



Harmony DC Public Charter School  
*Where Excellence is our Standard*

Student – Family Policies  
2022-2023

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# Discipline Policy

## Classroom Rules

Students shall:

- Be in assigned seat and ready to work before the tardy bell rings.
- Bring pencils, pens, paper, books and all assigned materials to class.
- Not disrupt classroom activities.
- Follow instructions and directives immediately.
- Not chew gum or bring food or drink in the building, except in designated food service areas.
- Raise hand and be recognized before speaking. Stand to speak once recognized (excluding normal class discussions).
- Not leave class without permission. Any student leaving class must have a hall pass.

## School-Wide Rules

Students shall:

- Demonstrate courtesy at all times.
- Behave in a responsible manner, always exercising self-discipline and control.
- Attend all classes, regularly and on time.
- Be prepared for each class.
- Meet school standards for grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights of others, including property and facilities of the school.
- Cooperate with and assist school personnel, including volunteers, in maintaining safety, order and discipline.
- Adhere to all requirements of the currently-adopted Code.

## STEM Values:

- Show Respect
- Take Responsibility
- Everyone is Valued
- Make Good Choices

## Responsibilities of Guardians

Parents are expected to:

- Model appropriate behavior for students by showing respect for themselves, students, teachers, other parents, and school staff;
- Ensure their student's compliance with school attendance requirements and promptly report and explain absences and tardies to the school;
- Assist their student in being properly attired;
- Take an active interest in the overall school program;
- Communicate regularly with the school concerning their student's conduct and progress;
- Discuss report cards and work assignments with their student;
- Bring to the attention of school authorities any problem or condition which affects their student;
- Maintain up-to-date home, work, and emergency telephone numbers at the school;
- Cooperate with school administrators and teachers in their efforts to achieve and maintain a quality school

system; and

- Respond promptly when notified by campus to pick up student due to medical or disciplinary problems.
- Respond promptly when notified of student disciplinary matters.

## **Positive Behavior Interventions & Supports (PBIS) System**

Harmony DC Public Charter School has implemented a Positive Behavior Interventions & Supports (PBIS) system through Kickboard in which students are given paychecks for positive behavior. Students will have the ability to redeem rewards, field trips, and special events at school with their paychecks. All teachers and staff will use this system. Parents will also be notified when conduct results in consequences under the Kickboard system.

PBIS is a way for schools to encourage good behavior. With PBIS, students learn about behavior, just as they learn about other subjects like math or science. The key to PBIS is prevention, not punishment.

The Principles of PBIS at Harmony DC

- Every child can learn proper behavior
- Stepping in early can prevent more serious behavior problems
- Each child is different and Harmony DC will provide many kinds of behavior support
- PBIS is research based
- Following a student's behavioral progress is important

PBIS is a framework for teachers, administrators and parents and used with all students in the school. Research shows that PBIS leads to better student behavior, less bullying, and an increase in academic performance.

## **Student Fair Access to School Amendment Act of 2018**

“No student in grades kindergarten through 5 shall be subject to an out-of school suspension or disciplinary un-enrollment, unless a school administrator determines that the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress, to another person;”

All disciplinary action will be taken in accordance with the SFASAA of 2018.

## **Discipline Offenses & Consequences**

Corporal punishment is never an acceptable disciplinary measure.

### **Tier I Offenses**

The following behaviors are prohibited at all School and School-related activities:

- Accessing restricted areas.
- Any violations of “Standards for Student Conduct” listed in the Code of Conduct in this Handbook.
- Causing damage to School property in an amount less than \$50.
- Computer system violations, including violations of the School’s Acceptable Use policy (see Student Acceptable Use Policy).
- Dress and grooming code violations (see Dress and Grooming policy).
- Engaging in offensive conduct of a sexual nature, whether verbal or physical, directed toward another

student or any other person.

- Failing to comply with directives of School personnel.
- Failing to comply with the School's guidelines for student conduct in the cafeteria
- Failing to comply with the School's guidelines for student conduct in public areas
- Inappropriate physical contact not defined as a Level II or Level III offense.
- Missing class or tutorial sessions without excuse.
- Offensive language, orally or in writing.
- Parking infractions or violations of campus vehicle operation regulations.
- Possessing a laser pointer on School property or at School-sponsored events.
- Possessing and/or selling "look-alike" drugs.
- Possessing, distributing, exhibiting, and/or transmitting obscene materials, including pornography.
- Possession of any electronic and/or telecommunication devices without permission during school hours (see Cell Phones and Other Electronic Devices policy).
- Posting published materials or holding demonstrations or meetings on School property without School approval (see Distribution of Published Materials policy).
- Profanity and/or obscene gestures toward other students.
- Scuffling.
- Single acts of disruptive behavior, including non-compliance and insubordination.
- Throwing objects not considered an illegal weapon that can cause bodily injury or property damage.
- Unruly, disruptive, or abusive behavior that interferes with the teacher's ability to effectively communicate with students.
- Possession of a cellular phone/paging device during the school day.
- Use of a skateboard, scooter, and/or roller blades while on School property.
- Verbal or written abuse, i.e., name-calling, racial or ethnic slurs, or derogatory statements that may disrupt the school environment.

## **Tier II Offenses**

The following behaviors are prohibited at all School and School-related activities:

- Abusing prescription drugs, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug on School property or at a School-related event (except the possession of asthma or anaphylaxis medications, as allowed by Administration (See Medication use policy).
- Academic dishonesty (See Academic Dishonesty policy)
- Assault of another student.
- Being a member of, pledging to become a member of, joining, or soliciting another person to join, or pledge to become a member of a public school fraternity, sorority, or gang, meaning an organization composed wholly or in part of students that seeks to perpetuate itself by taking in additional members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student who is qualified to fill the special aims of the organization.
- Bullying and/or cyber-bullying as defined by the Student Handbook and/or Board policy (see amended "Freedom from Bullying and Cyber-bullying" portion of the Handbook), as well as conduct including verbal or physical harassment or threat thereof, taunting, hazing, intimidating or any other action whereby one or more individuals deliberately single out another student for cruel, mean and/or humiliating treatment.

- Causing damage to School property in an amount equal to or greater than \$50.
- Crafting a “hit list,” meaning a list of people targeted to be harmed using a firearm, knife, or other object to be used with intent to cause bodily harm.
- Dating Violence or Retaliation (see Amended “Freedom from Discrimination, Harassment, and Retaliation” portion of the Handbook).
- Disrespect to teacher such as rolling eyes, sucking teeth, etc.
- Engaging in any misbehavior that gives School officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
- Engaging in conduct similar to prohibited discrimination or harassment, even if that conduct does not rise to the level of harassment prohibited by law or School policy (see Amended “Freedom from Discrimination, Harassment, and Retaliation” portion of the Handbook).
- Failure to comply with School guidelines regarding In-School Suspension and/or missing more than one scheduled In-School Suspension assignment without a confirmed excuse (see In School Suspension policy).
- Failure to comply with School rules regarding student transportation (see Transportation policy)
- False accusation of the commission of a misdemeanor or felony.
- Falsification and/or forgery of School records.
- Fighting or arranging a fight. Students involved in fighting will, at a minimum, be suspended for the remainder of the day.
- Flagrant violations of the Harmony Acceptable Use Policy or other actions that corrupt the educational value of the School’s computers or Internet service (see Student Acceptable Use Policy)
- Gambling or playing cards, including but not limited to card playing, dice shooting and/or sports pools and involves the transfer of money or other personal belongings or assistance from one person to another. Bringing, trading, or playing with any cards are prohibited. Playing cards will be confiscated.
- Harassment, meaning threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health or safety.
- Hazing, meaning an intentional, knowing, or reckless act, occurring on or off School property, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization.
- Indecent exposure or inappropriate public displays of affection, including kissing, hugging, physical conduct, etc.
- Intentionally providing incorrect information to School officials.
- Knife possession.
- Leaving a School campus, classroom, or event without written permission from an administrator.
- Misdemeanor vandalism and/or criminal mischief.
- Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
- Possessing a stun gun, mace, or pepper spray.
- Possessing ammunition.
- Possessing, exhibiting, or threatening with a look-alike weapon, including without limitation, BB guns, CO2 guns, air pistols or rifles, pellet guns, or any other device designed to appear to be a firearm or other weapon.
- Possession of stolen property.

- Possession or use of alcohol on School property or at School-related events.
- Possession or use of fireworks or other explosive devices.
- Possession or use of tobacco or related products on School property or at School-related events.
- Profanity/obscene gestures toward personnel.
- Refusal to follow directions from a School employee or administrator.
- Repetitive Tier I Offenses – i.e., two or more Tier I offenses within a quarter.
- Secret society activity.
- Sending or posting abusive, obscene, sexually oriented, threatening, harassing, defamatory or illegal electronic messages, sexting.
- Stealing and/or theft.
- Suspicious drug/alcohol involvement.
- Threats against School personnel and/or other students. Using the Internet or other electronic communications to threaten students or employees, or cause disruption to the school program.
- Violating the School’s examination procedures (see Examination Procedures policy).

### **Tier III Offenses**

The following behaviors are prohibited at all School and School-related Activities:

- Aggravated assault.
- Aggravated kidnapping.
- Aggravated robbery.
- Aggravated sexual assault
- Any discretionary or mandatory expulsion violation under DCMR Chapter 25 Tier 5, no matter when or where the offense takes place
- Arson.
- Assault.
- Attempts to copy and/or modify another student’s work files stored on a computer.
- Burglary of a motor vehicle on campus.
- Commission of a felony offense
- Conduct punishable as a felony.
- Death threats.
- Deliberate destruction or tampering with School computer data or networks.
- False alarm or report.
- Felony criminal mischief against school property, another student, or school staff.
- Inappropriate sexual conduct.
- Indecency with a child.
- Issuing a false fire alarm.
- Persistent Level I offenses – i.e., four Level I offenses within a semester.
- Persistent Level II offenses – i.e., two or more Level II offenses within a semester.
- Possessing, selling, distributing, or being under the influence of inhalants.
- Possessing, selling, distributing, or being under the influence of a simulated controlled substance.
- Public lewdness.
- Required registration as a sex offender.
- Retaliation against any school employee or volunteer at any time or place.

- Setting or attempting to set fire on school property (not arson).
- Sexual assault.
- Targeting another individual for bodily harm.
- Use of the School's Internet access to engage in conduct that constitutes felony criminal mischief and/or deliberate attempts to bypass installed computer security software.
- Use, exhibition, or possession of a firearm, knife, club, or prohibited weapon.
- Use, sale, possession, distribution, or being under the influence of marijuana, controlled substances or illicit drugs, or alcoholic beverages on School premises or during any School activity, regardless of location.

### **Consequence Flow for Tiered Offenses**

The following ClassDojo deductions will take place after proper interventions have taken place in the classroom in regards to classroom management and communication of rules and expectations.

1<sup>st</sup> infraction: Classdojo deduction given only after two verbal warnings

2<sup>nd</sup> infraction: Refocus lunch (Another Classdojo deduction based on level of offense)

3<sup>rd</sup> infraction: Phone call home & THINK Time & Classdojo deduction

4<sup>th</sup> infraction: Teacher 1 on 1 (Tier I only) Team THINK Time out (admin included for Tiers 2 and 3)

5<sup>th</sup> infraction: In School Suspension (Tier II only)

6<sup>th</sup> infraction: Major referral (Tier III only)

- Any applicable Tier I or Tier II Disciplinary Consequence
- Out of school suspension for up to 5 days. Per the Student Fair Access to School Amendment Act of 2018, no student in grades KG through 5 can receive an out-of-school suspension or expulsion, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.
- Expulsion (upon Discipline Committee recommendation) (in accordance with **Student Fair Access to School Amendment Act of 2018**)

All consequences will be data-driven. Use of Classdojo is a requirement if consequences are to be enforced. Teachers will also be required to take the necessary steps in the PBIS flowchart before enforcing consequences. This includes proper classroom interventions detailed in the PBIS plan for Tier 1 behaviors.

### **Other Disciplinary Consequences (not in order of progressive disciplinary measures)**

- Refocus Lunch
- Loss of recess/privileges
- In School Suspension.
- Assignment of school duties such as scrubbing desks or picking up litter.
- Behavioral contracts or individually developed behavior management plans.
- Confiscation of cell phone; The school is not liable for lost or stolen cell phone. All confiscated phones must be turned in to the Campus Principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated.
- Community service.
- Cooling-off time or "time-out."
- Counseling by teachers, counselors, or administrative personnel.
- Classdojo deductions.
- Confiscation of electronic devices used during the instructional day.

- Grade reductions for academic dishonesty.
- Loss of computer privileges/Internet access.
- Parent/guardian observations in student's classes.
- Parent/guardian conference with teacher or Principal.
- Peer mediation.
- Placement in another appropriate classroom.
- Restitution/restoration, if applicable.
- School-assessed and school-administered probation.
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction.
- Voluntary peer mediation/family management classes/community service.
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.

### **Procedures for Use of Restraint and THINK Time**

School employees, volunteers or independent contractors are authorized to use restraint in the event of an emergency and subject to the following limitations:

- Only reasonable force, necessary to address the emergency, may be used.
- The restraint must be discontinued at the point at which the emergency no longer exists.
- The restraint must be implemented in such a way as to protect the health and safety of the student and others.
- The student may not be deprived of basic human necessities.
- At no time, however, may a student be placed in seclusion.
- A student with a disability may not be confined in a locked box, locked closet or other specially designated locked space as either a discipline management practice or a behavior management technique.

### **In School & Out of School Suspension**

The following rules and regulations apply to all students assigned to in school suspension:

- Students must report to the detention room at 8:30 a.m. Students arriving after 8:35 a.m. will be counted as absent. In school suspension will be run from 8:30 a.m. until dismissal time.
- Students will bring materials to work on, including an in school suspension assignment with their teachers' names, subjects, and assignments. Students are responsible for obtaining assignments from each teacher.
- Students must sign in when reporting to the ISS room, and sign out when the suspension period is over.
- Students may not leave the detention room without permission from an Assistant Principal. Without assistant principal permission, a student cannot go out of ISS room.
- Students are to keep the ISS room clean.
- No talking.
- Students must be seated at all times.
- No physical contact of any kind between students is allowed.
- All materials must be brought to the room when reporting, students will not be permitted to leave.
- Students will not be permitted to go to lunch. They will have their lunch in ISS room. Students may not bring food or drink into the ISS room other than lunch time.

- No disruptive behavior will be allowed.
- Unexcused absences from suspension will be referred to the Assistant Principal.
- No visits by parents, relatives or other students are allowed.
- Sleeping is prohibited.
- Transportation to the in-school suspension site is the responsibility of the student and his or her parent(s). Transportation arrangements must be made prior to arrival at the site. Telephones are not available for student use.
- Students must abide by the provisions of this Handbook and the Student Code of Conduct during their suspension period.
- A student who misses a scheduled in school suspension will complete the in school suspension upon return to school. If a student misses more than one scheduled in school suspension without a confirmed excuse, he or she may be subject to an out of school suspension.

Failure to follow these guidelines will be reported to the Assistant Principal for further action, which may include up to three days of out of school suspension or any other Tier I offense.

### **Infractions That Can Lead Suspension and/or Expulsion**

- Harassment based on actual or perceived race, color, religion, national origin, sex (Suspension or Expulsion)
- Assault/Physical Attack on Student or Staff (Suspension or Expulsion)
- Fighting (Suspension or Expulsion)
- Bullying/Cyberbullying (Suspension or Expulsion)
- Possession of Fireworks or Explosives (Suspension or Expulsion)
- Retaliation against students who make bullying or harassment complaint (Suspension or Expulsion)
- Verbal, Written, Physical Threat or Intimidation (Suspension or Expulsion)
- Weapons: Possession of a firearm (Suspension or Expulsion)
- Weapons: Use or Threatened Use of Weapon or a Lookalike (Suspension or Expulsion)
- Possesses or Uses Prescription Drugs Not Specifically Prescribed for the Individual (Suspension or Expulsion) (in cases of bodily injury or emotional distress)
- Sells or distributes Tobacco, Alcohol, Prescription Drugs and/or Illegal Drugs (Suspension or Expulsion) (in cases of bodily injury or emotional distress)

### **Out of School Suspension**

- Per the Student Fair Access to School Amendment Act of 2018, no student in grades KG through 5 can receive an out-of-school suspension or expulsion, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.
- Notice of suspension and the reasons for the suspension will be given to the student and/or parent by an administrator.
- The student shall receive credit for work missed during the period of suspension.
- A student must make up work missed during the period of suspension within the same number of school days the student was absent on suspension.
- Out of school suspension shall not exceed five consecutive school days, or 20 days in a year unless school principal provides a written justification to the student and parent describing why exceeding 20-day limit is a more appropriate disciplinary action than alternative purposes.
- The return of a student to school upon conclusion of an out-of-school suspension shall not be made contingent

on a parent accompanying the student, attending a conference, or otherwise being present at the school.

The Assistant Principal will form a Discipline Committee to review decisions regarding student discipline at the request of the Principal. The Discipline Committee may review all offenses under the Code of Conduct. The Principal will review the Discipline Committee's recommendation and issue an appropriate consequence. For all decisions not involving expulsion, the Principal's decision is final. Special rules apply when the Discipline Committee recommends expulsion.

### **Prerequisites to Suspension**

Prior to suspending a student, the Principal or designee must attempt to hold an informal conference with the student to:

- Notify the student of the accusations against him/her,
- Allow the student to relate his or her version of the incident, and
- Determine whether the student's conduct warrants suspension.

### **Parent/Guardian Notification**

If the Principal or designee determines the student's conduct warrants suspension during the school day, the Principal or designee will make reasonable effort to notify the student's parent(s) that the student has been suspended before the student is sent home. The Principal or designee will notify a suspended student's parent(s) of the period of suspension, the grounds for the suspension, and the time and place for an opportunity to confer with the Principal.

### **Credit During Suspension**

A student shall receive credit for work missed during the period of suspension if the student makes up work missed during the period of suspension within the same number of school days the student was absent on suspension.

### **Process for Appealing a Suspension**

After a written notification of a suspension the student's parent(s) or guardian may request a meeting with the Disciplinary Team to discuss the details of the suspension and or if a different decision needs to take place. The school shall make a good faith effort to inform the student and the student's parent(s) of the time and place for a meeting. The Principal may attend and audio record the meeting.

Immediately following the meeting, the Principal will notify the student and the student's parent(s) in writing of his or her decision. The decision shall specify:

- The length of the suspension, if any;
- The procedures for re-admittance at the end of the suspension period; and the right to appeal the Principal's decision to the Board of Directors.
- Parent(s) or guardian may appeal this decision within 5 days of the decision notification.

The notice shall also state that failure to timely request such a hearing constitutes a waiver of further rights in the matter.

## **Conferences, Hearings and Appeals**

All students are entitled to due process including conferences, hearings, and/or appeals of disciplinary matters as provided by state and federal law and school policy.

### **Process for Expulsion Notice**

When the Discipline Committee and/or the Principal determine that a student's conduct warrants expulsion, but prior to taking any expulsion action, the Principal or designee will provide the student's parent(s) with written notice of:

- The reasons for the proposed disciplinary action; and
- The date and location for a hearing before the Principal, within five school days from the date of the disciplinary action.

The notice shall further state that, at the hearing, the student:

- May be present;
- Shall have an opportunity to present evidence;
- Shall be apprised and informed of the school's evidence;
- May be accompanied by his or her parent(s); and
- May be represented by an attorney.

### **Hearing Before Principal**

The school shall make a good faith effort to inform the student and the student's parent(s) of the time and place for the hearing, and the school shall hold the hearing regardless of whether the student, the student's parent(s) or another adult representing the student attends. The Principal may audio record the hearing.

Immediately following the hearing, the Principal will notify the student and the student's parent(s) in writing of his or her decision. The decision shall specify:

- The length of the suspension or expulsion, if any;
- When the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period; and the right to appeal the Principal's decision to the Board of Directors

The notice shall also state that failure to timely request such a hearing constitutes a waiver of further rights in the matter.

### **Appeal to the Board of Directors**

The student or his or her parent(s) may appeal the expulsion decision to the Board of Directors by notifying the Principal in writing within seven calendar days of the date of receipt of the Principal's decision. The Board of Directors will review the audio or transcribed record from the hearing before the Principal and notify the student and his or her parent(s), caretaker, or guardian of the appeal decision, in writing, within ten calendar days of the date of the appeal.

The decision of the Board is final and may not be appealed.

Discipline consequences will not be deferred pending the outcome of an appeal of an expulsion to the Board.

### **No Credit Earned**

Except when required by law, students will not earn academic credit during a period of expulsion.

### **Emergency Placement and Expulsion**

If the Principal or designee reasonably believes a student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with students in a class, with the ability of a student's classmates to learn, or with the operation of the school or a school-sponsored activity, the Principal or designee may order immediate removal of the student. Immediate suspension may be imposed by the Principal or designee if they reasonably believe such action is necessary to protect persons or property from eminent harm. At the time of such an emergency removal, the student will be given verbal notice of the reason for the action and appropriate hearings will be scheduled within a reasonable time after the emergency removal.

### **Special Education Students**

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted IEP committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations.

### **Removal for More than Five Days**

A student with a disability who violates the Student Code of Conduct may be removed from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for more than five school days, (to the extent those alternatives are applied to children without disabilities), in accordance with the procedures outlined in IDEA section 615(k)(1)(C)-(H) and (2). A student with disability who is removed from the student's current placement for more than 5 days will receive the services described in IDEA section 615(k)(1)(D)(i) and (ii) and have right to a manifestation determination and, where appropriate, a functional behavioral assessment.

### **Services during Removal**

Harming DC is required to provide services during the period of removal if the School provides services to a child without disabilities who is similarly removed.

### **Notice of Procedural Safeguards**

Not later than the date on which the decision to take the disciplinary action is made, the School shall notify the student's parents of the decision and of all procedural safeguards.

### **Manifestation Determination Review**

A manifestation determination must occur within 10 days of any decision to change the child's placement because of a violation of a code of student conduct.

The LEA, the parent, and relevant members of the IEP team (as determined by the parent and the LEA) are involved in conducting the review. Their purpose is to determine:

- (i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability;  
or
- (ii) If the conduct in question was the direct result of the LEA's failure to implement the IEP.

To make these determinations, the group will review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents.

### **If the Determination is Yes**

There are two scenarios under which the manifestation determination would be "yes." These are when the conduct:

- A. *was* a manifestation of the child’s disability, *or*
- B. the direct result of the LEA’s failure to implement the child’s IEP.

If either condition is met, the student’s conduct must be determined to be a manifestation of his or her disability.

- A. If the group determines that the child’s misconduct was the direct result of the LEA’s failure to implement the child’s IEP, the “LEA will take immediate steps to remedy those deficiencies.”

**Placement**

Unless the behavior involved one of the special circumstances—weapons, drugs, or serious bodily injury—the child would be returned to the placement from which he or she was removed as part of the disciplinary action. However, the parent and LEA can agree to a change of placement as part of the modification of the behavioral intervention plan. [§300.530(f)(2)]

- B. If the group finds that the child’s misconduct had a direct and substantial relationship to his or her disability, then the group must also reach a manifestation determination of “yes.” Such a determination carries with it two immediate considerations:
  - Functional behavioral assessment (FBA)
  - Behavioral intervention plan (BIP)

**Placement**

The child must be returned to the placement from which he or she was removed as part of the disciplinary action, with two exceptions:

- if the behavioral infraction involved special circumstances of weapons, drugs, or serious bodily injury; or
- if the parents and LEA agree to change the child’s placement as part of the modification of the BIP.

**If the Determination is “No”**

A manifestation determination of “no” means either that:

- the child’s behavior was not caused by or did not have a direct and substantial relationship to the child’s disability; or
- the child’s behavior was not the direct result of the LEA’s failure to implement the IEP.

In either case of “no,” school personnel have the authority to apply the relevant disciplinary procedures to the child with disabilities in the same manner and for the same duration as the procedures would be applied to a child without disabilities, except for whatever special education and related services the school is required to provide the child with disabilities under §300.530(d).

## Attendance Policy

Regular school attendance is essential for a student to make the most of his/her education and is required by DC law for children from age 5 to 18. Absences from class may result in serious disruption of a student’s mastery of the instructional materials; therefore, students and parents should make every effort to avoid unnecessary absences. Excused absences and tardies are outlined in the DC Municipal Regulations, Chapter 21 to include illness with doctor note, medical/dental appointments, death in the family, court proceedings, contagious disease, religious holiday, or facility closings. **Extended travel is not an unexcused absence.** A student absent from school without permission – including absence from any class, required special programs or required tutorials – will be considered truant and subject to disciplinary action. Excessive absences will be considered when determining retention for a student.

**To receive credit in a class, a student must attend at least 90% of the days the class is offered. These include both excused and unexcused absences.**

A student who attends fewer than 90% of class may be referred for a campus Attendance Review to determine whether there are extenuating circumstances for the absences and how the student can regain credit. In determining whether there are extenuating circumstances for an absence, the Attendance Review Committee will use the following guidelines:

- All absences will be reviewed, with consideration given to special circumstances.
- For a student transferring into Harmony Public Schools after school begins only those absences after enrollment will be considered.
- In reaching a consensus about a student’s absences, the committee will attempt to ensure that its decision is in the best interest of the student.
- The committee will consider whether the absences were for reasons over which the student or parent could exercise control.
- The committee will consider the acceptability and authenticity of documentation expressing reasons for the student’s absences.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student, parent, or other representative will be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit.
- If credit is lost because of excessive absences, a parent/guardian may request an Attendance Review and the committee will decide how the student may regain credit. If the committee determines that there are no extenuating circumstances and that credit may not be regained, the student and/or parent may appeal the decision by filing a written request with the Campus Principal within 15 days of the last day of the semester. The appeal will then be placed on the agenda of the next regularly scheduled Board meeting. The Campus Principal or designee shall inform the student or parent of the date, time, and place of the meeting.

## **Absence in General**

Absences not to exceed five per quarter, it is at the principal's discretion to accept or decline any further notices. If a student is absent for three or more consecutive days he/she must return to school with a note from a doctor or other acceptable documentation explaining the absence.

A note signed by the student, even with the parent's permission, will not be accepted. **Notes must be received within five days of the absence, or the absence will be unexcused.**

Because excessive absences are considered truancy under the District of Columbia law, the school reserves the right to take extreme absence cases to court. In addition, the following consequences can be administered:

School will refer a minor student 5 years of age through 13 years of age to the Child and Family Services Agency pursuant to § 4-1321.02(a-1), no later than 2 business days after the accrual of 10 unexcused full school day absences within a school year.

School will refer a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section no later than 2 business days after the accrual of 15 unexcused full school day absence within a school year.

## **Student Support Team**

A referral process whereby within two (2) school days after a student has accumulated five (5) or more unexcused absences in one (1) marking period or other similar time frame, the student shall be referred to a school-based student support team which will meet within five (5) school days of the referral and regularly thereafter to:

- (A) Review and address the student's attendance and determine the underlying cause(s) for the student's unexcused absences;
- (B) Employ reasonable and diligent efforts to communicate and to collaborate with the student and parents or guardian;
- (C) Communicate and collaborate with the student's existing Individualized Education Program (IEP) team, as applicable;
- (D) Provide timely response to the student's truant behavior;
- (E) Make recommendations for academic, diagnostic, or social work services;
- (F) Use school and community resources to abate the student's truancy including referral to a community-based organization when available; and
- (G) Develop and implement an action plan in consultation with the student and student's parents or guardian;

A student who accumulates ten (10) unexcused absences at any time during a school year will be considered to be chronically truant. The school-based student support team assigned to the student will notify the school administrator within two (2) school days after the tenth (10th) unexcused absence with a plan for immediate intervention including delivery of community-based programs and any other assistance or services to identify and address the student's needs on an emergency basis;

(5) A process including specific due process procedures, for a parent, guardian, or student to appeal any attendance violation decisions made by the educational institution; and

(6) A process to ensure that the LEA maintains complete, accurate, and contemporaneous records of the work of the school-based student support team to reduce unexcused absences, including records of all meetings that take place after a student accumulates five (5) or more unexcused absences in one (1) marking period or other similar

time frame and after a student accumulates ten (10) unexcused absences at any time during a school year.

### **Interventions and Consequences**

- 5 days of unexcused absence – Referral to Student Support Team
- 10 days of unexcused absence – Referral to Child and Family Services Agency (for students age 5-13)
- 18 days of unexcused absence – Possible Retention
- 20 days of consecutive unexcused absence – Unenrollment and Referral to CFSA

### **Retention and Unenrollment of a Student**

Students can be retained if they accumulate 18 or more excused absences. Also, school can unenroll a student if he/she misses 20 days of school consecutively without an excuse.

### **Types of Absences**

The school recognizes two kinds of absences: excused and unexcused. Students and parents should read this section carefully to understand the school's expectations.

### **Excused Absences**

Students may be excused for temporary absence resulting from any cause acceptable to the Principal. As discussed above, students must provide a written explanation for the absence to be excused. The excuse will be filed in the attendance office and become part of the student's record.

An absence will be considered excused if the absence is for one or more of the following reasons:

- Personal illnesses that do not exceed three consecutive days.
- Illnesses that extend beyond three days will require a doctor's note.
- Family emergency or illness.
- Quarantine of the home.
- Death of a relative.
- Observing religious holy days.
- Juvenile court proceeding documented by a probation officer.
- Appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship.
- Student participation in a United States naturalization oath ceremony.
- Documented health care appointments, if the student begins classes or returns to school on the same day as the appointment.
- Serving as an election clerk.
- Required screening, diagnosis, and treatment for Medicaid-eligible students.
- Documented college visits by junior or senior students. A student will not be excused for this purpose for more than two days during the student's junior year and two days during the student's senior year.
- Temporary absence resulting from any cause acceptable to the student's teacher, Principal, or Superintendent.
- The school will also excuse a student from attending school for travel under the following circumstances:
  - Observing religious holy days;
  - Attending a required court appearance;

- Appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship;
- Taking part in a United States naturalization oath ceremony; or
- Serving as an election clerk
- Any student participating in an activity listed above will be allowed one day's excused absence for travelling to the activity and one day's excused absence for returning from the activity.

### **Unexcused Absences**

Any absence not listed above will be considered an unexcused absence.

Examples of unexcused absences include, but are not limited to:

- Failure to bring a written note within five school days following an absence;
- Leaving school without the permission of the Principal/Assistant Principal;
- Walking out of class; and
- Receiving a pass to report to a certain school area and failing to report.

### **Contagious Illness**

Contagious Illness- parents/guardians must not send their children to school with any contagious diseases such as the flu, strep throat, staph infection, chicken pox, measles, conjunctivitis (pink eye), ringworm, or scabies. Students with any of these conditions will be sent home from school until they are no longer contagious.

If a student is ill, he or she should not be permitted to attend school the following day. They should not send students to school in the morning if s/he:

- Has a fever of 100 degrees or higher
- Is vomiting or has diarrhea
- Has evidence of a severe head cold, persistent cough, or sore throat
- Has a suspicious skin rash or is contagious (i.e. pink eye, head lice)

Students must be symptom free for 24 hours prior to returning to school. Parents should contact the school if child has a contagious disease (i.e. chicken pox, pink-eye, head lice) so that the school can respond appropriately.

Students should not return to school until 24 – 36 hours after beginning the course of antibiotics.

### **Tardiness**

The school's tardy policy has been developed to emphasize the importance of each student arriving on time to school every day and remaining in the classroom for the entire period. Learning personal responsibility by arriving to school and class on time is an integral part of the school's standard of excellence, which helps prepare students for success.

Students should be inside the classroom by 8:30 a.m. A student arriving after this time must report to the front office and obtain a tardy slip. Tardiness to school will be unexcused, unless the student arrives to campus late for one of the following reasons:

- Attendance at a required court appointment

Appointment with a doctor, dentist, or other professional

## **Complaints & Grievances**

Student, parent/guardian, child advocate, or community members who have concerns should notify Harmony DC in writing on a form provided by the school within three (3) working days of the incident. Documentation that supports the grievance shall be attached to the complaint form or presented at the Level One conference. Please note: after the Level One conference, no new documents may be submitted unless their existence was unknown to the complainant before the Level One conference. A complaint that is incomplete may be dismissed.

### **Level One**

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The student, parent/guardian, child advocate, or community member shall request in writing a conference with the Assistant Principal within three days from the time the event(s) causing the complaint were or should have been known. Following a conference, the appropriate Assistant Principal shall have seven working days to respond.

### **Level Two**

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If the student, parent/guardian, child advocate, or community member are not satisfied with the Level One decision, or if no decision is provided, they may request in writing a conference with the Principal or designee. The request must be filed within seven working days of the Level One decision or the response deadline if no decision is made. The Principal or designee shall hold the conference within seven working days of the request.

The parent/guardian, child advocate, or community member shall submit a signed statement of the complaint, any evidence/documentation supporting the complaint, and the date and results of the conference with the Assistant Principal. The Principal or designee shall have seven days following the conference to respond.

### **Level Three**

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If the parent/guardian, child advocate, or community member is not satisfied with the Level Two decision, or if no decision is provided, they may request in writing a conference with the Board of Trustees designee. The request must be filed within seven business days of the Level Two decision or the response deadline if no decision is made. The Board designee shall hold the conference within seven days of the request.

The parent/guardian, child advocate, or community member shall submit the documentation submitted to Principal, and the date and results of the conference with the Principal. The Board member shall have seven days following the conference to respond.

The Board may not delegate its authority to issue a decision, and any decision by the Board of Directors is final and may not be appealed.

If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board member in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.

Board of Trustees Grievance Officer: Yalcin Akyildiz, Email address: [board@harmonydc.org](mailto:board@harmonydc.org)

# **Freedom from Discrimination, Harassment, and Retaliation**

## **Statement of Nondiscrimination**

Harmony DC Public Charter School believes that all students learn best in an environment free from harassment and that student welfare is best served when students can work free from discrimination. Students are expected to treat other students and School employees with courtesy and respect, to avoid behaviors known to be offensive, and to stop those behaviors when asked or told to stop. School employees are also expected to treat students with courtesy and respect.

The Board of Directors has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behavior. In accordance with these policies and procedures, Harmony DC Public Charter School prohibits discrimination, including harassment against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. Harmony DC Public Charter School also prohibits dating violence, as defined in this Handbook. Retaliation against anyone involved in the complaint process is also a violation of school policy.

## **Discrimination**

For purposes of this Handbook, discrimination against a student is defined as conduct directed at a student on the basis of actual or perceived race, color, religion, gender, national origin, disability, sex (gender or sexual harassment), age, personal appearance, sexual orientation, disability, family status, gender identity or expression, place of residence, or any other basis prohibited by law that adversely affects the student.

## **Annual Notice of Parent and Student Rights (Annual FERPA Confidentiality Notice)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the student's educational records. These rights include the following:

### **The Right to Inspect and Review**

Parents and/or eligible students have the right to inspect and review the student's educational records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the Principal a written request that identifies the record(s) they wish to inspect. The school will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's educational records, the school shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.

The school shall not destroy any educational records if there is an outstanding request to inspect and review the records under this section. The school may charge a reasonable fee for a copy of an education record that is made for the parent or eligible student, unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records. The school will not charge a fee to search for or to retrieve the educational records of a student.

If the educational records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information about that student.

### **The Right to Seek Amendment of the Student's Educational Records**

Parents and/or eligible students may ask the school to amend a record that they believe is inaccurate, misleading, or otherwise in violation of the privacy rights of the student. Such a request must be made to the Principal in writing, clearly identify the part of the record the parent or eligible student wants changed, and specify why it is inaccurate or misleading. The school will decide whether to amend the record as requested within a reasonable time after the school receives the request. If the school decides not to amend the record as requested by the parent or eligible student, it will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

If, as a result of the hearing, the school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, the school decides that the information in the educational record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school, or both. If the school places an amended statement in the educational records of a student, it is obligated to maintain the amended statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

## **The Right to Consent Prior to Disclosure**

Parents and/or eligible students have the right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Directors; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another open-enrollment charter school, school district, or private school in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

## **The Right to File a Complaint**

Parents and/or eligible students have 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. These complaints should be addressed as follows:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-4605

## **Access to Medical Records**

Parents are entitled to access their students' medical records.

## **Notice for Directory Information**

Under FERPA, the school must, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a student's education records. However, the school may disclose appropriately designated "directory information" without written consent, unless a parent or eligible student has advised the school, in writing, to the contrary. The primary purpose of directory information is to allow the school to include this type of information from a student's education records in certain school publications.

The school has designated the following categories of information as directory information:

- Student's name.
- Parent/Guardian name.
- Address.
- Current campus of attendance

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be released to outside organizations without prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks and/or businesses or members of the public seeking information about a student under the Public Information Act. In addition, two

federal laws require the school to provide military recruiters, upon request, with student names, addresses and telephone listings, unless a parent or eligible student has advised the school that they do not want the student's information disclosed without prior written consent.

Any parent or eligible student who does not want the school to disclose directory information from the student's education records without prior written consent must notify the school in writing by completing and returning the "Use of Student Photos and Directory Information Opt Out Form" no later than the end of the first week of instruction after the student is enrolled.

## **Admission Preference Policy**

Harmony DC opted to use the following admission preferences in the order below:

1. Sibling Attended
2. Sibling Offered