pages outline specific procedures at academies. These discipline plans supplement, but do not supercede, the schoolwide discipline plan.

PreK Academy (PK-3 and PK-4)

Student Culture Statement

Relationships

We prioritize the importance of strong relationships between teachers, students and families. We believe that a positive classroom culture is built on these relationships. This foundation drives how we learn kindness, regulation, and conflict resolution.

Play

We believe that play is the foundation for student learning where a purposeful environment sets students up for strong language acquisition and social emotional learning.

Language

We believe that a high quality language environment is a key driver in students' social and academic success.

Engaging Instruction

We believe that engaging, explicit instruction in SEL, literacy and math is critical to student success.

Collaboration

We believe that collaboration between all key stakeholders builds a strong and positive culture. We value a purposeful dialogue between teaching teams, across grade levels and with families.

Off-Expectation Behavior

All classrooms have clearly stated and reinforced expectations that are meant to keep students engaged, learning, and safe. If a student (after multiple reminders and supports) engages in a behavior that prevents themselves or others from learning or maintaining safety, teachers will follow up (as outlined below). Examples of off-expectations behaviors include physical or verbal responses that cause harm to individuals or the classroom, eloping, repeated noncompliance (after expectations have been taught and reinforced), etc.

Responses to off-expectation behavior

- **Calm Down:** Every classroom has a calm down spot that gives students a safe place within the classroom to de-escalate with the support of the teacher. We provide students strategies to calm down so that they are able to rejoin their peers for learning.
- **Sit & Watch:** Sit and watch is a time for students to sit separately from their peers (but where they can still hear and see the lesson) to reset and reflect on their actions for 1 minute. We begin the use of sit and watch AFTER students have learned expectations and routines, which is typically at the end of Unit 1, after at least 2 full weeks in school. We do not consequence students for skills they have not yet learned.
- **Restart Room:** Our restart room is a safe place outside of the classroom for students to calm down and reset. It is consistently staffed by our PreK Behavior Support Specialist. We bring students to the restart room when their behavior has escalated to the point that they are being

unsafe to themselves or others or learning cannot continue in the classroom due to their actions.

Response to Intervention

We use the Response to Intervention (RTI) model to address student needs and prevent the overidentification of students into special education. This model follows a tiered system of supports decided by observation and data collection.



Response to Intervention

Tier 3

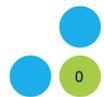
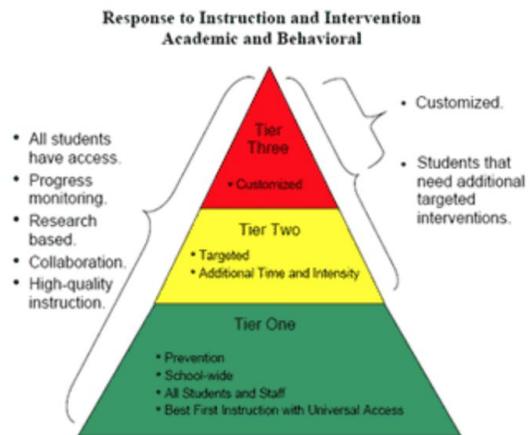
- Very Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 1-2 students

Tier 2

- Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 2-4 students

Tier 1

- Whole/half-class instruction
- PK centers small-groups



K-2 Academy (Kindergarten, 1st Grade, and 2nd Grade)

Student Culture Statement

As a learning community our primary objective is to educate. Central to that objective is a deep understanding that behavior is communication. With this understanding, we are charged to:

1. Prepare rigorous learning experiences that engage students deeply
2. Establish developmentally appropriate expectations that support learning
3. Proactively build relationships with students and encourage relationships between students
4. Positively encourage behaviors that support learning
5. Facilitate conversations that restore relationships and learning focus
6. Compassionately support students when experiencing immediate and ongoing behavioral challenges

Student Investment System

The K-2 Student Investment System (SIS) encourages students to take risks and achieve greater academic success.

Overview

- The day is divided into 8 Academic Content Blocks (ACBs)
 - Wit & Wisdom
 - Eureka Math
 - Guided Reading
 - Math Story Problem
 - Foundations
 - SEL
 - Science/Social Studies
 - Specials
- Leaders are able to earn three paws per ACB
 - 1 paw for overall engagement
 - 1 paw for demonstrating proficiency
 - Students who do not earn the proficiency paw are able to take work home to make corrections and bring corrected work back to earn proficiency paw
 - 1 paw for work completion
- Leader Logs will communicate paws earned/not earned
 - Rationale for paws not earned communicated in comments
- Accumulated paws can be used to purchase items from the Lion's Den

Lion's Den

On a weekly basis, students are able to place orders for items from the Lion's Den. Items can be purchased using Paws that have been accumulated over time. Order forms are due by Wednesday and filled by Friday.

Off-Expectation Behavior

We believe that a school's culture has a tremendous impact on the achievement of its students. A

strong, positive school culture that is aligned to our school values, our restorative principles, and our academic goals will put our students on the path to becoming true agents of change in our community.

Responses to off-expectation behavior

Tier	General Behaviors with Codes	Teacher Response
Tier 1	A1 - Failure to follow voice rules A2 - Disruptive/distracting behavior - minor A3 - Misuse of materials - minor A4 - Failure to follow directions - minor	-Teacher will provide non-verbal reminder, engage student in private conversation, or invite student to reflect at "Calm Down" *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore stasis and provide logical consequence (ie. provide paper/pencil for misuse of dry erase marker)
Tier 2	B1 - Disruptive/distracting behavior - moderate B2 - Misuse of materials - moderate B4 - Verbal mistreatment of another person - minor B5 - Lying B6 - Running inside the building B7 - Conscious defiance - moderate	-Teacher will provide verbal redirection, engage student in private conversation, or invite student to reflect at "Calm Down" *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore expectations and provide logical consequence (ie. redo transition in hallway after running)
Tier 3	C1 - Disruptive/distracting behavior - major C2 - Misuse of materials - major C3 - Conscious defiance - major C4 - Verbal mistreatment of person - major	-Teacher will engage student in private conversation and call home -Teacher will home *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore expectations and provide logical consequence (ie. apologize for verbal mistreatment)
Tier 4	D1 - Destruction of important materials D2 - Physical mistreatment of another person D3 - Extended pattern of conscious defiance (over more than one day) D4 - Theft - major D5 - Leaving class without permission D6 - Running away from an adult	-Out of Class Referral -Teacher will call home Leadership will work with classroom team to facilitate restorative circle and assign appropriate logical consequence(s)

Calm Down

Every classroom has a calm down spot that gives students a safe place within the classroom to de-escalate with the support of the teacher. We provide students strategies to calm down so that they are able to rejoin their peers for learning.

In Class vs. Out of Class Support

While the vast majority of off expectation behavior will be effectively addressed in the classroom setting, there will be times when a student’s behavior requires additional support:

- Emotional Support Referral: A student is experiencing prolonged emotional distress that significantly disrupts the learning environment and exceeds the capacity of adults in the classroom to manage. A member of the K-2 Leadership Team will assist the student in de-escalating and return the student back to class after practicing a calming strategy.
- Behavioral Support Referral: A student is exhibiting behavior that significantly disrupts the learning environment and exceeds the capacity of adults in the classroom to manage. A member of the K-2 LT will process the incident with the student and help the student prepare

for a restorative followup/logical consequence and the student will return to class.

Response to Intervention

We use the Response to Intervention (RTI) model to address student needs and prevent the overidentification of students into special education. This model follows a tiered system of supports decided by observation and data collection.



Response to Intervention

Tier 3

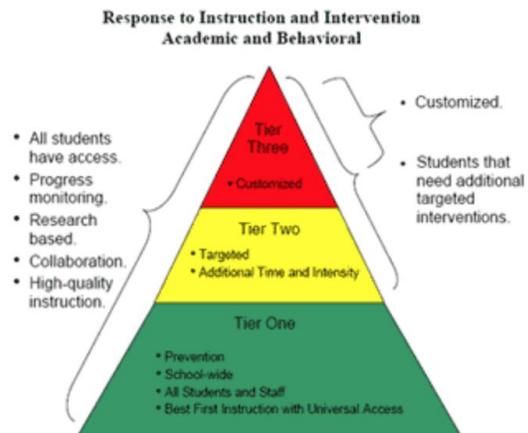
- Very Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 1-2 students

Tier 2

- Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 2-4 students

Tier 1

- Whole/half-class instruction
- K-5 Guided Reading



3-5 Academy (3rd Grade, 4th Grade, and 5th Grade)

Student Culture Statement

Above all else, our goals for students during their time at school are to be actively engaged with academic content, complete high quality work, and support their peers' learning.

Student Investment System

Overview

Each day is broken into blocks. There are 12 academic content blocks per day. In each academic content block students have the opportunity to earn three paw prints - Active Engagement, High Quality Work, and Team Support. Students earn their paw prints by meeting the expectations listed in the chart above.

To support students, teachers will use the following interventions:

- Non-verbal reminder
- Verbal prompt
- Check-in conversation

If, after those interventions, students are still not meeting the expectations for one of the categories, they will not earn their paw print for that block. If students do not complete high quality work, they should be held accountable for completing that work during non-academic blocks (morning snack, lunch, recess, etc...). If they complete the work with high quality, they will still earn their paw print retroactively.

Students who earn 28 or more of 30 paw prints will earn all choice time at the end of the day. Students who earn 26-27 paw prints will earn some choice time.. At the end of the week, students who have earned 140 or more of 150 paw prints (90%) or better are invited to the Friday celebration that their grade level lead has planned and will take place during the final small group rotation and choice time block.

Off-Expectation Behaviors

Tier	General Behaviors with Codes	Teacher Response
Tier 1	A1 - Failure to follow voice rules A2 - Disruptive/distracting behavior - minor A3 - Misuse of materials - minor A4 - Failure to follow directions - minor	-Teacher will provide non-verbal reminder, engage student in private conversation, or invite student to reflect at "Calm Down" *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore stasis and provide logical consequence (ie. provide paper/pencil for misuse of dry erase marker)
Tier 2	B1 - Disruptive/distracting behavior - moderate B2 - Misuse of materials - moderate B4 - Verbal mistreatment of another person - minor B5 - Lying B6 - Running inside the building B7 - Conscious defiance - moderate	-Teacher will provide verbal redirection, engage student in private conversation, or invite student to reflect at "Calm Down" *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore expectations and provide logical consequence (ie. redo transition in hallway after running)
Tier 3	C1 - Disruptive/distracting behavior - major C2 - Misuse of materials - major C3 - Conscious defiance - major C4 - Verbal mistreatment of person - major	-Teacher will engage student in private conversation and call home -Teacher will home *Excessive repetition: Teacher may assign an intervention. If the behavior excessively disrupts other students' learning, the student may receive an out-of-class referral. Restore expectations and provide logical consequence (ie. apologize for verbal mistreatment)
Tier 4	D1 - Destruction of important materials D2 - Physical mistreatment of another person D3 - Extended pattern of conscious defiance (over more than one day) D4 - Theft - major D5 - Leaving class without permission D6 - Running away from an adult	-Out of Class Referral -Teacher will call home Leadership will work with classroom team to facilitate restorative circle and assign appropriate logical consequence(s)

Response to Intervention

We use the Response to Intervention (RTI) model to address student needs and prevent the overidentification of students into special education. This model follows a tiered system of supports decided by observation and data collection.



Response to Intervention

Tier 3

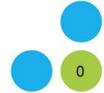
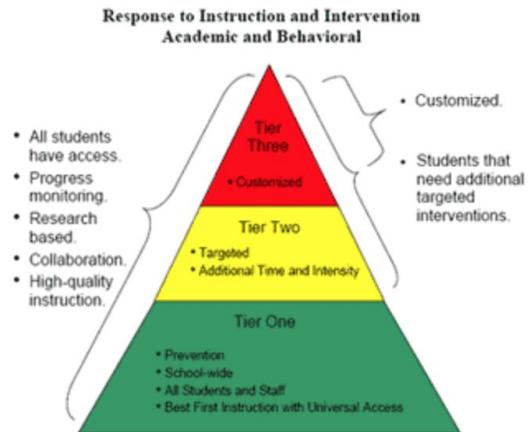
- Very Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 1-2 students

Tier 2

- Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 2-4 students

Tier 1

- Whole/half-class instruction
- K-5 Guided Reading



6-8 Academy (6th Grade)

Student Culture Statement

We believe that a school's culture has a tremendous impact on the achievement of its students. A strong, positive school culture that is aligned to our school values, our restorative principles, and our academic goals will put our students on the path to becoming true agents of change in our community. As we commit to implementing trauma informed and restorative practices, we believe it is our responsibility to create a classroom and schoolwide environment that is safe, consistent, and predictable with clear expectations.

Off-Expectation Behaviors

At Ingenuity Prep's 6-8 Academy, we seek to help students become mature young adults. To that end, while we will not tolerate discourtesy, we do allow for students to express disagreement or challenge systems, people, and ideas in a manner that showcases PRIDE. The school has developed routines and procedures that enable students to easily express such disagreement with courtesy for all involved. Failure to disagree with PRIDE will result in further consequences.

The following list of behavioral infractions is not comprehensive; it offers examples of off-culture behaviors. A school-related behavioral infraction refers to the violation of this code occurring:

- While the student is on school grounds or traveling between school and home
- During school-sponsored activities and trips
- During all other school-related events
- Off of school grounds that result in substantial disruption to the learning environment

Responses to off-expectation behavior

Classroom Discipline Plan & Management Process

- 1st Infraction: Non-verbal Warning
- 2nd Infraction: Verbal Warning
- 3rd Infraction: Formal Warning
- Final Infraction: Referral

In instances where students display repeated off-expectation behavior and several levels of the discipline ladder have been issued, a student will receive a referral to the Dean of Culture. The student will have two minutes to leave class (without issue) and report to the PRIDE Center for behavior intervention.

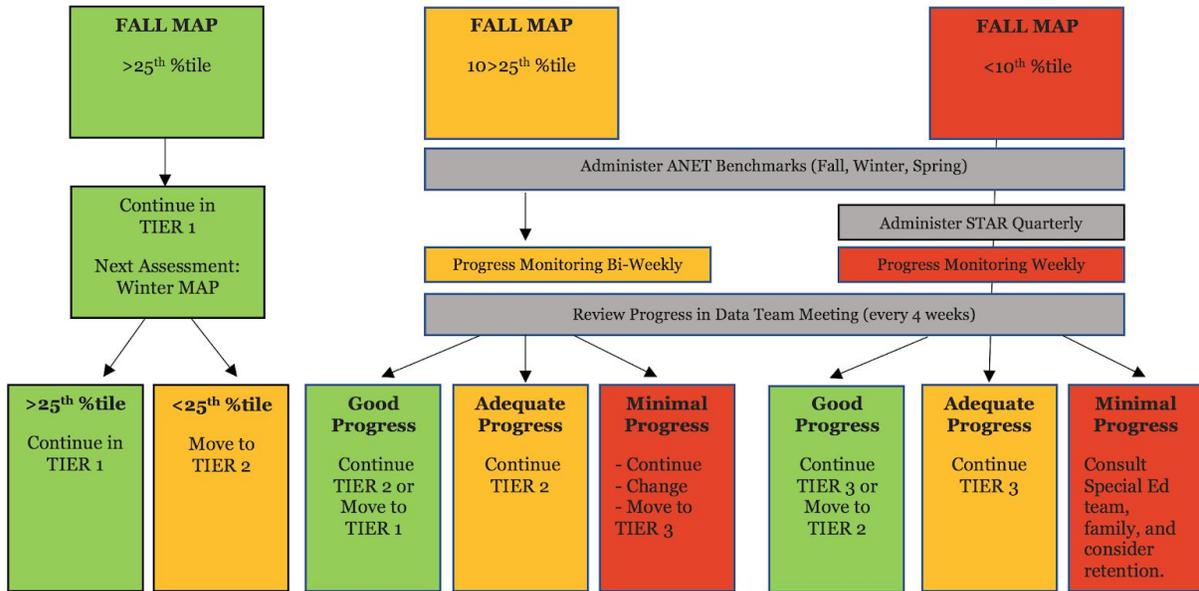
Category	Examples of Behavior	Response
Repeated behavior or behavioral patterns	Yelling Out of seat without permission Making disruptive non-verbal noises Repeated behaviors following a non-verbal Out of seat without permission Inappropriate Communication (ex: passing notes in class, side conversations) Sleeping in class Disregarding Directions Blatant disengagement Not meeting hallway expectations Low level reaction to teacher instructions	Non-verbal warning
	Repeated behavior or behavioral patterns following non-verbal warning	Verbal warning
	Repeated behavior or behavioral patterns following verbal warning	Formal warning
	Repeated behavior or behavioral patterns following formal warning	Referral
Challenging or disrespecting students or adults	Refusal to follow directions Disrupting grade level and all-school assemblies and gatherings (CM, HC, breakfast, lunch, recess, etc) Interrupting another class' instruction Unintentional profanity Shoes or personal property on another student's desk	Non-verbal warning
	Repeated behavior or behavioral patterns following non-verbal warning	Verbal warning
	Lying Repeated behavior or behavioral patterns following formal warning Repeated behavior or behavioral patterns following formal warning PDA	Formal warning
	Bullying (Physical, Verbal, Sexual, Emotional, Mental, Cyber) Threats of any kind Intentionally directed profanity Targeted racial slurs and epithets Fighting Committing sexual, racial, or any form of harassment or intimidation	Referral
	Inappropriate physical contact, such as rough housing or sexual gestures	Detention
Challenging or defying school rules and procedures	Working on assignments from another class Low level profanity or use of foul language (non-targeted) Chewing gum	Non-verbal warning
	Repeated behaviors following a non-verbal warning	Verbal warning
	Repeated behaviors following a verbal warning Inappropriate bathroom behavior Misusing passes/ in hallway without pass Unintentional electronic use >3 mins in bathroom >2 mins late to class Out of dress code repeatedly, but not defiantly	Formal warning
	Repeated behavior or behavioral patterns following formal warning Theft >5 mins late to class (skipping) >5 mins in bathroom Repeated refusal to leave a classroom and/or follow expectations of where to be with regards to safety High-level defamation of school property (punching holes, throwing chairs, etc)	Referral
	Lewd behavior in hall (and classrooms) Plagiarism In other academies without permission Talking during fire drill or lockdown drill Intentional electronic use Intentional dress code violation Low-level defamation of school property (writing on desk, walls, etc) Skipping chosen club at joy time Not turning in signed progress report on-time	Detention

Response to Intervention

Response to Instruction and Intervention (RTI²), which is the 6-8 Academy's framework for teaching and learning that begins with high-quality, differentiated instruction throughout the day and emphasizes intervening with students when they first start to struggle to avoid prolonged academic difficulties.

Core instruction and grade-level expectations are delivered to all students through the Tier I instructional block. In fact, this is where students spend the majority of their day. RTI² also offers additional instruction with multiple entry and exit points based on students' needs: a student who is on grade level may receive high-quality Tier I instruction and enrichment; another student who is showing slight deficits in specific areas may receive targeted interventions through Tier II for a specific period of time; alternately, a student who has significant needs may receive extended, intensive interventions through Tier III.

6-8 Academy RTI² flow:



Discipline Of Students With Disabilities

Purpose

If a student violates the Ingenuity Prep Code of Student Conduct, before consequences or punishment are imposed, a school must consider whether the student has a disability evidenced by an IEP or 504 Plan. While all students may be disciplined, it is both illegal and unjust to punish a child when the offense is directly related to his disability or when the IEP or 504 Plan is not implemented.

Legal Standard

Disciplinary actions give students with disabilities extra legal protections when the discipline constitutes a change in placement. A “change in placement” is a legal term that applies to the following situations:

- A suspension or expulsion for more than 10 consecutive school days. If a student has transportation on his IEP, then bus suspensions are also counted.
- A series of suspensions that total more than 10 cumulative school days in a school year may be considered a change in placement if they appear to constitute a pattern of suspensions. A pattern of suspensions may be found if the student is suspended for behavior that is “substantially similar” to behavior for which the child has previously been suspended. Factors may include same type of behavior, same victim, same class, same day of the week or same time of day. Other factors such as the length of each suspension, the total amount of suspensions in the school year and the proximity of the suspensions to one another will be considered.

If the offense is a change in placement, the school team (including the parent) must advise parents in writing, provide a copy of the IDEA procedural safeguards, and hold a Manifestation Determination meeting to determine two issues:

- Was the student’s misconduct caused by or directly and substantially related to the student’s disability?
- Was the student’s misconduct a direct result of the school’s failure to follow the child’s IEP?

If the team answers yes to either question, then the student’s behavior is a manifestation of his/her disability. The student may not be suspended, expelled or transferred to a remedial disciplinary school as a punishment for misbehavior that is a manifestation of a disability. The team must conduct a functional behavioral assessment and create a behavior plan addressing ways that the school can help a student with a conduct issue. If the student already has a behavior plan, the plan must be reviewed and modified to address how the school can better assist the student with the conduct issue.

If all team members agree that the student’s conduct was not a manifestation of his disability, then the student may be subject to the same consequences as all students. If a parent disagrees with the team’s decision that the behavior was not a manifestation of the student’s disability, the parent may request a due process hearing to challenge this finding. If the Hearing Officer agrees with the parent, the student will remain in the school where the offense was committed unless the parent and the school agree otherwise. However, during the period of expulsion or transfer to an alternative placement or remedial disciplinary setting, the student must continue to receive special education services prescribed by his IEP and a Behavior Plan must be created or revised to address the offending conduct.

If Ingenuity Prep orders a disciplinary removal that meets the definition of a change in placement, it

must continue to make FAPE available to the student. This means that even if the child is suspended or expelled from a school, the LEA must ensure that the student continues to receive educational services.

Emergency Circumstances Involving School Safety: Weapons, Drugs or Serious Injury

If a student: possesses illegal drugs; is selling prescription drugs; carries a weapon; or causes serious bodily injury to another, either at school or during a school related activity, the school may immediately remove the student for up to 45 school days to an alternative or remedial disciplinary setting. To comply with the law, a 45 school day emergency removal for serious bodily injury must be serious, i.e., requiring medical treatment.

Because drugs, weapons and serious bodily injury are so dangerous to a safe school climate, a school may remove a student under these circumstances for 45 school days regardless of whether a child has an intellectual disability or even if the team believes that the behavior is a manifestation of the student's disability. During the 45 school-day period, the school must convene a manifestation determination meeting. If the school determines that the conduct is a manifestation, the school may have the child re-evaluated, create or revise an existing behavior plan, or hold an IEP meeting to consider a more intensive special education placement upon the expiration of the 45-day alternative placement or sooner. If all team members determine that the conduct was not a manifestation of the student's disability, then the 45 school day emergency placement may proceed to a disciplinary proceeding afforded to all students.

Emergency Hearing/Dangerousness

If a school has solid reasons to believe that keeping the student in his current school is "substantially likely to result in injury to the child or to others", the school should consult with the Director of Student and Family Support who may request an emergency hearing to ask a Hearing Officer to transfer the student to an alternative setting for up to 45 school days. Dangerousness may exist even if there is no Code of Conduct violation. It is a consideration based on serious safety concerns for the student and/or the school community.

Notice to Parents

Any time a student with an IEP or 504 plan is removed to an alternative or remedial disciplinary setting, the parent must be given a NOREP stating this decision and a copy of the procedural safeguards.

Restraints

Restraints are considered the application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's body. Does not include briefly holding, without force, a student in order to calm or comfort him, guiding a student or eligible young child to an appropriate activity, or holding a student's or eligible young child's hand to safely escort him/her from one area to another. Excluded from this definition is hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the

student is acting in a manner as to be a clear and present danger to him/herself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective. The use of restraints to control the aggressive behavior of an individual student must cause the school entity to notify the parent of the use of the restraint and a meeting of the IEP Team within 10 school days of the inappropriate behavioral causing the use of restraints, unless the parent, after written notice, agrees in writing to waive the meeting.

At this meeting, the IEP Team must consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior.

The use of restraints may only be included in a student's IEP when:

- It is utilized with specific component elements of positive behavior support;
- It is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior;
- Staff are authorized to use the procedure and have received the staff training required; and
- There is a plan in place for eliminating the use of restraint through the application of positive behavior support.

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning. Examples include:

- Devices used for physical or occupational therapy;
- Seat Belts in wheelchairs or on toilets used for balance and safety;
- Safety harnesses in buses; and
- Functional positioning devices.

The following aversive techniques of handling behavior are considered inappropriate and may not be used:

- Corporal punishment;
- Punishment for a manifestation of a student's disability;
- Locked rooms, locked boxes or other locked structures or spaces from which the student can not readily exit;
- Noxious substances;
- Deprivation of basic human rights, such as withholding meals, water or fresh air;
- Suspensions constituting a pattern under §14.143(a) (relating to disciplinary placement);
- Treatment of a demeaning nature;
- Electric shock.
- The use of prone restraints. Prone restraints are those in which a student or eligible young child is held face down on the floor.

Notice and Appeal of Suspension and Expulsion

The decision to suspend or expel a student shall be made by the CEO or Administrative Designee and communicated to the parent/guardian in writing, in person, or over the phone. An electronic record of the suspension, accessible to parents, will be made within 12 hours of the CEO's decision. The student's parents/guardians have 48 hours from this electronic submission to challenge the suspension or expulsion by submitting to the Chair of the Board of Trustees, in writing, an appeal of the decision. During this time, the student will not be allowed to attend classes. The Chair of the Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 48 hours of receiving the appeal. The decision of the Chair of the Board of Trustees in affirming or reversing the CEO's decision is final.

Grievance Procedures

It is the policy of Ingenuity Prep that all employees, students, parents, and visitors have the right to voice their complaints or grievances about matters pertaining to its schools.

Ingenuity Prep recognizes the meaningful value and importance of full discussion in resolving misunderstandings and in preserving good relations between management and employees. Accordingly, the following grievance procedure should be employed to ensure that complaints receive full consideration.

What May Be Grieved

The Ingenuity Prep grievance process should be used as follows: (1) to deal with complaints and concerns pertaining to educational environment, employment arrangements, or interpersonal conflicts; and (2) to resolve complaints of discrimination and harassment based upon race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

Who May Grieve

The procedures set forth below may be used by grievants who are employees, students, parents, or visitors.

Other Remedies

The existence of this procedure does not bar grievants from also filing claims in other forums to the extent permitted by state or federal law.

Informal Grievance

Because most difficulties can be resolved by communicating a concern to someone, grievants are encouraged to discuss their concern or harassment complaint promptly and candidly with their immediate supervisor, the school principal, or the CEO.

The grievant is not required to discuss his or her complaint with the alleged harasser or perpetrator in any manner or for any reason prior to initiating a formal grievance.

Formal Grievance

Within ninety (90) days of encountering the harassment, discrimination, or complaint that is the subject

of the grievance, a grievant shall file a written notice with the school principal or with the CEO. The written notice shall identify the nature of the complaint, the date(s) of occurrence, and the desired result, and shall be signed and dated by the person filing the grievance. In the event a grievance is being filed by the legal guardian or parent of a student, the student and the legal guardian and/or parent shall sign and date the grievance. The principal and the CEO can be reached at the contact information provided below.

The CEO will immediately initiate an adequate, reliable impartial investigation of the grievance. Each formal complaint will be investigated, and depending on the facts involved in each situation, will be decided after receiving information from the appropriate individuals. Each investigation will include interviewing witnesses, obtaining documents, and allowing parties to present evidence.

All documentation related to the investigation and discussions held in this process are considered confidential and are not to be revealed to or discussed by any participant with, persons not directly involved with the complaint, with its investigation, or with the decision making process. This provision does not include discussions with governmental authorities.

Within thirty (30) business days of receiving the written notice, the CEO shall respond in writing to the grievant (the "Response"). The Response shall summarize the course of the investigation, determine the validity of the grievance and the appropriate resolution.

If, as a result of the investigation, harassment, or a valid grievance is established, appropriate corrective and remedial action will be taken.

Appeal of Grievance

If the grievant is not satisfied with the Response, the grievant may appeal in writing to the Chair of the Board of Trustees within thirty (30) days of the date of the Response summarizing the outcome of the investigation. The written appeal must contain all written documentation from the initial grievance and the grievant's reasons for not accepting the Response. The appeal, in letter form, may be submitted to the CEO who will relay it to the Chair of the Board of Trustees.

Within twenty-one (21) days from receiving the written appeal, the Chair of the Board of Trustees will respond in writing to the appellant as to the action to be taken and the reasons therefor.

Prohibition Against Retaliation

Ingenuity Prep pledges that it will not retaliate against any person who files a complaint in accordance with this policy, or any person who participates in proceedings related to this policy.

In addition, Ingenuity Prep will not tolerate any form of retaliation against any person who makes a good faith report or complaint about perceived acts of harassment, discrimination, or concern, or who cooperates in an investigation of harassment, discrimination, or a concern. Any person who is found to be engaging in any kind of retaliation will be subject to appropriate disciplinary action.

APPENDIX J – Discipline Of Students With Disabilities

Purpose

If a student violates the Ingenuity Prep Code of Student Conduct, before consequences or punishment are imposed, a school must consider whether the student has a disability evidenced by an IEP or 504 Plan. While all students may be disciplined, it is both illegal and unjust to punish a child when the offense is directly related to his disability or when the IEP or 504 Plan is not implemented.

Legal Standard

Disciplinary actions give students with disabilities extra legal protections when the discipline constitutes a change in placement. A “change in placement” is a legal term that applies to the following situations:

- A suspension or expulsion for more than 10 consecutive school days. If a student has transportation on his IEP, then bus suspensions are also counted.
- Suspensions that may total less than 10 cumulative school days in a school year may be a change in placement if they appear as part of a pattern of suspensions. A pattern of suspensions may be found if the student is suspended for behavior that is “substantially similar” to behavior for which the child has previously been suspended. Factors may include same type of behavior, same victim, same class, same day of the week or same time of day.

If the offense is a change in placement, the school team (including the parent) must advise parents in writing, provide a copy of the IDEA procedural safeguards, and hold a Manifestation Determination meeting to determine two issues:

- Was the student’s misconduct caused by or directly and substantially related to the student’s disability?
- Was the student’s misconduct a direct result of the school’s failure to follow the child’s IEP?

If the team answers yes to either question, then the student’s behavior is a manifestation of his/her disability. The student may not be suspended, expelled or transferred to a remedial disciplinary school as a punishment for misbehavior that is a manifestation of a disability. The team must conduct a functional behavioral assessment and create a behavior plan addressing ways that the school can help a student with a conduct issue. If the student already has a behavior plan, the plan must be reviewed and modified to address how the school can better assist the student with the conduct issue.

If all team members agree that the student’s conduct was not a manifestation of his disability, then the student may be subject to the same consequences as all students. If a parent disagrees with the team’s decision that the behavior was not a manifestation of the student’s disability, the parent may request a due process hearing to challenge this finding. If the Hearing Officer agrees with the parent, the student will remain in the school where the offense was committed unless the parent and the school agree otherwise. However, during the period of expulsion or transfer to an alternative placement or remedial

disciplinary setting, the student must continue to receive special education services prescribed by his IEP and a Behavior Plan must be created or revised to address the offending conduct.

If Ingenuity Prep orders a disciplinary removal that meets the definition of a change in placement, it must continue to make FAPE available to the student. This means that even if the child is suspended or expelled from a school, the LEA must ensure that the student continues to receive educational services.

Emergency Circumstances Involving School Safety: Weapons, Drugs or Serious Injury

If a student: possesses illegal drugs; is selling prescription drugs; carries a weapon; or causes serious bodily injury to another, either at school or during a school related activity, the school may immediately remove the student for up to 45 school days to an alternative or remedial disciplinary setting. To comply with the law, a 45 school day emergency removal for serious bodily injury must be serious, i.e., requiring medical treatment.

Because drugs, weapons and serious bodily injury are so dangerous to a safe school climate, a school may remove a student under these circumstances for 45 school days regardless of whether a child has mental retardation or even if the team believes that the behavior is a manifestation of the student's disability. During the 45 school-day period, the school must convene a manifestation determination meeting. If the school determines that the conduct is a manifestation, the school may have the child re-evaluated, create or revise an existing behavior plan, or hold an IEP meeting to consider a more intensive special education placement upon the expiration of the 45-day alternative placement or sooner. If all team members determine that the conduct was not a manifestation of the student's disability, then the 45 school day emergency placement may proceed to a disciplinary proceeding afforded to all students.

Emergency Hearing/Dangerousness

If a school has solid reasons to believe that keeping the student in his current school is "substantially likely to result in injury to the child or to others", the school should consult with the RTI Coordinator who may request an emergency hearing to ask a Hearing Officer to transfer the student to an alternative setting for up to 45 school days. Dangerousness may exist even if there is no Code of Conduct violation. It is a consideration based on serious safety concerns for the student and/or the school community.

Notice to Parents

Any time a student with an IEP or 504 plan is removed to an alternative or remedial disciplinary setting, the parent must be given a NOREP stating this decision and a copy of the procedural safeguards.

Restraints

Restraints are considered the application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's body. Does not include briefly holding, without force, a student in order to calm or comfort him, guiding a student or eligible young child to an appropriate activity, or holding a student's or eligible young child's hand to safely escort him/her from one area to another. Excluded from this definition is hand-over-hand assistance with feeding or task

completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to him/herself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective. The use of restraints to control the aggressive behavior of an individual student must cause the school entity to notify the parent of the use of the restraint and a meeting of the IEP Team within 10 school days of the inappropriate behavioral causing the use of restraints, unless the parent, after written notice, agrees in writing to waive the meeting.

At this meeting, the IEP Team must consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior.

The use of restraints may only be included in a student's IEP when:

- It is utilized with specific component elements of positive behavior support;
- It is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior;
- Staff are authorized to use the procedure and have received the staff training required; and
- There is a plan in place for eliminating the use of restraint through the application of positive behavior support.

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning. Examples include:

- Devices used for physical or occupational therapy;
- Seatbelts in wheel chairs or on toilets used for balance and safety;
- Safety harnesses in buses; and
- Functional positioning devices.

The following aversive techniques of handling behavior are considered inappropriate and may not be used:

- Corporal punishment;
- Punishment for a manifestation of a student's disability;
- Locked rooms, locked boxes or other locked structures or spaces from which the student can not readily exit;
- Noxious substances;
- Deprivation of basic human rights, such as withholding meals, water or fresh air;



- Suspensions constituting a pattern under §14.143(a) (relating to disciplinary placement);
- Treatment of a demeaning nature;
- Electric shock.
- The use of prone restraints. Prone restraints are those in which a student or eligible young child is held face down on the floor.

Notice and Appeal of Suspension and Expulsion

The decision to suspend or expel a student shall be made by the CEO or administrative designee and communicated to the parent/guardian in writing, in person, or over the phone. An electronic record of the suspension, accessible to parents, will be made within 12 hours of the decision. The student's parents/guardians have 48 hours from this electronic submission to challenge the suspension or expulsion by submitting to the Chair of the Board of Trustees, in writing, an appeal of the decision. During this time, the student will not be allowed to attend classes. The Chair of the Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 48 hours of receiving the appeal. The decision of the Chair of the Board of Trustees in affirming or reversing the CEO's decision is final.

Grievance Procedures

It is the policy of Ingenuity Prep that all employees, students, parents, and visitors have the right to voice their complaints or grievances about matters pertaining to its schools.

Ingenuity Prep recognizes the meaningful value and importance of full discussion in resolving misunderstandings and in preserving good relations between management and employees. Accordingly, the following grievance procedure should be employed to ensure that complaints receive full consideration.

What May Be Grieved

The Ingenuity Prep grievance process should be used as follows: (1) to deal with complaints and concerns pertaining to educational environment, employment arrangements, or interpersonal conflicts; and (2) to resolve complaints of discrimination and harassment based upon race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

Who May Grieve

The procedures set forth below may be used by grievants who are employees, students, parents, or visitors.

Other Remedies

The existence of this procedure does not bar grievants from also filing claims in other forums to the extent permitted by state or federal law.

Informal Grievance

Ingenuity Prep prepares students to succeed in college and beyond as impactful civic leaders.



Because most difficulties can be resolved by communicating a concern to someone, grievants are encouraged to discuss their concern or harassment complaint promptly and candidly with their immediate supervisor, the school principal, or the CEO.

The grievant is not required to discuss his or her complaint with the alleged harasser or perpetrator in any manner or for any reason prior to initiating a formal grievance.

Formal Grievance

Within ninety (90) days of encountering the harassment, discrimination, or complaint that is the subject of the grievance, a grievant shall file a written notice with the school principal or with the CEO. The written notice shall identify the nature of the complaint, the date(s) of occurrence, and the desired result, and shall be signed and dated by the person filing the grievance. In the event a grievance is being filed by the legal guardian or parent of a student, the student and the legal guardian and/or parent shall sign and date the grievance. The principal and the CEO can be reached at the contact information provided below.

The CEO will immediately initiate an adequate, reliable impartial investigation of the grievance. Each formal complaint will be investigated, and depending on the facts involved in each situation, will be decided after receiving information from the appropriate individuals. Each investigation will include interviewing witnesses, obtaining documents, and allowing parties to present evidence.

All documentation related to the investigation and discussions held in this process are considered EXTREMELY CONFIDENTIAL and are not to be revealed to or discussed by any participant with, persons not directly involved with the complaint, with its investigation, or with the decision making process. This provision does not include discussions with governmental authorities.

Within thirty (30) business days of receiving the written notice, the CEO shall respond in writing to the grievant (the "Response"). The Response shall summarize the course of the investigation, determine the validity of the grievance and the appropriate resolution.

If, as a result of the investigation, harassment, or a valid grievance is established, appropriate corrective and remedial action will be taken.

Appeal of Grievance

If the grievant is not satisfied with the Response, the grievant may appeal in writing to the Chair of the Board of Trustees within thirty (30) days of the date of the Response summarizing the outcome of the investigation. The written appeal must contain all written documentation from the initial grievance and the grievant's reasons for not accepting the Response. The appeal, in letter form, may be submitted to the CEO who will relay it to the Chair of the Board of Trustees.

Within twenty-one (21) days from receiving the written appeal, the Chair of the Board of Trustees will respond in writing to the appellant as to the action to be taken and the reasons therefor.



Prohibition Against Retaliation

Ingenuity Prep pledges that it will not retaliate against any person who files a complaint in accordance with this policy, or any person who participates in proceedings related to this policy.

In addition, Ingenuity Prep will not tolerate any form of retaliation against any person who makes a good faith report or complaint about perceived acts of harassment, discrimination, or concern, or who cooperates in an investigation of harassment, discrimination, or a concern. Any person who is found to be engaging in any kind of retaliation will be subject to appropriate disciplinary action.



APPENDIX M – OPEN MEETINGS POLICY

Ingenuity Prep does not currently hold open board meetings, although it is currently considering making an adjustment to the policy.



APPENDIX N – USDA NONDISCRIMINATION POLICY

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov. This institution is an equal opportunity provider.

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