



**E.L.HAYNES**

**E.L. Haynes Public Charter School  
Student and Family Policies for DC PCSB  
2021-2022**

## E.L. Haynes Elementary School Discipline Policy

Students are expected to contribute to a productive and joyful school climate by following teachers or staff members' directions and school rules, resolving conflicts without physical contact, showing respect to adults and each other, using appropriate language at all times, and respecting the rights and property of others. Students are expected to make appropriate choices that ensure respect and safety for themselves and others.

E.L. Haynes' approach to discipline is derived from the Responsive Classroom model which incorporates social learning into the daily program. We believe that our social curriculum is as important as our academic and see student discipline as a learning opportunity. Staff members incorporate restorative techniques in response to student misbehavior and make attempts to reduce the amount of time students spend out of class following a discipline issue.

Haynes uses a positive discipline approach in which rules and expectations are explicitly taught, modeled and practiced on an ongoing basis and consequences for breaking rules are administered calmly and fairly. Consequences for behavior that break our school or classroom rules are logical and relevant. Staff members treat students respectfully in all situations.

At the start of every school year, students are involved in making classroom rules with their teachers and are expected to follow all classroom and school rules. In keeping with Responsive Classroom, there are logical consequences when students do not follow rules. Logical consequences help students learn from their mistakes through relevant responses to misbehavior.

Logical consequences include:

- **Reset and Buddy Class:** Reset allows students to think about the rules and their importance to the classroom and the school community. Reset is not considered punishment, but rather provides time away from classroom activities in order for the student to regain their composure or productive frame of mind. Thus, all students will likely use reset during the school year. When a student uses reset repeatedly in the same day, does not use reset successfully or uses reset multiple times for the same reason, a teacher may choose to have the student spend time in a buddy class. This time away from the classroom gives the student an opportunity to reflect on their behavior in the class and the importance of classroom rules. If buddy class is needed, the teacher often will escort the student or have a peer escort them or check that they have made it there successfully.
- **Problem Solving Conference:** A problem-solving conference is a strategy for addressing a persistent problem that one student is having. In a problem-solving conference, the teacher builds an alliance with the student to solve a problem. The teacher opens up discussion with the child, listens to their perspective, and makes the problem a mutual issue. The teacher and student then together identify a likely cause of the problem and together decide how to address it.
- **Community Meeting:** The purpose of a community meeting is to enable a group to solve a problem while keeping the classroom rules front and center, sharing information, and using reasoned thinking. Community meetings follow a specific, preset protocol designed to give all group members an opportunity to describe their understanding of the problem and an equal say in how to solve it. The protocol encourages listening, compromise, collective problem solving and respect for everyone's needs and desires.

- **Loss of Privileges:** Loss of privileges for a specific amount of time reminds students that privileges come with expectations. For example, a student who chooses not to handle a material safely in accordance to the classroom expectations that he or she already knows, may not be allowed to use the material again until he or she has demonstrated his or her knowledge of using the material safely.
- **“You Broke It, You Fix It”:** “You Broke It, You Fix It” shows students that their actions are important. For example, a student who writes on a table may be asked to clean all the tables. A student who hurts another student’s feelings may be asked to write a letter of apology to that student or participate in mediation with the other student. Students are encouraged to suggest their own reparation if a classmate has hurt their feelings, or they have treated school resources inappropriately.
- **Problem Solving Center:** If a student exhibits repeated or highly unsafe, unkind or disruptive behavior, they may be referred by a teacher to the Problem Solving Center where they will spend more significant time away from their classroom community reflecting on their actions and conferencing with a school administrator. Students will be welcomed back into the classroom community once they have demonstrated through their behavior that they are ready to meet classroom expectations and have identified what they will do differently to prevent similar incidents from happening again in the future.

In most instances, students will receive one of the above logical consequences for misbehavior based on the Responsive Classroom model. However, in cases where a student engages in extreme negative behavior, E.L. Haynes may utilize out of school suspension and/or expulsion as appropriate.

E.L. Haynes does not tolerate physical incidents and incidents of bullying/harassment that lead to significant physical, mental and/or emotional harm. Students who engage in these problematic behaviors will receive appropriate consequences that may include but are not limited to out of school suspension, family conference, etc.

Our community encourages the use of nonviolent conflict resolution strategies and students are expected to use those conflict resolution strategies to diffuse and/or resolve disputes in a nonviolent manner.

(Please refer to Anti-Bullying/Harassment section, and E.L. Haynes Tiers of Discipline in the Appendices for more information).

## **BULLYING**

At E.L. Haynes, we believe that it is every person’s right to feel physically and emotionally safe while they are at our school. Because of this belief, we will do everything possible both as individuals and as a campus, to create and preserve that environment through proactive anti-bullying education, zero tolerance for bullying behaviors along with well-defined and effective consequences for violations.

Bullying by definition, is any single incident or pattern of behavior directed at another person that results in that person feeling intimidated, harassed, or results in the physical or emotional injury of that person. Some examples of bullying are:

- Pushing, hitting, kicking or throwing things at someone.
- Stealing or damaging another person’s property.

- Name calling or teasing.
- Threatening to hurt someone.
- Leaving someone out on purpose and without good reason.
- Spreading rumors about someone.

E.L. Haynes continues to educate students about bullying. Our focus continues to be giving students the skills and strategies to address other people's behavior positively. We talk about how they cannot control the behaviors of other people, they can only control how they react. At E.L. Haynes, we encourage students to assert themselves and seek assistance as needed so they have choices as to what they can do if someone is treating them in a negative way. For instance, students are encouraged to:

- Ignore
- Move Away
- Talk Friendly (Sounds like, "Will you please stop.")
- Talk Firmly (Sounds like, "STOP IT!.")
- Get an Adult for Help

Any student, who believes that they have been bullied, or who has seen another student being bullied, should report the problem immediately to a teacher or other adult on campus. Furthermore, any ELH employee or parent who witnesses a bullying incident should report it to the campus principal or Dean of Culture.

For any violation of the anti-bullying policy, the following consequences will be applied in sequential order as each violation occurs. The campus principal may apply more than one disciplinary action, or skip a step, depending on the severity and nature of the violation.

### **Step 1: First Reported Incidence of Bullying Behavior**

ELH Response - Student to Receive Intervention, Warning, and Redirection.

The staff member who receives the report will ensure that the immediate behavior stops and will reinforce to the student that bullying will not be tolerated. During this meeting with the student, the staff member will redirect the student to develop a plan to prevent similar behaviors in the future. Student will make a formal apology.

### **Step 2: Second Reported Incidence of Bullying Behavior**

ELH Response - Meeting with the Teacher, Principal, and /or Dean of Culture

The student will meet with their teacher, principal and/or Dean of Culture to discuss the problem, solutions to the problem and to reinforce that bullying will not be tolerated. Parents are contacted by phone and student is notified in writing of future consequences if the behavior continues. A meeting between parents of the bullying and the bullied student is recommended at which time the student will make a formal apology in the presence of both parents. Behavior and/or Anti-Bullying contract is signed by student and parent. Student is to make a formal apology.

### **Step 3: Third Reported Incidence of Bullying Behavior**

ELH Response - Formal Meeting with Parents and Staff.

School staff will notify the parents of the involved student. The parents will be asked to meet with the principal and/or other members of the school support staff, including the student's teacher. Previous documentation will be reviewed with parent and student. A Level 2 consequence of loss of privilege or

after-school detention may be assigned. Both students will be referred to social work team for assessment and/or possible intervention.

#### **Step 4: Fourth Incidence of Bullying Behavior**

ELH Response - Level 2 Consequence

Principal and/or Dean of Culture will meet with student and parents and assign a Level 2 consequence, which may include loss of privileges or after-school detention. Stop Bullying Contract is reviewed with student and parent.

#### **Step 5: Fifth Incidence of Bullying Behavior**

ELH Response – Repeat of Step 4 actions and Suspension

In cases of severe or repeated bullying, the student may be suspended out of school.

#### **Step 6: Sixth Incidence of Bullying Behavior**

ELH Response - Candidate for Expulsion

In the event of dangerous bullying (such as serious physical violence or threat), or where repeated efforts to address the problem have failed, the student may be a candidate for expulsion.

### **PROCEDURES FOR SUSPENDING AND EXPELLING STUDENTS**

#### **Procedures**

E.L. Haynes may decide to suspend or expel a student after determining that their behavior willfully caused, attempted to cause, or threatened to cause physical harm and/or emotional distress to another person. No elementary school student will receive an out-of-school suspension of longer than five consecutive days, or twenty cumulative days unless the Chief Academic Officer, or their designee provides a written justification to the family as to why exceeding the limit is needed to protect the safety of our school environment.

#### *Special Considerations for Pre-K Students*

E.L. Haynes does not suspend Pre-K students, except for cases in which a Pre-K student willfully causes, or threatens to cause serious bodily injury. E.L. Haynes will consider whether the student caused, or threatened to cause seriously bodily injury in self-defense. If the decision is made to suspend a Pre-K student for the above reasons, the student will be suspended for no more than 3 days.

E.L. Haynes does not expel Pre-K students for any reason.

E.L. Haynes will coordinate with the family of any student who receives an out of school suspension to develop a plan for continuity of education while the student is out of school, including a plan to facilitate the student's return to the classroom. The plan will ensure that the student continues to receive all assignments during the suspension, can communicate with school staff about assignments, and has the opportunity to make-up any work missed during the suspension if the student cannot complete it during the suspension.

#### **Appeals**

The decision to suspend or expel a student shall be made in writing and given to the parent/guardian. The student's parents/guardians have five school days to challenge the suspension or expulsion by submitting an appeal of a Principal's or Chief Executive Officer's decision, in writing, to the Chief Executive Officer and Chair of the Board of Trustees. The Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 5 school days after receiving the

appeal. The Chair of the Board of Trustees shall convene a special meeting of the Board of Trustees to consider the appeal of the suspension or expulsion. The student and his or her parents/guardians, the student's teachers, a Principal, the Chief Executive Officer, and other school staff may be invited to participate in this special meeting as the Board sees fit. The decision of the Board of Trustees in affirming or reversing a Principal's or Chief Executive Officer's decision is final.

### **Procedures for Suspending and Expelling Students with Disabilities**

#### **Removal for 10 or fewer school days in a school year**

Students with disabilities can be suspended for up to 10 consecutive or cumulative school days in a year to the same extent that suspension is used for general education students. The school is not required to provide services for the first 10 days in a school year that the student is suspended

#### **Removal for more than 10 cumulative school days when the student's behavior does not represent a pattern**

No manifestation determination is required when a student is suspended for more than 10 school days in a school year and the series of suspensions does not constitute a pattern. However, students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals. Students who are suspended for more than 10 days in a school year must also receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications to address the behavior violation so that it does not recur.

#### **Removal for more than 10 consecutive school days or 10 cumulative schools days when the behavior represents a pattern**

Disciplinary action that results in a student being suspended for more than 10 consecutive school days or 10 cumulative school days in a year where the series of suspensions constitute a pattern result in a disciplinary change in placement. A disciplinary change in placement requires a manifestation determination to be made by the IEP team.

The following is required under these circumstances:

- A. Parent Notification - the parent/ guardian must be notified of the disciplinary action to be taken and informed of the procedural safeguards on the day the decision to take disciplinary action was made.
- B. Manifestation Determination - an IEP team meeting must be convened within 10 school days to determine whether the student's behavior was a manifestation of his/her disability.
- C. Review of Behavior Intervention Plan - at the manifestation determination meeting, the IEP team must also conduct a functional behavior assessment, unless one has already been conducted, and develop a behavior intervention plan for the student or review the student's current behavior intervention plan and modify it as necessary.

Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

A manifestation determination meeting reviews the relationship between the student's disability and the student's behavior that is subject to the disciplinary action.

If it is determined that the student's behavior was a manifestation of his or her disability, then the student must return to E.L. Haynes unless the parent and E.L. Haynes agree otherwise. There are special circumstances where a student with a disability can be removed from E.L. Haynes for up to 45 school days without regard to whether the student's behavior was determined to be a manifestation of his/her disability: possession of a weapon at school on school premises or during a school function; possession or use of an illegal drug at school on school premises or during a school function; infliction of serious bodily injury at school on school premises or during a school function. At any time the IEP team, with parent consent, may change the student's placement.

If it is determined that the student's behavior was not a manifestation of the student's disability, the same disciplinary procedures applicable to a student without a disability, including long term suspension or expulsion may be applied to the student with a disability. Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

#### Hearing Officer

If maintaining a student with a disability in his or her current placement would prove harmful to the student or to others, the school can request a hearing officer to order placement in an alternative setting for up to 45 days. In this case, the school is required to provide services for a student with a disability so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

#### Student Not Yet Found Eligible

A student who has not yet been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may be entitled to a manifestation determination meeting if the school had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred (34 CFR 300.534(a)).

The school shall be deemed to have knowledge that a student is a student with a disability if before the behavior that precipitated the disciplinary action occurred, one or more of the following took place:

- The parent of the student expressed concern in writing to administrative or E.L. Haynes instructional personnel that the student is in need of special education and related services.
- The parent of the student requested an evaluation of the student.
- The teacher of the student, or other E.L. Haynes personnel, expressed specific concerns about a pattern of behavior demonstrated by the student to the director of special education or to other supervisory personnel.

The school will not be deemed to have knowledge that the student is a student with a disability if any of the following took place:

- The school previously evaluated the student, and the student did not qualify for special education services
- The student did qualify for special education services, and the parents refused services
- The parent refused to permit the school to evaluate the student

## **E.L. Haynes Middle School Discipline Policy**

E.L. Haynes is committed to a thoughtful, fair, transparent, and timely discipline process that honors our commitment to restorative practices and our commitment to the safety, support and well-being of our community. The E.L. Haynes Middle School community is based on our mission that all students, of every race, socioeconomic status, and home language will be prepared for the college of their choice as well as our core values, which include: Perseverance; Responsibility, Respect, Reflection and Refinement; Integrity and Inclusiveness; Daring to have Courage; Excellence and Equity; and Achievement.

The school's core values and resulting behavioral expectations are in effect at school, on school grounds, at school sanctioned activities or events, while being transported in school approved vehicles, or at school functions/activities occurring off school property. Any violation of school rules during these times will subject a student and/or conspirator to disciplinary measures and/or notification of law enforcement authorities. School officials may discipline students for incidents that occur off campus if the incident causes significant disruption to the school community or environment.

Discipline at Haynes is on a continuum where, based on the severity and frequency of the behavior, interventions begin with proactive interventions and increase to intensive interventions. Please see the intervention categories and strategies below that are used to correct student behavior. Examples of possible disciplinary responses are detailed in the Tiers of Discipline – included here as Appendix 1 and available on our website. Depending on the nature of the action and/or referral, may include, but are not limited to:

All interventions and consequences need to be:

- Relevant: related to the issue
- Realistic: doable and productive
- Respectful: without sarcasm or an “edge”

### **PROACTIVE INTERVENTIONS**

- Non-Verbal Cues
- Positive Group Correction
- Anonymous Individual Correction
- Private Individual Correction
- Lightening Quick Public Correction
- Issue Affective Statements
- Ask Restorative Questions
- Remodel Routines
- Restorative Circle for Entire Class
- Loss of Privileges
- Fix It or Redo It
- Quick Impromptu Conference Inside Classroom
- Quick Problem Solving Conference Outside the Classroom
- TAB (Take a Break)
- TAB OUT (take a Break Outside the Classroom)
- Fix the Problem or Redo
- Parent Phone Call



## **RESPONSIVE INTERVENTIONS**

- Quick Problem Solving Conference with Dean of Culture
- Infinite Campus Log
- Mediation/Restorative Conference with Student, Teacher, Dean of Culture
- Parent Meeting
- Parent Shadow Day
- Youth Peer Court
- Wellness Referral and/or Assessment
- Student Reflection or Project
- Exclusion from Class
- Problem Solving Meeting/ Circle with Entire Class
- Conspiracy of Care Meeting

## **INTENSIVE INTERVENTIONS**

- Lunch Reflection
- Before or After School Detention with Teacher
- Formal Conference
- Student Judicial Committee Hearing
- Suspension
- Family Group Conferencing Meeting
- Expulsion Hearing

## **RESTORATIVE PRACTICES**

Restorative Practices are prevention strategies to help increase social emotional strength, a sense of belonging, and a culture of caring in our school. Using Restorative Practices proactively builds a sense of community through the development of relationships which can result in fewer, more elaborate interventions later. When we speak of Restorative Practices we should keep in mind the notion of 'making things better,' which is our stated goal for the students, for the families, and the greater school community. Restorative Practices helps us to understand the root causes of a particular behavior and what led up to the behavior so that it can be addressed in a more empathetic and holistic way. Haynes believes that decisions are best made and conflicts are best resolved by those most directly involved in them. The goal is to work with community members to come to a solution, fix the problem, restore harm, foster understanding and adjust behavior.

A restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions in order to get to the root of the problem:

- What happened?
- Who was harmed or affected by the behavior?
- What needs to be done to make things right?
- How can people behave differently in the future?

When used as an intervention measure to address inappropriate student behavior, restorative practices empower community members to take responsibility for the well-being of others; prevent or deal with

conflict before it escalates; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; increase the pro-social skills of participants, particularly those who have harmed others; and provide wrongdoers with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the extent possible.

Through Restorative Practices, members of our 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. Recognized 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

#### RESTORATIVE PRACTICES PRINCIPLES

1. Restorative Practices focuses on harms rather than rules or persons and the consequent needs of victims, offenders and communities.
2. Restorative Practices addresses obligations of the offender resulting from those harms, as well as the community's obligations to both victims and offenders.
3. Restorative Practices uses inclusive, collaborative processes.
4. Restorative Practices involves all individuals (victims, offenders, parents, students, staff, and faculty) who have a legitimate stake in a given situation.
5. Restorative Practices seeks to put right the wrongs that have been done, so that victims feel safe and valued, and offenders feel restored to the school community.

#### RESTORATIVE DISCIPLINE

1. Acknowledges that relationships are central to the building of the school community.
2. Must establish policies and procedures that harm and misbehavior in a way that strengthens relationships.
3. Focuses on harms done rather than rules broken.
4. Gives voice to the person who has been harmed.
5. Engages in collaborative problem solving.
6. Empowers change and growth for all involved.
7. Enhances responsibility for actions and attitudes for all involved.

The goals of these restorative practices are that...

1. E.L. Haynes will be a safe, friendly and enjoyable learning environment.
2. E.L. Haynes will foster an environment where everyone feels valued, respected, and included.
3. E.L. Haynes will be a school where students are motivated to learn. faculty and staff enjoy meaningful and fulfilling work, and parent/guardian(s) are confident their student is getting the best support and education in a safe and welcoming environment.

## **Suspension and Expulsion**

Students may be suspended from school for a specified number of days or expelled from school for the remainder of the school year for serious infractions. Expelled students may re-apply to attend school the following year. If a student is expelled from E.L. Haynes during the fourth quarter of the school year they will not be permitted to enroll the following school year, but are welcome to apply through the My School DC lottery one full school year after they were expelled. The school will attempt to contact the student's parent/guardian before a suspension, and the parent/guardian will receive a written letter with details about the incident within one business day. When a student is suspended, depending on the severity of the infraction, the student, parent/family will have to attend a Formal Restorative Meeting and/or a School Judiciary Committee Meeting. If a student is a candidate for expulsion, the family will be invited to a meeting with the School Judiciary Committee to discuss the incident and attempt to address the behavior. If, after this meeting, the student remains a candidate for expulsion there will be a separate Expulsion Determination meeting with the Chief Executive Officer. The family may have representatives (attorneys, mentors, family members) attend any of these meetings.

When a student is suspended or awaiting an expulsion hearing, they are not allowed to be present on school grounds at any time or attend or participate in any school wide activity or event.

### Serious Infractions

A serious infraction sufficient to justify consideration of suspension or expulsion is one that threatens the health, safety or welfare of a student, teacher or staff member or repeatedly impairs instruction for the student's classmates. Serious infractions include; but are not limited to:

- a) Intentionally injuring, attempting to injure, or threatening to injure another person or oneself;
- b) Intentionally causing damage to school property or the property of others at the school;
- c) Using profane or extremely disrespectful language to another student or a teacher;
- d) Possession of any weapons or instruments designed to commonly be used as weapons;
- e) Unsafe behavior including failing to respond to a teacher's directions in such a way that it causes concern for the safety of the individual student or the class;
- f) Leaving the school or classroom without the permission or consent of the teacher or supervising adult;
- g) Possession of profane material, sexual harassment, sexual assault, or the display of sexually indecent or lascivious behavior;
- h) Possession of alcohol, tobacco, illegal drugs; and
- i) Repeated and consistent misbehavior that significantly disrupts classroom instruction after behavior management plans have been implemented.

Except for extenuating circumstances as determined on a case-by-case basis by an Administrator, any student who brings a weapon into the E. L. Haynes Public Charter School shall be expelled for not less than one year. The term "weapon" means a firearm as such term is defined in 18 U.S.C. § 921, a knife longer than 4", or an explosive of any kind. An Administrator shall refer to the criminal justice or juvenile delinquency system, simultaneous with expulsion, any student who is expelled for bringing a weapon into school, pursuant to 20 U.S.C. § 8921 et seq.

### Short-Term Suspension

For short-term suspensions (5 days or less), the decision to suspend a student shall be made by the Culture Team or Administrative Designee. The Culture Team 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. Prior to suspending the student, the Culture Team or Administrative Designee will

meet with the student, notify the student of what he/she is accused of doing and the information that the school has to believe that the student engaged in such behavior, and give the student an opportunity to present his/her side of the story or explanation for his/her behavior. The Culture Team or Administrative Designee will conduct any investigation necessary to determine what occurred before suspending a student, except in case of emergency. The suspension shall become effective immediately unless otherwise stated by a member of the Culture Team or Administrative Designee. After three suspensions from school, within the same school year for the same or different infractions, expulsion will be seriously considered.

### Long Term Suspension and Expulsion

In instances when long-term suspension (more than 5 days) is under consideration, or when a student has been suspended for a Tier 5 behavior (i.e. possession of a weapon, fighting which results in serious physical injury, sexual assault/aggression, participating in a group fight, bomb threat, arson, biohazard, possession of drug paraphernalia or controlled substance), the student and parent/guardian will be invited to meet with the School Judiciary Committee (SJC), which the Chief Academic Officer (CAO), or his/her designee, facilitates. SJs meet in response to Tier 5 violations but can meet in response to Tier 4 violations at the Principal's discretion. Typically, the Dean of Culture, the Principal, a teacher who advocates for the student, and when applicable, a Student Wellness Team member and the Assistant Director of Student Support Services also attend the SJC meeting. The SJC meeting should occur within 2 business days of the suspension.

The SJC is a forum for E.L. Haynes staff and families to discuss serious discipline issues in an open and constructive environment. A SJC meeting is an opportunity for families to engage in transparent communication about a student's circumstances. The goal of a SJC meeting is to create a common understanding of events and plan for the student to restore trust with the school community. During the meeting, the student's academic, attendance and disciplinary records are reviewed. Students are also required to come dressed appropriately along with a written reflection that will be shared in the meeting. At the conclusion of the meeting, the SJC makes a recommendation to the Principal who in conjunction with the CAO, or their designee, makes the final decision about the student's consequence.

The SJC may recommend that a student be placed on Disciplinary Probation until the end of a semester or the end of the school year. Disciplinary probation means that if another Tier 4 or 5 violation occurs, the student may be recommended for an expulsion hearing. Typically, the SJC meeting results in a behavior contract to promote the student's success in school and monitor his/her progress. A school administrator monitors the behavior contract unless the student has an IEP, in which case the student's caseworker will monitor the contract, or unless the student has a Behavior Improvement Plan, in which case the Behavior Intervention Coordinator will monitor the student's behavior contract.

After meeting with the student to discuss the behavior at hand, the SJC may determine the offense(s) warrants recommendation for a long-term suspension or expulsion. If a student is recommended for a long-term suspension or expulsion hearing, written notice of the recommendation and basis for that recommendation will be provided to the student and parent and a hearing will be scheduled. The hearing will typically be held no more than 5 days after the recommendation is made. A school administrator will provide all relevant information regarding the basis for the recommendation to the student/parent and Chief Executive Officer (CEO) at least 48 hours prior to the hearing.

It is important to note that an SJC meeting is NOT an Expulsion Hearing.

The CEO or his/her designee will serve as the impartial decision maker and issue a final decision regarding the recommendation for long term suspension or expulsion after considering all of the

information presented at the hearing. This final determination will be provided in a letter to the parent/guardian. Decisions can be appealed within five (5) days of the final determination to the Board of Trustees, and their decision is considered final.

### **Procedures**

E.L. Haynes may decide to suspend or expel a student after determining that their behavior willfully caused, attempted to cause, or threatened to cause physical harm and/or emotional distress to another person. No student in grades 6 through 12 will receive an out-of-school suspension of longer than ten consecutive days. No student in grade 5 will receive an out-of-school suspension of longer than five consecutive days. No student in any grade will receive an out-of-school suspension of longer than twenty cumulative days unless the Chief Academic Officer, or their designee provides a written justification to the family as to why exceeding the limit is needed to protect the safety of our school environment.

E.L. Haynes will coordinate with the family of any student who receives an out of school suspension to develop a plan for continuity of education while the student is out of school, including a plan to facilitate the student's return to the classroom. The plan will ensure that the student continues to receive all assignments during the suspension, can communicate with school staff about the assignments, and has the opportunity to make up any work missed during the suspension if the student cannot complete it during the suspension.

### **Appeals**

The decision to suspend or expel a student shall be made in writing and given to the parent/guardian. The student's parents/guardians have five school days to challenge the suspension or expulsion by submitting an appeal of a Principal's or Chief Executive Officer's decision, in writing, to the Chief Executive Officer and Chair of the Board of Trustees. The Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 5 school days after receiving the appeal. The Chair of the Board of Trustees shall convene a special meeting of the Board of Trustees to consider the appeal of the suspension or expulsion. The student and his or her parents/guardians, the student's teachers, a Principal, the Chief Executive Officer, and other school staff may be invited to participate in this special meeting as the Board sees fit. The decision of the Board of Trustees in affirming or reversing a Principal's or Chief Executive Officer's decision is final.

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#### **Removal for 10 or fewer school days in a school year**

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#### **Removal for more than 10 cumulative school days when the student's behavior does not represent a pattern**

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suspended for more than 10 days in a school year must also receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications to address the behavior violation so that it does not recur.

**Removal for more than 10 consecutive school days or 10 cumulative school days when the behavior represents a pattern**

Disciplinary action that results in a student being suspended for more than 10 consecutive school days or 10 cumulative school days in a year where the series of suspensions constitute a pattern result in a disciplinary change in placement. A disciplinary change in placement requires a manifestation determination to be made by the IEP team.

The following is required under these circumstances:

- A. Parent Notification - the parent/ guardian must be notified of the disciplinary action to be taken and informed of the procedural safeguards on the day the decision to take disciplinary action was made.
- B. Manifestation Determination - an IEP team meeting must be convened within 10 school days to determine whether the student's behavior was a manifestation of his/her disability.
- C. Review of Behavior Intervention Plan - at the manifestation determination meeting, the IEP team must also conduct a functional behavior assessment, unless one has already been conducted, and develop a behavior intervention plan for the student or review the student's current behavior intervention plan and modify it as necessary.

Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

A manifestation determination meeting reviews the relationship between the student's disability and the student's behavior that is subject to the disciplinary action.

If it is determined that the student's behavior was a manifestation of his or her disability, then the student must return to E.L. Haynes unless the parent and E.L. Haynes agree otherwise. There are special circumstances where a student with a disability can be removed from E.L. Haynes for up to 45 school days without regard to whether the student's behavior was determined to be a manifestation of his/her disability: possession of a weapon at school on school premises or during a school function; possession or use of an illegal drug at school on school premises or during a school function; infliction of serious bodily injury at school on school premises or during a school function. At any time the IEP team, with parent consent, may change the student's placement.

If it is determined that the student's behavior was not a manifestation of the student's disability, the same disciplinary procedures applicable to a student without a disability, including long term suspension or expulsion maybe applied to the student with a disability. Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

Hearing Officer

If maintaining a student with a disability in his or her current placement would prove harmful to the student or to others, the school can request a hearing officer to order placement in an alternative setting for up to 45 days. In this case, the school is required to provide services for a student with a

disability so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

#### Student Not Yet Found Eligible

A student who has not yet been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may be entitled to a manifestation determination meeting if the school had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred (34 CFR 300.534(a)).

The school shall be deemed to have knowledge that a student is a student with a disability before the behavior that precipitated the disciplinary action occurred, one or more of the following took place:

- The parent of the student expressed concern in writing to administrative or E.L. Haynes instructional personnel that the student is in need of special education and related services.
- The parent of the student requested an evaluation of the student.
- The teacher of the student, or other E.L. Haynes personnel, expressed specific concerns about a pattern of behavior demonstrated by the student to the director of special education or to other supervisory personnel.

The school will not be deemed to have knowledge that the student is a student with a disability if any of the following took place:

- The school previously evaluated the student, and the student did not qualify for special education services
- The student did qualify for special education services, and the parents refused services
- The parent refused to permit the school to evaluate the student

### **E.L. Haynes High School Discipline Policy**

E.L. Haynes is committed to a thoughtful, fair, transparent, and timely discipline process that honors our commitment to restorative practices and our commitment to the safety, support and well-being of our community. The E.L. Haynes High School community is based on our mission that all students, of every race, socioeconomic status, and home language will be prepared for the college of their choice.

The school's behavioral expectations are in effect at school, on school grounds, at school sanctioned activities or events, while being transported in school approved vehicles, or **at** school functions/activities occurring off school property. Any violation of school rules during these times will subject a student and/or conspirator to disciplinary measures and/or notification of law enforcement authorities. School officials may discipline students for incidents that occur off campus if the incident causes significant disruption to the school community or environment.

Discipline at Haynes is on a continuum where, based on the severity and frequency of the behavior, interventions begin with proactive interventions and increase to intensive interventions. Interventions are a hybrid of traditional disciplinary actions and restorative practices and aim to achieve the following:

1. Acknowledge that relationships are central to the building of the school community.
2. Establish policies and procedures that harm and misbehavior in a way that strengthens relationships.
3. Focus on harm done rather than rules broken.

4. Give voice to the community member who has been harmed.
5. Engage in collaborative problem solving.
6. Empower change and growth for all involved.
7. Enhance responsibility for actions and attitudes for all involved.

Ensuring that interventions and consequences are:

- Relevant: related to the issue
- Realistic: doable and productive
- Respectful: without sarcasm or an “edge”
- Repair: Focus is on how the student can make it right

### **E.L. Haynes Tiers of Discipline: Infractions and Associated Responses**

In general, our response to infractions will follow the principles of Restorative Practices. A Restorative Practice approach focuses on resolving conflicts and disruptions to the school environment in a way that provides growth and understanding of the impact of one’s behavior on a community.

We commit to responding to student misconduct fairly and equitably. An equitable and fair response is without regard to a student’s personal characteristics, including race, color, national origin, religion, disability, ethnicity, sex, gender, gender identity, sexual orientation, or status as an English Language Learner, migrant, or homeless student. (US Dept of Ed. Guiding Principles A Resource Guide for Improving School Discipline and Climate, 2014, pg4) Students with disabilities are also entitled to additional procedural safeguards.

Unless otherwise required by law, the Dean of Culture and Principal will impose the response deemed most appropriate to address the infraction based on the severity of the infraction, the developmental age of the student and the student’s history of problem behaviors. In instances where an infraction falls within multiple tiers, it is within the discretion of the Dean of Culture and Principal to determine the tier response for that infraction. Similarly, in instances where the behavior may not be clearly listed above as a disciplinary infraction, it is within the discretion of the Dean of Culture and Principal to determine the tier response.

Participation in extracurricular activities, school functions, sports or graduation exercises may be denied where necessary to maintain the order and integrity of the school environment.

#### *Supports and Interventions*

To promote positive behavior, Haynes provides a range of prevention and intervention support services for students during and/or after school hours throughout the school year. When a student engages in misconduct, the non-exhaustive list of interventions must be considered based on the type of behavior in which a student has engaged. Supports and interventions are an integral part of a comprehensive response to misconduct. When used consistently and appropriately, interventions help improve student behavior, lower the incidence of repeated misbehavior, and contribute to a more positive school environment. Support services may include any of the interventions or a combination of services that best meet the needs of the individual student. The list of supports and interventions can be found on our Intervention Continuum.



Listed below is a more in depth explanation of some of the support and intervention measures that are employed at Haynes in response to behavioral incidents:

- **Family Outreach** - School staff keep families informed of their student's behavior and enlist parent/guardian(s) as partners in addressing areas of concern. Outreach to families can include, but is not limited to, a phone call, text, email, and/or written communication. This may also include a request for an in-person meeting or a shadow day.
- **Short Term Progress Reports** Teachers, Dean of Culture and/or administrators may send progress reports and updates to parent/guardian(s) on a regular basis until they feel the student is in a better place and working up their potential successfully. Progress reports can focus on academic goals as well as behavioral goals that will positively impact the student's success.
- **Development of Individual Behavior Agreement** The student meets with teachers to create a written agreement that includes objectives and the specific performance tasks that the student will accomplish to meet those objectives. The agreement is signed by the student and teacher and, where appropriate, the parent/guardian(s).
- **Quick Problem Solving Conversation Inside or Outside the Classroom** - Teacher and student quickly discuss the off task behavior, how the teacher can be supportive as well as reset expectations concerning conduct in class. This can occur within the classroom or directly outside the classroom.
- **Relationship Building Conference** - Haynes recognizes that strong and respectful relationships are the key to a strong community. Staff is encouraged to spend time with students outside of the classroom environment in order to build stronger relationships. This includes meeting with the student before or after school, during lunch, school wide events, etc.
- **TAB (Take a Break)** Each classroom has a 'TAB' space where students can take a break while still being engaged in classroom activities
- **TAB OUT (take a Break Outside the Classroom):** Sometimes students cannot or will not take a break in the classroom. As a result, a student will be asked to take a "TAB Out and Back" where the student will be escorted to the Dean's or another administrator's office for a short period of time before returning to his/her classroom. The student will be expected to reflect on the behavior that caused them to be removed from class and to work on a plan to make things better.
- **Restorative Meeting:** Meeting between all parties facilitated by the Dean of Culture. The goal is to understand one another's perspectives, restore the relationship, fix the situation, and reset expectations.
- **Parent Shadow Day:** Parent spends an entire day at school shadowing their student to observe their behavior.
- **Peer Court:** Some infractions will require students to go before their peers who will listen to all of the events of the incident and determine appropriate consequences.
- **Conspiracy of Care Meeting:** Structured format where a team of teachers discuss a student collaboratively to help him/her solve academic or social problems. The teachers work to understand and support one another in developing strategies to support the student's success.

- **Full Problem Solving Conference:** Occurs in response to repeated rule breaking. The purpose of the conference is to identify the reasons for the behavior and ways to avoid it in the future.
- **Family Team Meeting:** Formal meeting where meetings are characterized by a high level of family involvement and often include extended family and friends. In this meeting, the family and student are given an opportunity to work together to develop a written plan of action in tandem with the Dean of Culture or Admin Team.
- **Re-Entry Meeting:** Student and parent/guardian meet with Dean of Culture to support the student's successful transition back into the school community after an absence.

## **SUSPENSION AND EXPULSION**

Students may be suspended from school for a specified number of days or expelled from school for the remainder of the school year for serious infractions. Expelled students may re-apply to attend school the following year. If a student is expelled from E.L. Haynes during the fourth quarter of the school year they will not be permitted to enroll the following school year, but are welcome to apply through the My School DC lottery one full school year after they were expelled. The school will attempt to contact the student's parent/guardian before a suspension, and the parent/guardian will receive a written letter with details about the incident within one business day.

When a student is suspended, depending on the severity of the infraction, the student, parent/family will be asked to attend a Formal Restorative Meeting and/or a School Judiciary Committee Hearing.

If a student is a candidate for expulsion, the family will be invited to a School Judiciary Committee Hearing to discuss the incident and attempt to address the behavior. If, after this meeting, the student remains a candidate for expulsion there will be a separate Expulsion Determination meeting with the Chief Executive Officer. The family may have representatives (attorneys, mentors, family members) attend any of these meetings.

When a student is suspended or awaiting an expulsion hearing, they are not allowed to be present on school grounds at any time or attend or participate in any school wide activity or event.

### *Serious Infractions*

A serious infraction sufficient to justify consideration of suspension or expulsion is one that threatens the health, safety or welfare of a student, teacher or staff member or repeatedly impairs instruction for the student's classmates. Serious infractions include; but are not limited to:

- a) Intentionally injuring, attempting to injure, or threatening to injure another person or oneself;
- b) Intentionally causing damage to school property or the property of others at the school;
- c) Using threatening or harmful language to another student or a teacher;
- d) Possession of any weapons or instruments designed to commonly be used as weapons;
- e) Unsafe behavior including failing to respond to a teacher's directions in such a way that it causes concern for the safety of the individual student or the class;
- f) Possession of profane material, sexual harassment, sexual assault, or the display of sexually indecent or lascivious behavior;
- g) Possession of alcohol, tobacco, illegal drugs; and

- h) Repeated and consistent misbehavior that significantly disrupts classroom instruction after behavior management plans have been implemented.

Except for extenuating circumstances, as determined on a case-by-case basis by an Administrator, any student who brings a weapon into the E. L. Haynes Public Charter School shall be expelled for not less than one year. The term “weapon” means a firearm as such term is defined in 18 U.S.C. § 921, a knife, or an explosive of any kind. An Administrator shall refer to the criminal justice or juvenile delinquency system, simultaneous with expulsion, any student who is expelled for bringing a weapon into school, pursuant to 20 U.S.C. § 8921 et seq.

#### Short-Term Suspension

For short-term suspensions (5 days or less), the decision to suspend a student shall be made by the Culture Team or Administrative Designee. The Culture Team 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. Prior to suspending the student, the Culture Team or Administrative Designee will meet with the student, notify the student of what he/she is accused of doing and the information that the school has to believe that the student engaged in such behavior, and give the student an opportunity to present his/her side of the story or explanation for his/her behavior. The Culture Team or Administrative Designee will conduct any investigation necessary to determine what occurred before suspending a student, except in case of emergency and contact the parent/guardian to inform them of the offense and disposition. The suspension shall become effective immediately unless otherwise stated by a member of the Culture Team or Administrative Designee. After three suspensions from school, within the same school year for the same or different infractions, expulsion will be seriously considered.

#### Long Term Suspension

In instances when long-term suspension (more than 5 days) is under consideration, or when a student has been suspended for a Tier 5 behavior (i.e. possession of a weapon, fighting which results in serious physical injury, sexual assault/aggression, participating in a group fight, bomb threat, arson, biohazard, possession of drug paraphernalia or controlled substance), the student and parent/guardian will be invited to meet with the School Judiciary Committee Hearing (SJC), which the Chief Academic Officer (CAO), or his/her designee, facilitates. The SJC meets in response to Tier 5 violations but can meet in response to Tier 4 violations at the Principal’s discretion. Typically, the Dean of Culture, the Principal, a teacher who advocates for the student, and when applicable, a Wellness Team member and the Assistant Director of Student Support Services, also attend the SJC meeting. The SJC meeting should occur within 2 business days of the suspension.

#### School Judiciary Committee Hearing (SJC)

The SJC is a forum for E.L. Haynes staff and families to discuss serious discipline issues in an open and constructive environment. A SJC meeting is an opportunity for families to engage in transparent communication about a student’s circumstances. The goal of a SJC meeting is to create a common understanding of events and plan for the student to restore trust with the school community. During the meeting, the student’s academic, attendance and disciplinary records are reviewed. Students are also required to come dressed appropriately along with a written reflection that will be shared in the meeting. At the conclusion of the meeting, the SJC makes a recommendation to the Principal who in conjunction with the CAO, or their designee, makes the final decision about the student’s consequence.

There are a few outcomes that can occur as a result of the SJC meeting. They are:

- 1. Disciplinary Probation:** The SJC may recommend that a student be placed on Disciplinary Probation until the end of a semester or the end of the school year. Disciplinary probation means that if another Tier 4 or 5 violation occurs, the student may be recommended for an expulsion hearing.
- 2. Behavior Contract:** The SJC meeting may result in a behavior contract to promote the student's success in school and monitor his/her progress. The Dean of Culture monitors the behavior contract unless the student has an IEP or is an identified English Language Learner (ELL), in which case the student's case manager will monitor the contract. If the student has a Behavior Improvement Plan, the Assistant Director of Student Support Services will monitor the student's behavior contract.
- 3. Long Term Suspension:** The SJC may determine the offense(s) warrants a long-term suspension. Upon the students return, they will minimally participate in a Re-Entry Meeting with the Dean of Culture.
- 4. Expulsion Hearing.** If a student is recommended for an expulsion hearing, the hearing will typically be held no more than 5 days after the recommendation is made. The Dean of Culture will provide all relevant information regarding the basis for the recommendation to the student/parent and Chief Executive Officer (CEO) at least 48 hours prior to the hearing.
- 5. Return to Community.** The SJC may determine the student is ready to return to school and be welcomed back into the community.

It is important to note that an SJC meeting is NOT an Expulsion Hearing.

The CEO or his/her designee will serve as the impartial decision maker and issue a final decision regarding the recommendation for long term suspension or expulsion after considering all of the information presented at the hearing. This final determination will be communicated to the parent/guardian via the Dean of Culture.

If the decision results in the student returning to the community, the student will minimally participate in a Re-Entry Meeting with the Dean of Culture and have a follow up meeting with the CEO within 30 days of re-entry to review the student's progress and performance within the community.

#### *Procedures for Suspending and Expelling Students with Disabilities*

##### **Removal for 10 or fewer school days in a school year**

Students with disabilities can be suspended for up to 10 consecutive or cumulative school days in a year to the same extent that suspension is used for general education students. The school is not required to provide services for the first 10 days in a school year that the student is suspended

##### **Removal for more than 10 cumulative school days when the student's behavior does not represent a pattern**

No manifestation determination is required when a student is suspended for more than 10 school days in a school year and the series of suspensions does not constitute a pattern. However, students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum,

although in another setting, and to progress toward meeting their IEP goals. Students who are suspended for more than 10 days in a school year must also receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications to address the behavior violation so that it does not recur.

**Removal for more than 10 consecutive school days or 10 cumulative school days when the behavior represents a pattern**

Disciplinary action that results in a student being suspended for more than 10 consecutive school days or 10 cumulative school days in a year where the series of suspensions constitute a pattern result in a disciplinary change in placement. A disciplinary change in placement requires a manifestation determination to be made by the IEP team.

The following is required under these circumstances:

- A. Parent Notification - the parent/ guardian must be notified of the disciplinary action to be taken and informed of the procedural safeguards on the day the decision to take disciplinary action was made.
- B. Manifestation Determination - an IEP team meeting must be convened within 10 school days to determine whether the student's behavior was a manifestation of his/her disability.
- C. Review of Behavior Intervention Plan - at the manifestation determination meeting, the IEP team must also conduct a functional behavior assessment, unless one has already been conducted, and develop a behavior intervention plan for the student or review the student's current behavior intervention plan and modify it as necessary.

Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

A manifestation determination meeting reviews the relationship between the student's disability and the student's behavior that is subject to the disciplinary action.

If it is determined that the student's behavior was a manifestation of his or her disability, then the student must return to E.L. Haynes unless the parent and E.L. Haynes agree otherwise. There are special circumstances where a student with a disability can be removed from E.L. Haynes for up to 45 school days without regard to whether the student's behavior was determined to be a manifestation of his/her disability: possession of a weapon at school on school premises or during a school function; possession or use of an illegal drug at school on school premises or during a school function; infliction of serious bodily injury at school on school premises or during a school function. At any time the IEP team, with parent consent, may change the student's placement.

If it is determined that the student's behavior was not a manifestation of the student's disability, the same disciplinary procedures applicable to a student without a disability, including long term suspension or expulsion may be applied to the student with a disability. Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

Hearing Officer

If maintaining a student with a disability in his or her current placement would prove harmful to the student or to others, the school can request a hearing officer to order placement in an alternative

setting for up to 45 days. In this case, the school is required to provide services for a student with a disability so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

#### Student Not Yet Found Eligible

A student who has not yet been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may be entitled to a manifestation determination meeting if the school had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred (34 CFR 300.534(a)).

The school shall be deemed to have knowledge that a student is a student with a disability if before the behavior that precipitated the disciplinary action occurred, one or more of the following took place:

- The parent of the student expressed concern in writing to administrative or E.L. Haynes instructional personnel that the student is in need of special education and related services.
- The parent of the student requested an evaluation of the student.
- The teacher of the student, or other E.L. Haynes personnel, expressed specific concerns about a pattern of behavior demonstrated by the student to the director of special education or to other supervisory personnel.

The school will not be deemed to have knowledge that the student is a student with a disability if any of the following took place:

- The school previously evaluated the student, and the student did not qualify for special education services
- The student did qualify for special education services, and the parents refused services
- The parent refused to permit the school to evaluate the student

#### **Procedures**

E.L. Haynes may decide to suspend or expel a student after determining that their behavior willfully caused, attempted to cause, or threatened to cause physical harm and/or emotional distress to another person. No student in grades 6 through 12 will receive an out-of-school suspension of longer than ten consecutive days. No student in grade 5 will receive an out-of-school suspension of longer than five consecutive days. No student in any grade will receive an out-of-school suspension of longer than twenty cumulative days unless the Chief Academic Officer, or their designee provides a written justification to the family as to why exceeding the limit is needed to protect the safety of our school environment.

E.L. Haynes will coordinate with the family of any student who receives an out of school suspension to develop a plan for continuity of education while the student is out of school, including a plan to facilitate the student's return to the classroom. The plan will ensure that the student continues to receive all assignments during the suspension, can communicate with school staff about the assignments, and has the opportunity to make up any work missed during the suspension if the student cannot complete it during the suspension.

During a student's suspension, they are not permitted on EL Haynes property nor can they participate in any school specific extra-curricular activities, events or trips. This is considered trespassing and will result in the immediate involvement of local law enforcement.

## Appeals

The decision to suspend or expel a student shall be made in writing and given to the parent/guardian. The student's parents/guardians have five school days to challenge the suspension or expulsion by submitting an appeal of a Principal's or Chief Executive Officer's decision, in writing, to the Chief Executive Officer and Chair of the Board of Trustees. The Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 5 school days after receiving the appeal. The Chair of the Board of Trustees shall convene a special meeting of the Board of Trustees to consider the appeal of the suspension or expulsion. The student and his or her parents/guardians, the student's teachers, a Principal, the Chief Executive Officer, and other school staff may be invited to participate in this special meeting as the Board sees fit. The decision of the Board of Trustees in affirming or reversing a Principal's or Chief Executive Officer's decision is final.

### E.L. Haynes Tiers of Discipline (applies to all three campuses)

BEHAVIOR TIERS	RECOMMENDED RESPONSES
<b>TIER 1</b>	
<p><i>Tier 1 behaviors are those behaviors that are disrespectful or cause minor disruptions to the academic environment that interfere with the learning of self and/or others but do not involve damage to school property or harm to self or others. Tier 1 behaviors result in classroom-level disciplinary responses.</i></p> <ul style="list-style-type: none"> <li>● Dress Code Violation</li> <li>● Eating or chewing gum or other items in class</li> <li>● Not following classroom or school procedures</li> <li>● Attending class without required class materials or assigned work</li> <li>● Minor disruption or interference with classroom teaching and learning</li> <li>● Communication with staff and peers that is not polite, courteous, or respectful</li> <li>● Excessive noise in the classroom, hall, or building</li> <li>● Inappropriate displays of affection</li> <li>● Off task cell phone usage</li> <li>● Off-task behaviors that demonstrate disengagement from classroom learning</li> </ul>	<p><i>Classroom interventions and responses performed by teacher. These strategies aim to teach correct, alternative behavior so students can learn and demonstrate safe and respectful behavior while building a strong relationships with the student. A detailed list of proactive strategies can be found on the Intervention Continuum. Teacher minimally will :</i></p> <p>Implement classroom based student support proactive interventions via Intervention Continuum that consistently includes:</p> <ul style="list-style-type: none"> <li>● An individual conversation with student as soon as possible to address behavior</li> <li>● Contacting parent/guardian via telephone/email, if warranted, and log in IC. The goal of parental/guardian contact is to inform, seek input, and work in tandem to support student behavior.</li> <li>● Scheduling in-person meeting with parent and student if behavior is chronic in nature.</li> </ul>
<b>TIER 2</b>	
<p><i>Tier 2 behaviors are those behaviors not specifically enumerated in any other tier that cause disruption to</i></p>	<p><i>Classroom interventions and responses performed by teacher. These strategies aim to teach correct,</i></p>

BEHAVIOR TIERS	RECOMMENDED RESPONSES
<p><i>the academic environment, involve damage to school property, or may cause minor harm to self or others. Tier 2 behaviors may result in school-based and administrative disciplinary responses.</i></p> <ul style="list-style-type: none"> <li>● Brief verbal or physical outburst or loss of control</li> <li>● Engaging in behavior that may cause harm to self or others</li> <li>● Leaving classroom or group without permission</li> <li>● Horseplay in the classroom, hall, or building</li> <li>● Lying with intent to mislead</li> <li>● Persistent refusal to comply with instructions or rules and/or arguing; talking back</li> <li>● Repeated teasing or bothering</li> <li>● Unauthorized presence in hallway during class time</li> <li>● Skipping (refer to page ___ for detailed steps)</li> <li>● Using computer or technology equipment without permission</li> <li>● Using or throwing objects in an unsafe manner</li> <li>● Elevator use without permission</li> <li>● Using a staff bathroom.</li> <li>● Academic dishonesty; plagiarism (refer to page ___ for detailed steps)</li> </ul>	<p><i>alternative behavior so students can learn and demonstrate safe and respectful behavior. A detailed list of proactive and responsive strategies can be found on the Intervention Continuum. Teacher minimally will:</i></p> <ul style="list-style-type: none"> <li>● Implement Tier 1 responses</li> <li>● Review Intervention Continuum and implement additional strategies including responsive interventions</li> <li>● If additional support is needed, teacher will consult with other teachers individually, at grade level team meeting or speak with student’s advisor to gain more information to support student</li> <li>● Teacher/staff member contacts parent/guardian and holds a meeting to collaborate on how best to support the student’s success. If there is a trend with student in other classes, other teachers can be invited to participate in meeting. If warranted, a Family Agreement Contract will be developed during the meeting. This includes agreed upon updates between teacher/staff and parent/ guardian in regards to follow up meeting, communication, and next steps for student.</li> <li>● Document incident in Infinite Campus</li> <li>● Log contact and/or meeting with parent/guardian</li> <li>● If support is needed, teacher/staff member can request a restorative meeting with the student and Dean of Culture</li> </ul>
<b>TIER 3</b>	
<p><i>Tier 3 behaviors are those behaviors not specifically enumerated in any other tier that cause significant disruption to the academic environment or cause harm to self or others. In addition to lesser consequences, Tier 3 may result in either in-school restrictions or out- of-school suspension and restorative meetings . All behaviors Tier 3 and above will be investigated by Administration.</i></p>	<p><i>These interventions can include the school administration, in addition to teacher involvement, and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school and restoring the overall safety of the community. A detailed list of responsive strategies, including out of school suspension, can be found on the Intervention Continuum. The duration of the suspension, if issued, is to be</i></p>



BEHAVIOR TIERS	RECOMMENDED RESPONSES
<ul style="list-style-type: none"> <li>● Pushing, hitting, kicking where there is no physical harm or weapon used</li> <li>● Pushing, hitting, kicking which results in minor harm</li> <li>● Actively evading or running away from an adult</li> <li>● Directing profanity or offensive gestures toward peers or staff</li> <li>● Gambling</li> <li>● Throwing or using objects in a way that could or does cause injury or property damage</li> <li>● Bullying, intimidation or harassment (includes cyber bullying)</li> <li>● Verbal, written, or physical threat to person or property (including social media posts)</li> </ul>	<p><i>limited as much as possible while still adequately addressing the behavior. Steps taken by staff will minimally include:</i></p> <ul style="list-style-type: none"> <li>● First responder will document incident in Infinite Campus along with any parental/guardian communication.</li> <li>● Follow up parent/guardian contact completed by Dean of Culture or another member of administration team.</li> <li>● Dean of Culture or other member of admin team schedules conference with parent/guardian and involved teacher/staff members.</li> <li>● Possible Family Meeting scheduled with the families of involved parties</li> <li>● Possible referral made to Wellness team, ELL team and/or SST team</li> <li>● Dean of Culture will schedule restorative conferences, as necessary, with affected parties and ensure any dispositions are fully completed</li> <li>● Incident may be referred to Peer Court</li> </ul>
<b>TIER 4</b>	
<p><i>Tier 4 behaviors are those behaviors not specifically enumerated in any other tier that cause disruption to the school operation, destroy school property, or cause significant harm to self or others. Tier 4 behaviors may result in out-of-school suspension. The Principal will be made aware and included in response for all Tier 4 behaviors and above.</i></p> <ul style="list-style-type: none"> <li>● Documented pattern of persistent Tier 3 behavior</li> <li>● Extreme bullying, cyber bullying, intimidation or harassment that causes significant disruption to the school community (repeated behaviors that involve a power struggle and audience)</li> <li>● Causing serious disruption or damage to school property</li> <li>● Inappropriate sexual behavior with consent</li> <li>● Intentional vandalism or destruction of property under \$500</li> </ul>	<p><i>These interventions may involve the removal of a student from the school environment because of the severity of the behavior. The duration of the suspension, if issued, is to be limited as much as possible while still adequately addressing the behavior. A detailed list of intensive strategies can be found on the Intervention Continuum. Steps taken by staff will minimally include:</i></p> <ul style="list-style-type: none"> <li>● Immediate involvement of Dean of Culture and/or Admin Team</li> <li>● Investigation by Dean of Culture and/or Admin Team to assess the severity of the situation</li> <li>● Incident documented in Infinite Campus</li> <li>● Parent/guardian contacted by Dean of Culture/Admin Team</li> <li>● Disciplinary Consequences are assigned (possibilities: Peer Court, suspension, SJC, expulsion hearing, expulsion)</li> <li>● Restorative meetings as deemed necessary by Dean of Culture or Admin</li> </ul>

BEHAVIOR TIERS	RECOMMENDED RESPONSES
<ul style="list-style-type: none"> <li>● Intentionally interfering with school authorities or participating in a major disturbance</li> <li>● Possession of tools or instruments which school administrators deem could be used as a weapon</li> <li>● Posting or distributing material or literature that is disrespectful, demeaning, harassing (includes on social media)</li> <li>● Sexual harassment</li> <li>● Retaliation for reporting harassment (including sexual harassment)</li> <li>● Unauthorized possession, use, or distribution of over-the-counter medication</li> </ul>	<p>Team</p>
<b>TIER 5</b>	
<p><i>Tier 5 behaviors are those behaviors not specifically enumerated in any other tier that are illegal, cause significant disruption to the school operation, or cause substantial harm to self or others. Tier 5 behaviors result in out-of-school suspension or expulsion.</i></p> <ul style="list-style-type: none"> <li>● Documented pattern of persistent Tier 4 behavior</li> <li>● Commission or attempted commission of any act of sexual assault or sexual act</li> <li>● Participating in fight/group fight which has been planned, causes major disruption</li> <li>● Planned assault/physical attack on student or staff where there is or has threat</li> <li>● Possession of a weapon</li> <li>● Possession of drug paraphernalia or controlled substance</li> <li>● Possession or distribution of alcohol</li> <li>● Pushing, hitting, kicking which results in a physical injury</li> <li>● Theft or attempted theft using force, coercion, intimidation, or threat of attack</li> <li>● Threatening to use a weapon</li> <li>● Using an article that is not normally considered a weapon to intimidate or threaten</li> <li>● Fire setting/incendiary material</li> </ul>	<p><i>These interventions involve the removal of a student from the school environment because of the severity of the behavior. They may involve the placement of the student in an alternative environment that provides additional structure to address behavior. These interventions focus on maintaining the safety of the school community and ending self-destructive and dangerous behavior. Steps taken by staff will minimally include:</i></p> <ul style="list-style-type: none"> <li>● Immediate involvement of Dean of Culture and/or Admin Team</li> <li>● Investigation by Dean of Culture and/or Admin Team to assess the severity of the situation</li> <li>● Incident documented in Infinite Campus</li> <li>● Parent/guardian contacted by Dean of Culture/Admin Team</li> <li>● Disciplinary Consequences are assigned. Immediate 3-5 day suspension and date of SJC meeting set, by Dean of Culture, with Chief Academic Officer (CAO) and parent/guardian</li> <li>● Parent/guardian is notified by the Dean of Culture within 24-48 hours of decision made via the SJC (3 possible outcomes: return to school, suspension extended, or expulsion hearing).</li> </ul>

## E.L. Haynes Student Expectations Plan for Virtual Learning

This policy outlines our plan for monitoring student behavior during virtual learning. Our goal is to support students engagement with virtual learning, and we will make every effort to encourage and motivate students to participate in virtual learning. There are behaviors, outlined below, that may require adult intervention in order to ensure that every student has access to a respectful and productive virtual environment. Any behaviors that warrant a suspension from virtual learning will be approved by the principal and the Chief Academic Officer.

### Student Expectations

<b>Communication and Student Engagement</b>	<ul style="list-style-type: none"><li>• Students will communicate respectfully with their classmates and their teacher while in class meetings, breakout rooms and private/public chat windows and discussion boards.</li><li>• Students will follow all classroom and school expectations for using audio and video during classroom meeting times.</li><li>• Students will mute their microphones when they are not speaking and while others are speaking.</li><li>• Students will refrain from sharing inappropriate pictures or images during classroom meetings or on discussion boards.</li><li>• Students will follow the same rules for whole group class meetings while in breakout rooms.</li><li>• Students will immediately return to whole group meetings once breakout rooms are over unless otherwise directed by the teacher.</li><li>• Students will report to classroom meetings on time and remain in classroom meetings until being dismissed by the teacher.</li><li>• Students will not post any private information for themselves or others such as addresses, photos, phone numbers or passwords on public chat or discussion boards.</li><li>• Students will refrain from any forms of cyberbullying - harassing, threatening or abusing others within the school community while online.</li><li>• Students will report all instances of cyberbullying to school staff immediately.</li><li>• When contacting teachers through phone calls or texts, students should limit their contact to the hours of 8am and 6 pm.</li></ul>
<b>Logging into Canvas</b>	<ul style="list-style-type: none"><li>• Students will keep their username and passwords in a safe place and will not share them with other students.</li><li>• Students will log into the LMS using their own log-in information and their own school-sponsored device.</li></ul>

	<ul style="list-style-type: none"> <li>• Students will log into the LMS daily for classroom meetings, announcements or to submit assignments.</li> </ul>
<b>Student Work</b>	<ul style="list-style-type: none"> <li>• Students will complete work on time following the guidelines requested by the teacher for submission. Students should contact their teacher if they need additional time to complete assignments.</li> <li>• Students will submit their own work and provide citations for work created by others.</li> <li>• Students will communicate immediately with their teachers via email, phone or text if they have questions or require any technical support.</li> </ul>
<b>Taking Care of Physical Equipment</b>	<ul style="list-style-type: none"> <li>• Students will treat all school and personal electronic devices with care.</li> <li>• Students will keep food and drinks away from the equipment.</li> <li>• Students will keep devices out of extremely cold or hot areas.</li> <li>• Students will hold and carry computers properly.</li> <li>• Students will report any damage to school equipment as soon as possible.</li> </ul>

### **Monitoring of Student Behavior**

- Administration/teachers will regularly review student discussion boards to make sure comments are appropriate.
- Administrators will pop-in frequently to observe classroom meetings.
- Teachers will provide ongoing reminders for students about classroom expectations within a virtual setting.
- School staff will regularly remind students of expectations for taking care of personal/school-issued equipment.
- Staff members will be responsible for supporting students and families with navigating the LMS and be available to provide students with technical support.
- School staff will continue to track student participation and engagement with the LMS according to the policies outlined in the student handbook.
- Grades/attendance will be reported to families. Families can view login information and grades at any time beginning September 15 through Canvas.
- Teachers will communicate concerns with families by phone, email, text or Infinite Campus (our Student Information System).

## **Modifications to Virtual Learning**

School staff may limit or restrict students' access to synchronous learning opportunities if they repeatedly fail to meet expectations for virtual learning. Parents/guardians will be immediately notified about any changes to students' access to the LMS by phone or email.

If students do not follow expectations for communicating respectfully with school staff or other students:

- School staff will remind students of expectations for virtual learning.
- School staff will conference with families about school expectations not being met.
- Teachers may temporarily adjust student's audio, video or chat privileges during synchronous meetings.
- Teachers may temporarily limit students' ability to post content on LMS chat and require students to email assignments directly.
- If these interventions are not successful in changing students' behavior, school staff may temporarily assign students to asynchronous learning opportunities in lieu of synchronous instruction.

If students use Canvas inappropriately, such as share their username/passwords, intentionally misuse Canvas or log in as another user:

- School staff will remind students of expectations for virtual learning.
- School staff will conference with families about school expectations not being met.
- School staff may temporarily assign students to asynchronous learning in lieu of synchronous instruction.

If students engage in cyberbullying or display/share inappropriate images Canvas:

- School staff will conference with families about school expectations not being met.
- School staff may temporarily assign students to asynchronous learning in lieu of synchronous instruction.

These modifications to virtual learning are designed to ensure that students will not be excluded from the virtual learning platform.

## E.L. Haynes Attendance Policy (applies to all three campuses)

### Attendance

Attendance is critical to every student's success at E.L. Haynes. Therefore, we expect students to attend school every day, arrive on time, and leave on time. The school will recognize excellent attendance.

If a student is absent with a valid reason, parents or the student must turn in written documentation within 5 days of the student's return. This will show up as an "excused absence" in our system and will allow students to make up work in their classes. If a student has over 10 days of unexcused absences, the family will be referred to Child and Family Services Administration (CFSA) for truancy.

Students with more than 5 total unexcused absences are required to have a family team meeting led by an attendance intervention specialist, administrator, grade level lead, or Wellness Team member. Students and families may be required to participate in other interventions such as attendance plans, home visits, and frequent check-ins to support their student's attendance.

### Absences

Attendance will be recorded in each classroom shortly after the beginning of the school day. An absence is defined as attending less than 80% of a school day.

**If you know your student will be absent, please send an email or send in a note when your child returns to school.**

**In order to excuse an absence, the school must receive a note or email from the family or a doctor. In the case of an absence longer than three days, a doctor's note is required. Notes and emails must be received within 5 school days of the absence.** You may call the school's front office to inform us that your child will be absent; however, this call WILL NOT excuse the absence and is for our information only.

The note/email must include the date of absence, parent name, student name, and the valid reason for absence and be turned into the main office at the student's campus. Forms are available at the front desk. If no documentation is submitted to the Attendance Coordinator, the absence will be considered unexcused. Reporting the absence does not automatically excuse the absence.

Excused absences are granted in accordance with the following school policy.

Valid reasons for absence from school include:

- a. Illness of the student or doctor's appointment;
- b. Exclusion due to quarantine, contagious disease, infection, infestation, or other condition requiring separation from other students for medical or health reasons;
- c. Illness or other immediate family emergency which requires the presence of the student outside the school;
- d. Death in the student's immediate family;
- e. Necessity for a student to attend any judicial proceeding as a party or witness;
- f. Observance of religious holy days;
- g. Suspension or expulsion from school by an administrator pursuant to Section 3;
- h. Temporary closing of the school facility or suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other conditions requiring the closing of the school facility or suspension of classes; and

- i. Other absences approved in advance by an administrator upon the written request of a parent/guardian.

Extensive absences significantly diminish the ability of the student to learn. **Families are expected to schedule recreational activities, school visits and vacations only during designated school breaks.** If you need to schedule an appointment for your child, please try to do so on weekends, or before/after school.

Persistent absenteeism from school will result in the following actions being taken:

Each unexcused absence	After each unexcused absence the parent/guardian of the student will receive an automatic call, text, or email to notify them of the unexcused absence. <i>(Note: Please keep an up-to-date telephone number with your child's campus front desk.)</i>
3 unexcused absences	Once a student accrues 3 unexcused absences, the school will send a formal letter to the student's family regarding their student's unexcused absences explaining the school's attendance expectations.
5 unexcused absences (cumulative)	Once a student has accrued 5 unexcused absences, the student and their family parents and students are required to meet with an attendance interventionist, school administrator, or Wellness Team member to create an attendance intervention plan. Other interventions may include: <ul style="list-style-type: none"> <li>● A letter mailed to the student's family regarding absences</li> <li>● Referral to programs for truancy prevention support.</li> </ul>
8 unexcused absences (cumulative)	Once a student has accrued 8 unexcused absences, a school administrator will send a letter to the student's family warning that their student is close to being considered "chronically truant", and the student and family may be required to meet with a school administrator (i.e. attendance interventionist, school leader, Wellness Team member) to discuss/revise the student's Attendance Intervention Plan.  E.L. Haynes staff may conduct a home visit to ensure the safety of the student.
10 unexcused absences (cumulative)	E.L. Haynes will immediately refer all students who are ages 5-13 who have accrued 10 or more unexcused absences to the Child and Family Services Agency (CFSA), as required by D.C. law <sup>1</sup> .  Additionally, the school will send a letter home notifying the family of their student's truancy status.
15 unexcused absences (cumulative)	E.L. Haynes will immediately refer all students who are ages 14-17 who have accrued 15 or more unexcused absences to the Court Social

<sup>1</sup> D.C. Mun. Regs. tit 5, § A2103.5(a) (2014).

	<p>Services Division of the Superior Court of the District of Columbia and to the Office of Attorney General Juvenile Section, as required by D.C. law<sup>2</sup>.</p> <p>Additionally, the school will send a letter home notifying the family of their student’s truancy status.</p>
<p>20 or more consecutive unexcused absences and withdrawal</p>	<p>If a student is absent 20 or more consecutive full school days without a valid reason or excuse, E.L. Haynes has the discretion to officially withdraw the student from the school<sup>3</sup>. E.L. Haynes will notify the family that the student has been withdrawn.</p> <p><i>Please note, if a withdrawn student wants to return to E.L. Haynes for the next school year, s/he will need to reapply through the annual lottery process through My School DC.</i></p>

Students with disabilities will not be treated adversely for absences that are directly caused by their disabilities. As a result, it is important for staff and parents to work in tandem to support student attendance.

**SY2021-22 Attendance and Re-Engagement Strategy**

During the 2020-2021 school year, we identified students as being less engaged with distance learning based on the following criteria:

- Low or decreased student attendance during synchronous learning;
- Low or decreased student attendance during an asynchronous learning;
- Low work completion;
- Drops in grades or poor grades and/or GPA; and/or
- Students self-reported difficulty with managing virtual learning.

E.L. Haynes will provide individual outreach to the families of students identified as being less engaged with distance learning through their advisors, homeroom teachers, administrators and/or the wellness team. Additionally, the wellness team will provide summer connections to families, offering encouragement and support to those students who have re-enrolled at the school. The wellness team will meet with each school-based leadership and/or operations team once a week to follow up with attendance and engagement concerns for these families and other students who may also have attendance concerns in the new school year.

Each campus's grade level team will meet weekly to discuss ongoing and new students of concern and student successes, and propose next steps. The team will discuss Tier I intervention strategies that include parental and school-based input and feedback.

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<sup>2</sup> D.C. Mun. Regs. tit 5, § A2103.5(b) (2014).

<sup>3</sup> D.C. Code § 38-203 (f-2) (2017).



Before an intervention meeting, parent(s)/guardian(s) will be notified by their preferred contact method, including calls, text messaging, and/or email. All parents/guardians will receive a notification that reminds them of their scheduled meeting.

Should a parent not respond after multiple attempts to schedule a meeting, teachers or administrators will notify the attendance and engagement coordinator, who will offer outreach support.

***What strategies, interventions, and designated staff support structure the LEA will employ to support the engagement of the students identified.***

We will use the following strategies and interventions to support engaging identified students:

- Advisors, homeroom teachers, and school administrators will be our first line of support. Advisors or homeroom teachers will reach out to students and families on the first day of absence or lack of work completion.
- The attendance coordinator will streamline communication with school staff and community partners to identify and support students with attendance and engagement concerns.
- All E.L. Haynes students will have access to office hours to receive extended instructional and work time with their teachers (as needed).
- Attendance and engagement groups and individualized check-ins will be facilitated by the attendance coordinator and outside community agencies.
- Chronically disengaged students will be offered direct academic support and counseling following a facilitated parent-teacher conference with the students' academic team and parents.
- Chronically truant students will continue to be monitored closely by the attendance specialist and grade-level teams throughout the year.
- Progress monitoring will take place at least twice a week in the attendance and engagement meetings and grade level team meetings at each campus.
- Teachers, case managers, related service providers, campus leaders, the attendance coordinator, and community partners will streamline communication around student progress.
- The attendance coordinator will initiate foundational support to all families in the summer with a strong focus on outreach to families with attendance and engagement concerns to promote strong attendance in the upcoming school year.
- The attendance specialist will email and call home to message attendance expectations for the upcoming school year as a part of our Tier I initiative.
- E.L. Haynes and community partners will recognize and offer incentives and certificates to promote strong attendance for all students.
- Parents will be notified about student progress via direct calls and texts in our parent communication platform (Parent Square). We will also use Infinite Campus messenger services and community-wide emails from our CEO, as needed.

## **E.L. Haynes Grievance Procedures (applies to all three campuses)**

E.L. Haynes believes that all employees, students, parents, and visitors have the right to voice their complaints or grievances about matters pertaining to its schools. E.L. Haynes recognizes the meaningful value and importance of full discussion in resolving misunderstandings and in preserving good relations between community members. If a parent/guardian has a concern or disagreement about a classroom event, curricular decision, or other academic issue, she or he should first contact the teacher to attempt to resolve the disagreement through informal discussion. If the conflict is not adequately resolved, the parent/guardian should request a meeting with the Principal to schedule a follow up conversation. If the situation is not adequately resolved, the following grievance procedures should be employed to ensure that complaints receive full consideration.

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

E.L. Haynes 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 E.L. Haynes 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, national origin, sex, age, disability, religion, personal appearance, sexual orientation, gender identity or expression, 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 Chief Executive Officer.

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 Chief Executive Officer. Grievants may use the Grievance Form, which is attached hereto and is also available online from the school website, the E.L. Haynes intranet (for employees only), or from the school principal or Chief Executive Officer. 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 Chief Executive Officer can be reached at the contact information provided below.

The Principal or Chief Executive Officer 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 Principal or Chief Executive Officer 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.

#### Appeals

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 Chief Executive Officer 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

E.L. Haynes 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, E.L. Haynes 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.

#### Modification

E.L. Haynes may approve modification of the foregoing procedures in a particular case if the modification (a) is for good cause, and (b) does not violate due process rights or policies of E.L. Haynes.

Contact Information

Hilary Darilek Chief Executive Officer E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, D.C. 20011 hdarilek@elhaynes.org 202-667-4446	Vanessa Carlo Miranda Chief Operating Officer E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, D.C. 20011 vcarlo-miranda@elhaynes.org 202-667-4446
Rikki Hunt Taylor Chief Academic Officer E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, DC 20011 rhtaylor@elhaynes.org 202-667-4446	Brittany Wagner-Friel Elementary Principal E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, D.C. 20011 bwagnerfriel@elhaynes.org 202-667-4446
Zenada Mahon Middle School Principal E.L. Haynes Public Charter School 3600 Georgia Ave, NW Washington, D.C. 20010 zmahon@elhaynes.org 202-667-4446	Emily Hueber Stoetzer High School Principal E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, D.C. 20011 ehueber@elhaynes.org 202-667-4446
Josh Edelman Chair, Board of Trustees E.L. Haynes Public Charter School 4501 Kansas Avenue, NW Washington, D.C. 20011 jedelman@elhaynes.org 202-667-4446	

**E.L. Haynes Non-Discrimination Policy (applies to all three campuses)**

In accordance with Title VI of the Civil Rights Act of 1964 (“Title VI”), Title IX of the Education Amendments of 1972 (“Title IX”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Age Discrimination Act of 1975 (“The Age Act”), and the District of Columbia Human Rights Act of 1977, applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with E.L. Haynes are hereby notified that E.L. Haynes does not discriminate on the basis of race, color, national origin, sex, age, disability, marital status, personal appearance, sexual orientation, gender identity or expression, family status, family responsibilities, matriculation, political affiliation, genetic information, source of income, status as a victim of interfamily offense, or place of residence or business in admission or access to, or treatment or employment in, its programs and activities.

Students, parents and/or guardians having inquiries concerning E.L. Haynes compliance with Section 504, ADA, Title VI, Title IX, the Age Act, and/or D.C. Human Rights Act as they apply to students, employees or third parties or who wish to file a complaint regarding such compliance should contact:

Vanessa Carlo-Miranda, Chief Operating Officer at vcarlo-miranda@elhaynes.org or 202-667-4446 who has been designated by E.L. Haynes to coordinate its efforts to comply with the regulations implementing Section 504, ADA, Title VI, Title IX, the Age Act, and the D.C. Human Rights Act.

### **E.L. Haynes Family Educational Rights and Privacy Act (FERPA) Notice (applies to all three campuses)**

#### Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are: 1. The right to inspect and review the student's education records within 45 days after the day the E.L. Haynes Public Charter School ("School") receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The 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 the 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 who wish to ask the School to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school 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 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 provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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 Avenue, SW Washington, DC 20202.

See the list below of the disclosures that elementary and secondary schools may make without consent. FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. E.L. Haynes PCS may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- A. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met.
  - a. Information is deemed a legitimate educational interest if:
    - i. The information requested is necessary for the school official to perform tasks that are specified in his or her position description or by a contract agreement,
    - ii. The information is to be used within the context of official agency or school business and not for purposes extraneous to the school official's areas of responsibility or to the agency or school,

- iii. The information is relevant to the accomplishment of some task or to a determination about the student,
    - iv. The information is used for the purposes for which the data are maintained
  - b. If information is shared with outside parties, deemed school officials, the agreement between the parties must state the specific legitimate educational interest of the work being done with the information, the information may not be used for any other purpose. The Chief Operating Officer and Chief Executive Officer maintain the authority to deem specific work an educational interest on a case-by-case basis as needed.
- B. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. E.L. Haynes PCS will forward such records upon request.
- C. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
- D. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- E. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38.
- F. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- G. To accrediting organizations to carry out their accrediting functions.
- H. To parents of an eligible student if the student is a dependent for IRS tax purposes. I. To comply with a judicial order or lawfully issued subpoena.
- I. To appropriate officials in connection with a health or safety emergency
- J. To an agency caseworker or other representative of a State or local child welfare agency or authorized tribal organization when that organization is legally responsible for the care and protection of the student, pursuant to the Uninterrupted Scholars Act of 2013.
- K. Information the school has designated as "directory information" unless the parent or student over the age of 18 notifies the school in writing that they do not wish for directory information to be disclosed without prior consent. Directory information at E.L. Haynes PCS includes:
  - a. Student Name; Mailing Address and Telephone Listing
  - b. Photograph • Date and Place of Birth
  - c. Participation in Officially Recognized Activities and Sports
  - d. Weight and Height of Members of Athletic Teams
  - e. Honors and Awards Received

- f. Major Field of Study
- g. Dates of Attendance, Grade Level, and Enrollment Status
- h. Most recent prior school of attendance
- i. Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot and will not be used for this purpose.)

#### **E.L. Haynes Open Meetings Policy (applies to all three campuses)**

The E.L. Haynes Board of Trustees meets at least four times per year. All E.L. Haynes Board of Trustees Meetings are open to the public, including E.L. Haynes staff, families, students, and community members. We update the meeting schedule annually and post all Board meetings on our [E.L. Haynes Family Calendar](#).

#### **E.L. Haynes Admissions Preference Policy (applies to all three campuses)**

The District of Columbia Charter Law states that siblings of enrolled students receive preference for admissions. The sibling preference is managed by My School DC. Thus, if a family of an enrolled student would like a sibling to attend E.L. Haynes, the family must submit a completed application to My School DC prior to the lottery deadline. Siblings of enrolled students will receive a preference over applicants from new families. If there are more siblings than spaces available for a particular grade level, the student will be placed on the preference wait list in the order of their assigned lottery number.

E.L. Haynes uses the following definition for sibling: Siblings are children who share one or more biological or step-parents or who share a custodial guardian. First cousins residing in the same dwelling each with their own parent and no common guardian are not considered siblings, for the E.L. Haynes sibling preference.

The law also provides for a preference for founding board members and full-time staff. These individuals must also apply through the My School DC lottery on time, and claim their preference through our Operations team. The school distributes information about these preferences directly to founding board members and current staff.

E.L. Haynes implements its admissions preferences in the following order:

1. Student is the child of a full-time E.L. Haynes staff member and/or founding board member ("Staff Preference")
2. Student is the sibling of a student who is currently enrolled at E.L. Haynes ("Sibling Attending Preference")
3. Student is the sibling of another student who was offered enrollment at E.L. Haynes for the upcoming school year ("Sibling Offered Preference")