

Student/Family Policies Submission Policies of DC Scholars PCS for SY22-23

Discipline Policy

Academic excellence can only be achieved when there is a positive school and classroom culture that creates a positive learning environment. Safety, order, and scholar discipline are fundamental to learning at DCSPCS. While scholars need a challenging curriculum, dedicated teachers, and proper materials, they must also have a secure environment in which to learn. Any time spent addressing scholar misbehavior is lost instructional time.

To help support clear expectations and school community, DCSPCS teachers and scholars are required to follow whole-school routines and procedures. It is our responsibility to maximize every second of our school day to provide our scholars with the knowledge and skills required to grant them access to limitless opportunity. We can achieve this by creating an environment that serves as the strongest platform for scholar achievement. This platform is built and maintained through structure, attention to detail, systematized rewards and consequences, and a deep commitment and care for each and every scholar and our collective community.

At DCSPCS, we have high expectations for the kind of people our scholars will grow to be. We believe that scholars who demonstrate our PATH (Prepared/Professional, Attentive, Thoughtful, and Hardworking) core values will be empowered and prepared to enter and be successful in high school and on the path to college or a career. We believe that each scholar can reach high academic standards, enjoy learning, achieve success and contribute actively to his or her community.

In order to maintain a school culture that nurtures scholars to develop in such a manner, our school-wide behavior system is a prevention-based model, focused on modeling our core values, helping scholars reflect upon their behaviors (both positive and negative), and teaching them to make positive choices.

DCSPCS sets high expectations for scholar behavior. We explicitly teach scholars what we expect, provide multiple opportunities to demonstrate our core values, and reinforce positive behaviors. Every adult in the school models the core values for our scholars through his/her work habits, professionalism, and positive interactions. Our expectations for scholars are evident in the relationships we build with scholars, our partnerships with families, and the quality of instruction in our classrooms.

The DCSPCS behavior system includes a ladder of responses and a progressive discipline model. Using these systems, scholars receive a consequence that matches the behavior with the consequences increasing if the behavior is repeated. Scholars will progress through the ladder of responses as their behavior persists. Serious consequences such as suspension and expulsion are only reached after the ladder of

responses has been exhausted and if the school administrator determines that a student has willfully caused, attempted to cause, or threatened to cause bodily harm or emotional distress to another person. For examples, see Level 3 and all Level 4 offenses. In the event of either a suspension or expulsion, DCSPCS follows PCSB requirements with respect to due process and reporting.

The following Dean's Office procedures begin once a scholar reaches the end of the classroom-based ladder of consequences (Levels 1 and 2 above):

1. Teacher completes Office Referral, indicating if the behavior was Level 2 or 3 (see above for examples).
 - a. For Level 2 and 3 referrals, the teacher must provide details about the behavior/incident, including any other scholars who were involved or witnessed the incident.

Note: Level 1 infractions may result in a referral if they are persistent and cause severe disruption to the learning time of other scholars.

- b. Teacher contacts the Culture Team to request the removal of the scholar.
2. Scholar arrives in the Dean's office and the following may occur:
 - a. Written reflection: Scholar must write about why he/she made the choice he/she did.
 - b. Problem solving session: Scholar engages in a structured conversation around the poor action with an opportunity for the scholar to outline the future choice he/she would make if faced with the same decision.
 - c. Restorative Conversation: Scholar apologizes to the teacher(s) or other student(s) (verbal and written) in an authentic conversation to restore relationship.
 - d. Scholars has a fresh start in class.
3. Notification to parent(s)/guardian(s)
 - a. **Level 1** offenses, **the teacher** will notify the parent/guardian of infractions and referrals to the Dean's office (by 8PM that same day).
 - b. **Level 2** referral offenses, **the Dean** will notify the parent/guardian of infractions and referrals to the Dean's office.
 - c. **Level 3 and Level 4** offenses, **the School Director or Head of School** will contact the parent/guardian to notify the adult of the referral and the

consequence.

4. Scholar serves consequence. When a consequence is served, the scholar receives a Permit to Return to Class slip signed by the administrator.
5. Scholars serving a suspension will be required to attend a reinstatement meeting the day they return to school. The scholar's parent(s)/guardian(s) will also be invited to attend. This will ensure a scholar's preparedness to re-enter the school community.

Please note if a scholar commits a Level 3 and/or 4 offense, DCSPCS may recommend the student for suspension or expulsion.

Note: Scholars with behavior plans as part of their IEPs will follow their IEP Behavior Plan in conjunction with the school-wide plan. See Procedures for Suspending and Expelling Scholars with Disabilities below.

DC Scholars Ladder of Responses by Grade Band

Early Childhood (PS-PK)

Level I - In learning environment responses		
Level 1 behaviors are behaviors that can be addressed within the lesson space. The goal is to use a least invasive response strategy to correct the behavior.		
Behavior (s)	Least Invasive Responses	Logical Consequences
<ul style="list-style-type: none"> Talking out of turn Not following directions Minor and/or infrequent defiance Getting out of seat without permission Minor disruption/disrespect Passive profanity (not directed at person) Throwing non-injurious items 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> Gesture Eye Contact Light Touch Proximity <p>Verbal</p> <ul style="list-style-type: none"> Whole group reminder Anonymous Individual Specific Individual Private conversation 	<p>Dojo deduction (If applicable)</p> <p>Loss of privilege</p> <p>Change of seat</p> <p>Fresh Start</p> <p>Time Out</p> <p>Private conversation</p> <p>Phone call home during non instructional time (i.e. brain breaks, recess, lunch, etc.)</p>

Level 2 – Referral (Push in support or removal from class)		
<p>If Level 1 behaviors persist and or a student engages in Level 2 behaviors, a student may be referred to a culture leader. A culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form.</p>		
Behavior(s)	Behavior Tech Responses	Behavior Tech Follow-up
<ul style="list-style-type: none"> Repeated Level 1 behaviors Destruction of property 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> Gesture Eye Contact Light Touch Proximity <p>Verbal</p> <ul style="list-style-type: none"> Whole group reminder Anonymous Individual Specific Individual Private conversation <p>Private Conversation</p> <p>Parent contact</p> <p>Out of Classroom Time Out</p> <p>Loss of Privilege (Field Trip, etc.)</p> <p>Parent Conference</p>	<p>Dojo deduction (If applicable)</p> <p>Loss of privilege</p> <p>Change of seat</p> <p>Fresh Start</p> <p>Private conversation</p> <p>Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and parent contact notes</p>
Level 3 – Dean Referral/Manager of Student Culture (Immediate removal from learning environment)		
<p>If a student is demonstrating Level 3 behaviors, a culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form. In this case, a dean will respond and support the student's removal from class. Additionally, the Manager of Student Culture will be notified as well.</p>		
Behavior(s)	Dean Response	Dean/Manager of Student Culture Follow-up

<ul style="list-style-type: none"> • Fighting/ Hitting with intent to do harm • Throwing injurious items with an intent to harm others • Sexual misconduct • Possessing, distributing, selling, giving, or loaning any controlled dangerous substance • Possession of dangerous item (weapon, drugs, fire source) 	Private Conversation Parent contact and Mandatory Parent Conference [Required] Out-of-School Suspension	Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and or parent contact notes Notification to Manager of Student Culture & Principal/School Director
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Kindergarten-2nd Grade

Level I - In learning environment responses		
Level 1 behaviors are behaviors that can be addressed within the lesson space. The goal is to use a least invasive response strategy to correct the behavior.		
Behavior (s)	Least Invasive Responses	Logical Consequences
<ul style="list-style-type: none"> • Talking out of turn • Not following directions • Minor and/or infrequent defiance • Getting out of seat without permission • Minor disruption/disrespect • Passive profanity (not directed at person) • Throwing non-injurious items 	Least Invasive Strategies: Non-verbal warning <ul style="list-style-type: none"> • Gesture • Eye Contact • Light Touch • Proximity Verbal <ul style="list-style-type: none"> • Whole group reminder • Anonymous Individual • Specific Individual • Private conversation 	Dojo deduction (If applicable) Loss of privilege Change of seat Fresh Start Private conversation Phone call home during non instructional time (i.e. brain breaks, recess, lunch, etc.)
Level 2 – Referral (Push in support or removal from class)		
If Level 1 behaviors persist and or a student engages in Level 2 behaviors, a student may be referred to a culture leader. A culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form.		

Behavior(s)	Behavior Tech Responses	Behavior Tech Follow-up
<ul style="list-style-type: none"> • Repeated Level 1 behaviors • Destruction of property • High levels of verbal aggression (i.e., derogatory language) or use of profanity directed at a person • Active Bullying (Active intimidation, name calling and or repeated harassment) • Fighting/ Hitting with intent to do harm • Throwing injurious items with an intent to harm others • Sexual misconduct • Theft of goods or money from school property valued at \$500 or more • Burglary of school; and or theft of goods or money from school property, staff and or students valued at less than \$500 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> • Gesture • Eye Contact • Light Touch • Proximity <p>Verbal</p> <ul style="list-style-type: none"> • Whole group reminder • Anonymous Individual • Specific Individual • Private conversation <p>Private Conversation</p> <p>Parent contact</p> <p>Recess or Lunch Detention <i>(Please note, that if detention is missed, a Mandatory Parent Meeting will be required with our Dean of Culture and our Manager of Student Culture)</i></p> <p>Accountability writing (restorative conversation)</p> <p>Loss of Privilege (Field Trip, etc.)</p> <p>Parent Conference</p> <p>Community service</p>	<p>Dojo deduction (If applicable)</p> <p>Loss of privilege</p> <p>Change of seat</p> <p>Fresh Start</p> <p>Private conversation</p> <p>Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and parent contact notes</p>
Level 3 - Dean/ Manager of Student Culture/School Director Referral (Immediate removal from learning environment)		
If a student is demonstrating Level 3 behaviors, a culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form. In this case, a dean will respond and support the student's		

removal from class. Additionally, the Manager of Student Culture will be notified as well.		
Behavior(s)	Dean/ Manager of School Culture Response	Dean/ Manager of Student Culture Follow-up
<ul style="list-style-type: none"> • Possessing, distributing, selling, giving, or loaning any controlled dangerous substance • Possession of dangerous item (weapon, drugs, fire source) • Burglary of school; and or theft of goods or money from school property, staff and or students valued at \$500 or more 	Parent Contact and Mandatory Parent Conference Out-of-School Suspension Expulsion	Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and or parent contact notes Notification to Manager of Student Culture & Principal/ School Director

3rd-5th Grade

Level I - In learning environment responses		
Level 1 behaviors are behaviors that can be addressed within the lesson space. The goal is to use a least invasive response strategy to correct the behavior.		
Behavior (s)	Least Invasive Responses	Logical Consequences
<ul style="list-style-type: none"> • Talking out of turn • Not following directions • Minor and/or infrequent defiance • Getting out of seat without permission • Minor disruption/disrespect • Passive profanity (not directed at person) • Throwing non-injurious items 	Least Invasive Strategies: Non-verbal warning <ul style="list-style-type: none"> • Gesture • Eye Contact • Light Touch • Proximity Verbal <ul style="list-style-type: none"> • Whole group reminder • Anonymous Individual • Specific Individual • Private conversation 	Dojo deduction (If applicable) Loss of privilege Change of seat Fresh Start Private conversation Phone call home during non instructional time (i.e. brain breaks, recess, lunch, etc.)
Level 2 – Referral (Push in support or removal from class)		

If Level 1 behaviors persist and or a student engages in Level 2 behaviors, a student may be referred to a culture leader. A culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form.

Behavior(s)	Behavior Tech Responses	Behavior Tech Follow-up
<ul style="list-style-type: none"> • Excessive Tardies (6th-8th Grade Only) • Excessive Uniform Violations (6th-8th Grade Only) • Repeated Level 1 behaviors • Destruction of property • High levels of verbal aggression (i.e., derogatory language) or use of profanity directed at a person • Active Bullying (Active intimidation, name calling and or repeated harassment) 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> • Gesture • Eye Contact • Light Touch • Proximity <p>Verbal</p> <ul style="list-style-type: none"> • Whole group reminder • Anonymous Individual • Specific Individual • Private conversation <p>Private Conversation</p> <p>Parent contact</p> <p>Recess or Lunch Detention (Please note, that if detention is missed, a Mandatory Parent Meeting will be required with our Dean of Culture and our Manager of Student Culture)</p> <p>Accountability writing (restorative conversation)</p> <p>Loss of Privilege (Field Trip, etc.)</p> <p>Parent Conference</p> <p>Community service</p>	<p>Dojo deduction (If applicable)</p> <p>Loss of privilege</p> <p>Change of seat</p> <p>Fresh Start</p> <p>Private conversation</p> <p>Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and parent contact notes</p>

Level 3 – Dean Referral (Immediate removal from learning environment)

If a student is demonstrating Level 3 behaviors, a culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed

using our Google Form. In this case, a dean will respond and support the student's removal from class. Additionally, the Manager of Student Culture will be notified as well.

Behavior(s)	Dean Response	Dean Follow-up
<ul style="list-style-type: none"> Fighting/ Hitting with intent to do harm Throwing injurious items with an intent to harm others Sexual misconduct Theft of goods or money from school property valued at less than \$500 	Private Conversation Parent contact and Mandatory Parent Conference [Required] Issue of After School Detention Form After School Detention [Required] (Please note, that if detention is missed, a Mandatory Parent Meeting will be required with our Dean of Culture and our Manager of Student Culture) Accountability writing (restorative conversation) Community Service Out-of-School suspension	Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and or parent contact notes Notification to Manager of Student Culture
Level 4- Dean/ Manager of Student Culture/School Director Referral (Immediate removal from learning environment)		
Behavior(s)	Dean/ Manager of Student Culture Response	Dean/ Manager of Student Culture Follow-up
<ul style="list-style-type: none"> Possessing, distributing, selling, giving, or loaning any controlled dangerous substance Possession of dangerous item (weapon, drugs, fire source) Burglary of school; and or theft of goods or money from school property, staff and or 	Parent Contact and Mandatory Parent Conference Out-of-School Suspension Expulsion	Restorative check-in with student and all parties impacted to discuss next steps including consequence issued, and or parent contact notes Notification to Principal/ School Director

students valued at \$500 or more		
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6th-8th Grade

Level I - In learning environment responses		
Level 1 behaviors are behaviors that can be addressed within the lesson space. The goal is to use a least invasive response strategy to correct the behavior.		
Behavior (s)	Least Invasive Responses	Logical Consequences
<ul style="list-style-type: none"> Talking out of turn Not following directions Minor and/or infrequent defiance Getting out of seat without permission Minor disruption/disrespect Passive profanity (not directed at person) Throwing non-injurious items 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> Gesture Eye Contact Light Touch Proximity <p>Verbal</p> <ul style="list-style-type: none"> Whole group reminder Anonymous Individual Specific Individual Private conversation 	<p>Dojo deduction (If applicable) - Note: 2 deductions within a class block is an automatic detention.</p> <p>Loss of privilege</p> <p>Change of seat</p> <p>Fresh Start</p> <p>Private conversation</p> <p>Phone call home during non instructional time (i.e. brain breaks, recess, lunch, etc.)</p>
Level 2 – Referral (Push in support or removal from class)		
If Level 1 behaviors persist and or a student engages in Level 2 behaviors, a student may be referred to a culture leader. A culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form.		
Behavior(s)	Behavior Tech/Dean Responses	

<ul style="list-style-type: none"> • Excessive Tardies • Excessive Uniform Violations • Repeated Level 1 behaviors • Walking out of class without permission • Throwing objects • Destruction of property • High levels of verbal aggression (i.e., derogatory language) or use of profanity directed at a person • Active Bullying (Active intimidation, name calling and or repeated harassment) 	<p>Least Invasive Strategies:</p> <p>Non-verbal warning</p> <ul style="list-style-type: none"> • Gesture • Eye Contact • Light Touch • Proximity <p>Verbal</p> <ul style="list-style-type: none"> • Whole group reminder • Anonymous Individual • Specific Individual • Private conversation <p>Private Conversation</p> <p>Parent contact</p> <p>After School Detention [Required] (Please note, that if detention is missed, a Mandatory Parent Meeting will be required with our Dean of Culture and our Manager of Student Culture)</p> <p>Accountability writing (restorative conversation)</p> <p>Loss of Privilege (Field Trip, etc.)</p> <p>Mandatory Parent Conference</p> <p>Community service</p>	
<p>Level 3- Dean/ Manager of Student Culture/School Director Referral (Immediate removal from learning environment)</p>		
<p>If a student is demonstrating Level 3 behaviors, a culture leader should be contacted using the Culture Thread on Crew. Additionally, a referral form must be completed using our Google Form. In this case, a dean will respond and support the student's removal from class. Additionally, the Manager of Student Culture will be notified as well</p>		

Behavior(s)	Dean/ Manager of Student Culture Response	Dean/ Manager of Student Culture Follow-up
<ul style="list-style-type: none"> • Fighting/ Hitting with intent to do harm • Throwing injurious items with an intent to harm others • Sexual misconduct • Theft of goods or money from school property valued at less than \$500 • Possessing, distributing, selling, giving, or loaning any controlled dangerous substance • Possession of dangerous item (weapon, drugs, fire source) • Burglary of school; and or theft of goods or money from school property, staff and or students valued at \$500 or more 	Private Conversation Parent contact and Mandatory Parent Conference [Required] After School Detention [Required] (Please note, that if detention is missed, a Mandatory Parent Meeting will be required with our Dean of Culture and our Manager of Student Culture) Accountability writing (restorative conversation) Community Service Out-of-School suspension Expulsion	Notification to Principal/ School Director

Suspension and Expulsion Process

Introduction

The decision to recommend a student for suspension or expulsion will be made by the School Director and/or Head of School. **In recommending suspension or expulsion, the administrator will consider Code of Conduct violations, the severity of the infraction(s), the intent of the scholar's action, the scholar's previous infractions (if any), any existing or prior student Discipline contracts, and the scholar's age.** A scholar recommended for expulsion will (subject to certain conditions) have a Disciplinary Hearing to review the recommendation. The Discipline Review Panel (DRP) will make a final decision on the scholar's long-term suspension or expulsion, with the scholar and/or their parent/guardian having an opportunity to appeal.

Process

When the school receives a report that a scholar has committed an offense eligible for suspension or expulsion, an investigation into the offense will be conducted by the Manager of Student Culture and School Director. Scholars for whom suspension or

expulsion is being recommended after the investigation will be given written notice, which outlines the recommendation (i.e. suspension/expulsion), the right to a hearing, and the consequences for failing to request and/or attend a hearing. All students and/or families will have an opportunity to be heard before a final decision regarding suspension or expulsion is made. Families will receive written notification outlining their rights to a hearing regarding a potential suspension and/or expulsion. Families must respond within the time frame noted in the letter; otherwise rights to a hearing are automatically forfeited. Similarly, if a family requests a hearing, but does not attend during the requested time, their rights are automatically forfeited. Investigation and hearing procedures are as follows:

Suspension Decisions (K- 8th)

Scholars accused of a Level 3 or 4 infraction will meet with the Manager of Student Culture and School Director as part of a school-based investigation. The scholar will be notified of what he/she is accused of doing, including the information that the school has to believe that the scholar engaged in such behavior. The scholar will be given an opportunity to present his/her side of the story or explanation for his/her behavior. After this meeting, the Dean or other administrator will determine if a suspension is appropriate. Scholars facing an out-of-school suspension (5 days or less) will be issued written notice to the parent or legal guardian detailing the length of, and reason for, the suspension. The Dean or other school administrator may notify the parent/guardian of the suspension via phone or email in addition to providing written notification . Written notification will be given to the scholar and/or parent and guardian at dismissal on the day issued. Suspension decisions are final.

Long-Term Suspension for 6-8th Grade Students

Appeals Procedures

After the meeting with the scholar and completion of the informal hearing, the Manager of Student Culture or other administrator will issue written notice to the parent/guardian for the appeal procedures.

Within 5 school days of the recommendation for a long-term suspension (6-10 consecutive days), a parent/guardian may request to appeal the decision.

Failure to request a hearing within 5 school days will signify the parent/guardian's acceptance of the long-term suspension.

If requested, the hearing will occur with the Manager of Student Culture or School Director within 10 school days of the issuance of the suspension.

Failure to attend a hearing, will signify the parent/guardian's acceptance of the long-term suspension.

Long-Term Suspension Hearing and Review Process

The Suspension Review Panel (SRP) will be appointed by the Head of School or School Director and will consist of three faculty/staff and/or Board members who do not have a direct conflict of interest with the scholar and are not involved in the incident being reviewed.

The SRP serves as an impartial decision maker. SRP hearings are closed to the public. In making its decision, the Suspension Review Panel will review evidence presented at the hearing, any statements made on behalf of the school or scholar, the DCSPCS Code of Conduct, and records of the scholar's prior conduct and/or academic performance, if applicable. The decision of the SRP shall be made by a majority vote of the SRP.

During the hearing, the school administrator(s) will carry out the following procedures:

- A statement of the Code of Conduct violation and summary of the Suspension Hearing procedures.
- An explanation and review of the evidence or facts for which potential long-term suspension is being considered. If video footage is available of the incident, the panel will view the footage.
- The scholar may be represented by his/her parent/guardian and one additional advocate.
- The scholar may present any information that he/she wants the Suspension Review Panel to consider. The panel may ask questions regarding the matter to anyone present at the hearing. An advocate may speak on the scholar's behalf. The scholar has the right not to speak on his/her own behalf. Neither the school's representative at the hearing nor the scholar nor his/her representative(s) will be given the opportunity for cross-examination during the hearing.

Within 24 hours of the conclusion of the hearing, the panel will make a recommendation regarding the consequence. The panel's recommendation will be effective immediately.

The scholar/family will be informed of the decision via phone within two (2) school days of the conclusion of the hearing and written notification will be mailed within three (3) school days of the decision. The decision of the Suspension Review Panel will be final.

Expulsion

For scholars facing expulsion, Manager of Student Culture, School Director, and Head of School will meet with the scholar and notify him/her of the infraction he/she is accused of, the information that the school has to believe that the scholar engaged in such behavior, and the disciplinary action being considered. The administrator will give the scholar an opportunity to present his/her side of the story or explanation for his/her behavior.

If disciplinary action is still under consideration after the scholar provides his/her explanation, the Manager of Student Culture and School Director will conduct an

investigation as appropriate into the circumstances of the scholar's behavior and any explanation provided by the scholar. At the Manager of Student Culture's and School Director's discretion, the scholar may be suspended pending the results of this investigation and possible recommendation for further disciplinary action from the Dean or other administrator. This investigation will be completed within 3 business days of notifying the scholar of his/her infraction(s).

After the meeting with the scholar and completion of the investigation, the Manager of Student Culture or other administrator will issue written notice to the parent/guardian if a recommendation for expulsion is made and the reason for this recommendation. This notice will explain the information that is being relied on as the basis for the recommendation. The Manager of Student Culture and School Director may notify the parent/guardian of the expulsion via phone or email in addition to providing written notification. Any parent/ guardian meetings may occur by phone.

Within 10 school days of the recommendation for expulsion, a Discipline Hearing will be held if requested by a scholar's parent/guardian to make a final determination about the disciplinary action proposed.

Discipline Hearing

A scholar will have a Discipline Hearing at the request of a parent/guardian when:

S/he has been recommended for an expulsion and/or violated an expellable offense.

The Discipline Review Panel (DRP) will be appointed by the Head of School and will consist of three faculty/staff and/or Board members who do not have a direct conflict of interest with the scholar and are not involved in the incident being reviewed. The Board Chair may appoint any non-affiliated faculty/staff member to be on the DRP. The DRP serves as an impartial decision maker. DRP hearings are closed to the public. In making its decision, the Discipline Review Panel will review evidence presented at the hearing, any statements made on behalf of the school or scholar, the DCSPCS Code of Conduct, and records of the scholar's prior conduct and/or academic performance, if applicable. The decision of the DRP shall be made by a majority vote of the DRP.

During the hearing, the school administrator(s) will carry out the following procedures:

- A statement of the Code of Conduct violation and summary of the Discipline Hearing procedures.
- An explanation and review of the evidence or facts for which a potential expulsion is being considered. If video footage is available of the incident, the panel will view the footage.
- The scholar may be represented by his/her parent/guardian and one additional advocate.
- The scholar may present any information that he/she wants the Discipline Review Panel to consider. The panel may ask questions regarding the matter to anyone

present at the hearing. An advocate may speak on the scholar's behalf. The scholar has the right not to speak on his/her own behalf. Neither the school's representative at the hearing nor the scholar nor his/her representative(s) will be given the opportunity for cross-examination during the hearing.

Within 24 hours of the conclusion of the hearing, the panel will make a recommendation regarding the consequence. The panel's recommendation will be effective immediately.

The scholar/family will be informed of the decision via phone within two (2) school days of the conclusion of the hearing and written notification will be mailed within three (3) school days of the decision. This notice will contain information regarding appeal procedures.

If a parent/guardian does not request a hearing or fails to attend the hearing at the scheduled date, time, and place, the right to a hearing will be waived.

If a parent/guardian does not request a hearing or fails to attend the hearing at the scheduled date, time and place, the student's right to a hearing will be waived. In such cases, the DRP will make a determination based on the evidence before it without a hearing.

Following the DRP's determination, the school will proceed to implement the ruling of the DRP. The findings from the hearing will be approved and take effect immediately. Appeals will not **be accepted from scholars who do not appear at the initial hearing.**

Discipline Panel Hearing Appeal

Any scholar who is expelled has the right to appeal the decision in writing to the Chairperson of DCSPCS' Board of Trustees within five (5) school days of the written notice of expulsion, provided the student participated in the DRP hearing. The following process shall be implemented for all appeals.

1. An appeal hearing date will be set within seven (7) school days of the receipt of the scholar's Appeal request.
2. The appeal hearing date will occur within thirty (30) calendar days from the date of the hearing being set.
3. Appeal hearings will be heard by three members of the Board of Trustees appointed by the Chair of the Board and constituted as the "Appeal Panel." A disinterested faculty/staff member or volunteer familiar with the school may replace one member of the Board of Trustees on the "Appeal Panel" at the discretion of the Board Chair.
4. The scholar may be represented by his/her parent/guardian and one additional adult advocate.

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5. The scholar has the right to speak on his/her behalf at the Appeal Hearing. The scholar may choose not to speak at the Appeal Hearing.
 6. The scholar may not return to DCSPCS and participate in school activities while an appeal is pending.
 7. Appeal hearings are closed to the public.
 8. If a parent/guardian fails to appear at the Appeal Hearing the right to appeal is waived, and the original disciplinary decision will stand.

In making its decision, the three-member Appeal Panel will:

1. Review all evidence and documentation from the DPR and any supporting documentation;
2. Review any statements heard at the DPR on behalf of the school or scholar;
3. Review the DCSPCS Code of Conduct;
4. Review the scholar's prior conduct and/or academic performance;
5. The panel may ask questions regarding the matter to anyone present at the hearing. One advocate may speak on the scholar's behalf. The scholar has the right not to speak on his/her own behalf. Neither the school's representative at the hearing nor the scholar nor his/her representative(s) will be given the opportunity for cross-examination during the appeal.

If the expulsion is overturned, the cumulative record of the student and any other school-maintained records will reflect that conclusion. If the Appeal Panel upholds the expulsion, the expulsion shall be imposed, and such decision will be final. **All decisions made by the Appeal Panel will be final and not subject to further appeal.**

Special Notes Regarding Audio/Video Recording of Discipline Review Panels and Appeal Hearings

All disciplinary hearings are closed to the public. They may not be recorded using a video or audio recording device under any circumstances, except as may be required to provide accommodations in accordance with the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act. A written request to audio-record the hearing pursuant to these laws must be made to the student's Dean no less than 48 hours prior to the hearing.

Participation at School and School Related Activities and Re-Enrollment

Scholars who have been expelled from DCSPCS shall not be eligible to participate or attend any school functions. Scholars will not be eligible to re-enroll for subsequent school years. Expulsion is permanent.

Procedures for Suspending and Expelling Scholars with Disabilities

Subject to all applicable guidelines and requirements of the Individuals with Disabilities Education Act (IDEA), the basis for disciplining, suspending or expelling scholars with disabilities shall be no different than the basis for such actions taken against scholars without disabilities. Reasonable accommodation of a scholar's disabilities shall not prevent the school from applying its discipline policy to scholars with disability when their behavior is not related to the disability.

A set of specific procedural requirements must be followed in the event a scholar requiring special education services engages in a behavior that warrants a disciplinary intervention, such as a suspension or expulsion. A scholar with a disability who violates a code of school conduct may be removed from his/her current placement to another appropriate interim alternative educational setting, another setting or suspension for up to 5 consecutive or 10 cumulative days (to the extent that those alternatives are applied to nondisabled scholars) without the need to conduct a manifestation determination.

At the point in time when a scholar will be excluded from school for more than 10 (cumulative) school days in a school year, a change in placement may occur. Prior to a change in placement, DC Scholars engages in several activities designed to address the behavior subject to disciplinary action, including a review of the scholar's IEP to determine if the misconduct is related to the manifestation of a child's disability.

When the disciplinary removal of a scholar leads to a change in placement, DC Scholars will:

- Immediately notify the parent of the decision to remove the scholar and provide the parent with a copy of the procedural safeguards notice.
- Within ten (10) school days of the disciplinary decision to remove a scholar with a disability from his or her current placement, DC Scholars, the parent, and relevant members of the child's IEP Team must review all relevant information in the scholar's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:
 - (a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
 - (b) If the conduct in question was the direct result of DC Scholars' failure to implement the IEP.

If the IEP team finds that the behavior was a manifestation of the scholar's disability, the team must either: (a) Conduct a functional behavior assessment (FBA), unless DCSPCS had conducted an FBA prior to the disciplinary action, and develop and implement a behavior intervention plan (BIP); or (b) If there is a BIP in place, review the BIP and modify it as necessary to address the behavior, and immediately return the scholar to their educational placement, unless the parent and the IEP team agree to a change in placement as part of the modification of the BIP.

Parents can request more information about this process and a copy of the procedural safeguards by contacting the Director of Student Support or Special Education

Coordinator at any time during the school year.

Scholar Rights

1. This policy sets forth guidelines by which scholar rights are to be determined consistent with applicable law.
2. The Board of Trustees has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of scholars of this school. At the same time, no scholar shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association in accordance with these guidelines.
3. In order for scholars to take advantage of the rights established here, they are held accountable to certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the rules and regulations of this school.
4. A scholar who has reached the age of 18 years possesses the full rights of an adult and may authorize those school matters previously handled by his/her parents.
5. The School Director / Manager of Student Culture shall observe the disciplinary procedures consistent with law and Board policy to ensure that scholar rights under varying conditions are properly respected.

Scholar Attendance

Attending school is a critical part of your child's development. Daily attendance is the first step in ensuring academic success; this includes arriving on time and remaining in school for the entire day. All absences "Excused" or "Unexcused" are considered absences. A scholar is marked absent any day s/he does not attend school.

Additionally, scholars must be present for 60% of the day school day to be considered present in school. Scholars who miss more than 40% of the instructional day due to arriving tardy or leaving school early will be marked **as absent for a partial day.**

DCSPCS considers unexcused absences from school to be a serious matter. Not only does it impede the progress of your child, it wastes valuable resources allocated for your child's education. *We will strictly enforce our attendance policies so that we can be in the best position to raise our scholars' achievement.*

DCSPCS reserves the right to use attendance and/or tardy infractions as qualification requirements to field trips and participation in after school activities and athletics.

Scholars that are absent from school are not permitted to:

1. Be on school property
2. Participate in school activities
3. Attend school activities during regular hours and/or after school activities.

Suspensions are considered absences. Student absences due to suspensions are treated the same as excused absences.

Parents and families will receive a weekly letter or report indicating the number of tardies, excused, and unexcused absences that their scholar has accrued. Families are expected to carefully review this report and to submit any corrections and documentation to the Main Office **within 5 business days. This is required by DC Law – no exceptions.**

Punctuality/Tardy

A strong start is an important part of our day. Scholars miss valuable learning time if s/he is tardy. School starts at 8:00 am. A scholar is marked tardy if they arrive after **8:30 am.** Chronic tardiness may cause your child to be retained in his or her current grade.

- If a PS through 2nd grade scholar arrives **after 8:45 am**, s/he must be accompanied in the building by a parent/guardian.

Extended Absences

Please inform your child's teacher of any extended absences as soon as you are aware of them. If a long-term absence from school due to medical or other valid reasons is

required, please contact the School Director. Every effort will be made to resolve the situation in a manner suitable to all.

For all absences related to COVID-19, documentation must be provided in writing stating a family member tested positive or a scholar tested positive.

Chronic Absences/Truancy

Each unexcused Absence	After each unexcused absence the parent/guardian of the student will receive an automatic call or email to notify them of the unexcused absence.
5 unexcused absences	Once a scholar has 5 unexcused absences, a written letter will be sent home with an In-school intervention plan suggesting a family intervention meeting.
7 unexcused absences	Once a scholar has 7 unexcused absences, a school administrator will send home a written letter, a follow up to the intervention meeting, and an Attendance Plan for daily attendance accountability. If the parent/guardian is unable or unwilling to participate in a family intervention meeting at school, DCSPCS may conduct a home visit to ensure the safety of the scholar.
10 unexcused absences	Once a scholar has 10 unexcused absences, a school administrator will send home a written letter, outlining guidelines described in the Attendance Plan. DCSPCS is required by law to automatically report the scholar as truant to D.C. Child and Family Services (CFSA) and send written communication to the Office of State Superintendent of Education (OSSE) within two business days of scholar's 10th absence notifying of truant standing.
15 unexcused absences	Once a scholar has 15 unexcused absences, the School Director will send home a written letter, outlining guidelines described in the Attendance Plan. DCSPCS is required by law to automatically report the scholar as truant to D.C. Child and Family Services (CFSA).
17 cumulative absences	Scholars may be recommended for retention regardless of excused or unexcused full day absences.

20 cumulative absences	<p>DCSPCS is required by law to automatically report the scholar as truant to D.C. Child and Family Services (CFSA).</p> <p>DC Scholars Public Charter School reserves the right to unenroll or retain any student with 20 or more full-day, consecutive, unexcused absences, as per the School Attendance Clarification Amendment Act of 2015, which can be found at http://lims.dccouncil.us/Legislation/B21-0508?FromSearchResults=true.</p>
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Attendance home visits can be conducted at the discretion of the school when a situation warrants.

Excused Absences Documentation

All tardies, absences, and early dismissals will be reported as unexcused unless the school receives the following official documentation:

- Doctor’s note specifying the excused day(s)
- School-approved activity
- Notification of a religious holiday
- Notification of a family funeral (i.e. obituary, program, service announcement) – the child will be excused only for the day of the funeral unless extenuating circumstances apply
- Parent note indicating there is a family emergency – emergencies include house fires, house floods, or incidents of violence in the home (when possibly provide any legal documentation such as police reports or insurance claims)
- Court documents mandating a court appearance
- An official, approved notice signed by DCSPCS’ School Director
- COVID 19 related illnesses and/or symptoms**

****Based on guidance from the Department of Health, DME, and/or CDC, updates to our attendance policy based on COVID-19 guidelines are subject to change for SY 22-23.**

Documentation must be provided within 5 days of the absence – **no exceptions**. Please see the front office if you have any questions. DCSPCS will accept two handwritten letters per quarter for an excused absence.

Retention

Scholars who miss more than 17 days of school (excused or unexcused) or experience chronic tardiness, may be recommended for retention in their current grade level, regardless of academic performance.

Unenrollment

- PreS and PreK scholars, age 4 and younger, who miss more than 20 cumulative days during the school year may be unenrolled.
- Scholars in grades K through 8th or PreS and PreK scholars age 5 and older who miss 20 or more consecutive days during the school year may be unenrolled.

Early Dismissal & Appointments

- **Early dismissals must take place prior to 2:45 pm.** If it is an emergency, please follow the posted guidelines on the main office door.

All early dismissals are made from the main office. Scholars may not receive a call or text to be released, nor a message to the scholar's teacher via Class Dojo. Please try to arrange doctor visits or other appointments after school or on days when school is closed. Chronic early dismissals negatively impact the academic school day. Early dismissal information may be used for retention purposes.

Complaint Resolution Policy

Families may occasionally need to raise a problem or concern with DC Scholars staff or organization. If this case arises, please thoroughly review and follow the steps outlined below:

STEP 1: Check the Scholar & Family Handbook

a. As an initial step, please refer to the DC Scholars Scholar & Family Handbook to determine if your issue or concern is addressed.

Step 2: Communicate with Campus-Based Staff

a. If you cannot find the answer in the handbook feel free to send an email to info@dcscholars.org, email your child's teacher, or email a school leader. Please allow 24 hours for a response.

Step 3: Contact Campus-Based Leadership

a. If you need further assistance after speaking with the teacher or staff member, please contact the School Director via email or phone.

Step IV: Communicate with Head of School

1) After meeting with the School Director, if you feel your concern/issue was not addressed appropriately, please contact Amy Helms, Head of School via email at ahelms@dcscholars.org.

If a scholar or parent believes that he/she has been subjected to conduct that violates the Policy Prohibiting Harassment and Discrimination or any misconduct by any DCSPCS scholar, employee, vendor, parent, or other business contact, the individual is encouraged to immediately report the incident using the complaint process.

For purposes of this policy, a scholar can be represented by him/herself and/or his/her legal parent or guardian. Parents are defined as the legal guardian of a DCSPCS Scholar.

Grievance Policy

DC Scholars is committed to providing the best possible conditions for all members of the school community including scholars, families, visitors, teachers and administrators. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion or question receives a timely response from school supervisors and administrators. DCSPCS strives to ensure fair and honest treatment of all scholars, families, visitors and employees. Everyone is expected to treat each other with mutual respect and follow the PATH values. If a scholar, parent/guardian, or visitor disagrees with established rules of conduct, policies or practices, or their treatment, he or she may express his or her concerns through the following problem resolution procedure. No person will be retaliated against or penalized formally or informally, for

voicing a complaint with DCSPCS in a reasonable, business-like manner or for participating in the investigation of a complaint pursuant to the grievance procedure.

A scholar, parent or guardian may initiate the grievance procedure to appeal any final decision of school personnel except as provided in section 1 below. Any person may initiate the grievance procedure to resolve complaints of discrimination based upon race, color, national origin, sex, age or disability. This grievance procedure does not bar individuals from filing claims in other forums to the extent permitted by state or federal law. *Note - This policy does not apply in the case of suspension or expulsion, retention, or in the case of alleged sexual harassment where the provisions those specific policies apply. See sections above*

1. Step I – Head of School Conference – A parent or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the Head of School to discuss the grievance and seek resolution. If a complaint of discrimination is being made against the Head of School, the written request can be submitted to the Chair of the DC Scholars Board of Trustees, who will designate an appropriate individual to investigate the complaint. The request shall state in detail the basis for the grievance, name the specific policy, rule or law believed to have been violated, and specify the relief being sought. The written complaint can be sent or delivered to 5601 E Capitol St. SE, Washington, DC 20019. The following additional guidelines shall be observed:
 - (1) No grievance will be heard unless it has been filed in writing within thirty (30) calendar days after the act or condition giving rise to the grievance and such filing must state with particularity the basis for the grievance, the policy regulation and/or procedure, rule or law believed to have been violated, and the remedy sought.
 - (2) The Head of School or designee shall initiate an adequate, reliable and impartial investigation and grant a conference within five (5) school days following receipt of the written complaint.
 - (3) The person making the complaint will be permitted to present any information, documents, or witnesses that he/she would like to be considered as part of this conference and investigation. All information related to the conference and investigation will remain confidential.
 - (4) Within ten (10) school days of the conference, the Head of School or designee will respond to the complaint in writing summarizing the outcome of the investigation and any corrective or remedial action necessary.

1. Step II – Appeal to the Board of Directors – If the grievance is not resolved at Step I, the grievant may appeal the decision in writing to the Board Chair of DC Scholars PCS. **The written appeal can be sent to Jackie Lendsey at lendsey@verizon.net.** Please direct all correspondence to the Board Chair of DC Scholars Public Charter School.

Harassment Policy Statement and Grievance Policy

Policy Statement

DCSPCS strives to provide a safe, positive learning environment for scholars. Therefore, harassment in any form is not tolerated. DCSPCS prohibits all forms of unlawful harassment of scholars and third parties by all scholars and staff members, contracted individuals, vendors, volunteers, and third parties in the school. DCSPCS encourages scholars and third parties who have been harassed to promptly report such incidents to the designated employees.

General Harassment and Discrimination

For purposes of this policy, harassment and discrimination shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:

- is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
- Otherwise adversely affects an individual's learning opportunities.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a scholar's academic status;
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual;
3. Such conduct deprives a scholar or educational aid, benefits, services or treatment; or
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the scholar's school performance or creating an intimidating, hostile or offensive educational environment.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a scholar's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

DC Scholars Public Charter School directs that complaints of harassment shall be investigated promptly as described in the complaint process, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the school’s legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of harassment.

DC Scholars complies with the School Safety Omnibus Amendment Act of 2018 (SSOAA) by taking steps to prevent and address student sexual abuse by school staff and student-on-student acts of sexual harassment, sexual assault, and dating violence.

To prevent and address student-on-student acts of sexual harassment, sexual assault, and dating violence, DC Scholars PCS adopted and implemented the “Policy to Prevent and Address Student-on-Student Acts of Sexual Harassment, Sexual Assault, and Dating Violence” in August 2020 - See Appendix C.

To prevent and address student sexual abuse by school staff, DC Scholars PCS adopted and implemented the “Policy to Prevent and Address Student Sexual Abuse by Staff” in August 2020 - See Appendix D.

Complaint Resolution Procedures

Step 1—Reporting

A scholar or parent is encouraged to immediately report the incident in writing to the School Director. If the School Director is the subject of a complaint, the employee shall report the incident directly to the Head of School.

If either of these individuals are involved in the reported conduct, or, for some reason the scholar/parent feels uncomfortable about making a report to the School Director and/or the Head of School, the scholar/parent should make a report to the Board of Trustees.

DCSPCS will not retaliate, nor will it tolerate retaliation, against scholars/parents who complain in good faith about harassment or discrimination in the school. DCSPCS will investigate any such report as appropriate, and will provide a prompt, thorough, and objective investigation of any unlawful or prohibited discrimination. DCSPCS will take whatever corrective action is deemed necessary, including disciplining or discharging any individual who is believed to have violated these prohibitions against harassment, discrimination, misconduct, and retaliation.

Step 2 —Investigation

Upon receiving a complaint, the School Director shall immediately notify the Head of School. The Head of School or designee shall investigate the complaint.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3—Investigative Report

The Head of School, or another member of the school leadership team identified by the Head of School, shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint. The findings of the investigation shall be provided to the complainant, the accused, and the Head of School.

Step 4 —School Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Head of School shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Disciplinary actions shall be consistent with the Scholar and Family Handbook, school procedures, PCSB policies, as well as state and federal laws.

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.

Non-Discrimination Notice

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, *USDA Program Discrimination Complaint Form*, which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form0508-0002-508-11-28-17Fax2Mail.pdf>, and from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
- (2) **fax:**
(833) 256-1665 or (202) 690-7442; or
- (3) **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.

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

Pertinent section of DC Code § 2-1402.11: It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation of any individual. To file a complaint alleging discrimination on one of these bases, please contact the District of Columbia's Office of Human Rights at (202)727-4559 or ohr@dc.gov.

Notification of Rights under FERPA

General Information

FERPA is a Federal law that applies to educational agencies and institutions that receive funding under a program administered by the U. S. Department of Education. The statute is found at 20 U.S.C. § 1232g and the Department's regulations are found at 34 CFR Part 99.

Under FERPA, schools must generally afford students who are 18 years or over, or attending a postsecondary institution:

- access to their education records;
- an opportunity to seek to have the records amended;
- some control over the disclosure of information from the records.

Access to Education Records

Schools are required by FERPA to:

- provide a student with an opportunity to inspect and review his or her education records within 45 days of the receipt of a request;
- provide a student with copies of education records or otherwise make the records available to the student if the student, for instance, lives outside of commuting distance of the school;
- redact the names and other personally identifiable information about other students that may be included in the student's education records.

Schools are not required by FERPA to:

- Create or maintain education records;
- Provide students with calendars, notices, or other information which does not generally contain information directly related to the student;
- Respond to questions about the student.

Amendment of Education Records

Under FERPA, a school must:

- Consider a request from a student to amend inaccurate or misleading information in the student's education records;
- Offer the student a hearing on the matter if it decides not to amend the records in accordance with the request;
- Offer the student a right to place a statement to be kept and disclosed with the record if as a result of the hearing the school still decides not to amend the record.

A school is not required to consider requests for amendment under FERPA that:

- Seek to change a grade or disciplinary decision;
- Seek to change the opinions or reflections of a school official or other person reflected in an education record.

Disclosure of Education Records

A school must:

- Have a student's consent prior to the disclosure of education records;
- Ensure that the consent is signed and dated and states the purpose of the disclosure.

A school MAY disclose education records without consent when:

- The disclosure is to school officials, who have been determined to have legitimate educational interests as set forth in the institution's annual notification of rights to students.
- A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel), or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information (PII) from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- The student is seeking or intending to enroll in another school;
- The disclosure is to state or local educational authorities auditing or enforcing Federal or State supported education programs or enforcing Federal laws which relate to those programs;
- The disclosure is to the parents of a student who is a dependent for income tax purposes;
- The disclosure is in connection with determining eligibility, amounts, and terms for financial aid or enforcing the terms and conditions of financial aid;
- The disclosure is pursuant to a lawfully issued court order or subpoena; or
- The information disclosed has been appropriately designated as directory information by the school.
- Directory information at DC Scholars includes: student's name; mailing address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent prior school attendance. Directory information also includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems that cannot be used to access educational records without a PIN, password, etc.

If you do not want **DC Scholars PCS** to disclose any or all of the types of information designated above as directory information from your child's education records without

your prior written consent, you must notify the DC Scholars PCS Head of School in writing by **Friday, September 30, 2022.**

Annual Notification

A school must annually notify students in attendance that they may:

- Inspect and review their education records;
- Seek amendment of inaccurate or misleading information in their education records;
- Consent to most disclosures of personally identifiable information from education records.

The annual notice must also include:

- Information for a student to file a complaint of an alleged violation with the FPCO;
- A description of who is considered to be a school official and what is considered to be a legitimate educational interest so that information may be shared with that individual; and
- Information about who to contact to seek access or amendment of education records.

Means of notification:

- Can include student newspaper; calendar; student programs guide; rules handbook, or other means reasonable likely to inform students;
- Notification does not have to be made individually to students.

Complaints of Alleged Violations:

Complaints of alleged violations may be addressed to:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

Complaints must:

- Be timely submitted, not later than 180 days from the date you learned of the circumstances of the alleged violation
- Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including:
 - Relevant dates, such as the date of a request or a disclosure and the date the student learned of the alleged violation;
 - Names and titles of those school officials and other third parties involved;
 - A specific description of the education record around which the alleged violation occurred;
 - A description of any contact with school officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the student and the school regarding the matter;

- The name and address of the school, school district, and superintendent of the district;
- Any additional evidence that would be helpful in the consideration of the complaint.

POLICY TITLE: **Admissions Preference Policy**
ADOPTION/EFFECTIVE DATE: **October 28, 2019**

Admissions

DCSPCS shall admit scholars pursuant to the *Admissions Requirements* as outlined by the Office of the State Superintendent of Education (OSSE). Each scholar interested in enrolling at DCSPCS must submit an application form to the My School DC common lottery.

The My School DC Common Lottery

The My School DC common lottery is a single, random lottery that determines placement for new students at all participating schools. Student-school matches are based on the number of available spaces at each school; sibling, proximity, and other lottery preferences; how each student ranked their school choices; and each student's random lottery number.

Lottery Preferences

Existing scholars are guaranteed admission, if enrollment is completed by a determined deadline date, in the following school year and are exempt from the common lottery.

DCSPCS offers preferences to students in the lottery. Students that qualify for a preference at DCSPCS are offered space before students who don't have a preference or receive a higher waitlist placement than students without a preference. Not all schools offer the same preferences or prioritize them in the same order.

The preferences that DCSPCS offers are listed on its My School DC school profile [here](#). How parents rank DCSPCS does not impact whether they are eligible for a preference.

The following MySchoolDC preference types were listed as available options for DCSPCS to select a maximum of 4 from **for SY2022-23** Lottery:

1. **Transfer** – Some public charter schools offer a transfer preference to students who currently attend one of their campuses and apply to attend another one.
2. **Children of Staff** - Some public charter schools offer this preference to students whose parent or guardian works at the school. They must be a full-time staff member and residency rules still apply. Enrollment based on staff preference is limited to 10% of the total student population.
3. **Sibling Attending** – Preference for a student who has a sibling currently attending the same school **(SY21-22)**

4. **Sibling Offered** – Preference for a student who has a sibling matched to the school in the lottery who receives a waitlist offer (SY22-23)
5. **Twin Offered** - Preference for a student who has a twin matched to the school in the lottery who receives a waitlist offer (SY22-23)
6. **Founders** – Preference for children of school founders. Enrollment based on founder preference is limited to no more than 10% of the school's total enrollment or to 20 students, whichever is less.

During the common lottery, the following preferences shall be extended to enrolling students and will be the preference order that My School DC matches and waitlists applicants for the SY2022-23 Lottery:

1. **Children of Staff** - Preference for children of their staff members applying to DCSPCS. There is no place on the application to indicate eligibility. Staff must notify the Registrar directly and then the Registrar will inform My School DC directly of any applicants who are eligible for this preference.
2. **Sibling Attending** - Preference for a student who has a sibling currently attending DCSPCS. There is a place on the application to enter the name of a sibling(s) currently attending DCSPCS. Before the lottery, the DCSPCS will verify eligibility for that preference. This preference is meant to allow siblings to attend DCSPCS at the same time. If a scholar withdraws from DCSPCS and is no longer considered an "attending" student for the following school year, it is possible that the sibling preference, and subsequent enrollment, match or waitlist offer, will be revoked. In this case the parent will need to contact the school directly for information about the sibling preference.
3. **Twin Offered** - Preference for a student who has a twin matched to the school in the lottery. If the child is admitted with a twin preference, parents must be prepared to prove that the children are twins upon enrollment.
4. **Sibling Offered** - Preference for a student whose sibling is matched in the lottery or offered a seat from the waitlist. This preference is meant to allow siblings to attend the same school at the same time. If the sibling who was offered a space at the DCSPCS does not enroll at that school or later enrolls at another school, the "sibling offered" preference may be removed for all siblings that applied to that same school. This may result in the siblings losing their match, or moving down on the waitlist at DCSPCS. The siblings will remain on the lottery waitlist but will be assigned a new waitlist position based on their random lottery number or post-lottery submission date and any other preference they qualified for. If the sibling who was offered a space does enroll at DCSPCS, the preference remains as "sibling offered" for all siblings that applied to the school; it does not change to "sibling attending."

Preferences are only granted to applicants that apply within the open enrollment window. If an application is received after the application deadline, no preferences will be considered. If DCSPCS does not respond regarding a specific student's eligibility for sibling or transfer preference through the Staff Portal prior to the lottery, then MySchoolDC will assume the student is eligible for that preference.

Each LEA determines their order of preferences prior to running the lottery. This preference order cannot be changed after the lottery is run in March. The preference order is applied to all lottery and post-lottery applications. LEA's can remove one or more of their preferences at the beginning of the post-lottery application period. For example, an LEA may offer transfer preference for lottery applications but then remove the preference for post-lottery applications. Once a preference is removed it cannot be added back until the following year's lottery. A preference cannot be removed in the middle of either the lottery or post-lottery application periods. LEAs may define sibling and staff for the purpose of the corresponding preference and should review PCSB guidance and DC Municipal Regulations in doing so. That definition should be publicized and applied consistently among applicants, and definitions may not be changed until the following year's lottery.

DCSPCS also excludes certain former students from returning – for example, if a student is expelled, or withdrawn due to truancy, they are not eligible to apply to return. DCSPCS is responsible for reviewing applicant lists (by downloading them from the MySchoolDC Staff Portal), identifying students who may not be eligible to apply, and flagging such students for MySchoolDC staff. DCSPCS must provide the reason(s) that a student is ineligible to return that is clearly outlined in publicly communicated policies.