

## **Student/Family Policies**

### **The Next Step PCS 2022 -2023**

#### **Discipline Policy**

#### **CODE OF CONDUCT**

The Next Step PCS adheres to its Code of Conduct to support our values: Academic Achievement; Collaboration and Respect; Persistence and Responsibility; and Structure and Support.

Students are expected to adhere to and practice the following Code of Conduct;

Enter building and go through the metal detector;

Use yellow (front) staircase to go up and down;

Use elevators only if you have a physical disability or are using a stroller;

Use the girls and boys bathrooms on each floor, the unisex bathrooms are for staff;

Clean up and leave the cafeteria as clean as when you walk in, respect and follow instructions from all staff;

Maintain zero level noise and walk on your side in the hallway;

Depart school grounds immediately unless you have a scheduled meeting with a staff member;

Maintain lobby area clear at all times and address visitors with respect;

Show respect for the rights, property and safety of yourself and others;

Respect and appreciate diversity of all students and staff members;

Express yourself with proper language and gestures;

Exhibit behavior that avoids all forms of intimidation, harassment, racism, and discrimination;

Dress according to school dress code and uniform policy;

Promote positive behavior;

Refrain from possession of and being under the influence of drugs or alcohol in school property;

Attend classes, activities and events and be prepared and punctual.

### **Disruptive Behavior Not Permitted**

Profanity

Disrespect

Failure to obey instructions

Forging notes or excuses

Non-attendance in school or in specific classes

Loitering in school

Stealing

Fighting, shoving, pushing, or scuffling





Bullying

Other acts of misconduct that are disruptive or that can potentially harm someone



# THE NEXT STEP PUBLIC CHARTER SCHOOL STUDENT CODE OF CONDUCT

BEHAVIORS		CONSEQUENCES						
(Behaviors in the “Thumbs Up” columns are acceptable expectations. Behaviors in the “Thumbs Down” columns have consequences as outlined to the right of the table)								
ACADEMIC ACHIEVEMENT		In-class intervention by teacher	Out-of-class intervention by teacher	Restorative circle with principal written agreement	MDT/SST Intervention	MDT/SST Behavior plan/ attendance plan	MDT/SST Behavior contract/attendance contract	Community conference, suspension or expulsion
👍	👎							
<ul style="list-style-type: none"> <li>• Use computers for classwork only</li> <li>• Handle laptops with care</li> <li>• Follow instructions</li> <li>• Request computer for supervised in-class or after-school work</li> <li>• Shut down computer properly</li> <li>• Save your work appropriately</li> <li>• Print for classwork only</li> <li>• Print according to teacher’s instructions</li> <li>• Communicate with teacher if there is a problem with your computer or printer</li> </ul>	<ul style="list-style-type: none"> <li>• Conducting any activities that are not part of the assignment (ie: FaceBook, Youtube, personal email, etc.)</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Listening to music without permission</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Eating or drinking when using the computer</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Taking a computer or any other form of technology out of the classroom without permission</li> </ul>	•	•	•	•	•	•	•

👉 Use time effectively 👈								
<ul style="list-style-type: none"> <li>• Socialize at appropriate times</li> <li>• Make appointments for before or after school</li> <li>• Prioritize responsibilities</li> <li>• Take care of personal business before and after school</li> <li>• Start working right away and stay on task</li> <li>• Ask for a break if you really need one</li> </ul>	<ul style="list-style-type: none"> <li>• Playing around during class</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Roaming the hallways</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Taking excessive bathroom and water breaks</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Sleeping</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Daydreaming</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Visiting other classrooms or offices without permission or an appointment</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Performing unrelated tasks during a specific assignment</li> </ul>	•	•	•	•	•	•	•
BEHAVIORS		CONSEQUENCES						
(Behaviors in the “Thumbs Up” columns are acceptable expectations. Behaviors in the “Thumbs Down” columns have consequences as outlined to the right of the table)								
PERSISTENCE AND RESPONSIBILITY		In-class intervention by teacher	Out-of-class intervention by teacher	Restorative circle with principal with written agreement	SST Intervention	SST behavior plan/ attendance plan	SST behavior contract /attendance contract	Community conference, suspension or expulsion
👉 Take responsibility for your words and actions; when you make a mistake, take steps towards correcting it 👈								
<ul style="list-style-type: none"> <li>• Be honest</li> <li>• Participate in Intervention Club and Community Conferencing</li> <li>• Accept your mistakes</li> <li>• Accept responsibility for your part in a conflict</li> </ul>	<ul style="list-style-type: none"> <li>• Blaming others for your actions</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Cheating</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Lying</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Plagiarizing</li> </ul>	•	•	•	•	•	•	•





<div><div></div><div>Recognize when you need help and reach out</div><div></div></div>								
<ul style="list-style-type: none"><li>• Ask for help when you don't understand something</li><li>• Use resources (dictionary, notes, technology, books, classmates, teacher, staff) to help you when you have a question or a problem</li><li>• Raise your hand in class to ask a question</li><li>• Meet with your teacher after or before school to ask for extra help</li><li>• Ask your case manager for help with problems inside or outside of school at the appropriate time</li></ul>	<ul style="list-style-type: none"><li>• Shouting out a question or answer or unrelated comment in class</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Sitting quietly without working when you don't understand something</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Putting your head on your desk or sleep in class</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Picking a fight with a staff member or another student when you don't understand something</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Copying the answers from another student's paper</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Asking another student or friend or family member to do your homework</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Rushing through an assignment</li></ul>	•	•	•	•	•	•	•
<div><div></div><div>Strive to overcome your personal challenges</div><div></div></div>								
<ul style="list-style-type: none"><li>• Reflect on your learning and how you learn best</li><li>• Focus on your studies when you are in school</li><li>• Take care of yourself physically, socially, and emotionally</li><li>• Recognize what you need to work on and make a plan</li><li>• Work hard</li><li>• Come to school everyday</li><li>• Reach out when you need help</li><li>• Keep trying</li><li>• Ask for a break when you need one</li><li>• Find appropriate channels to resolve personal problems at appropriate times</li><li>• Get permission to take a break when you really need one</li></ul>	<ul style="list-style-type: none"><li>• Fighting in school</li></ul>			•	•	•	•	•
	<ul style="list-style-type: none"><li>• Using your problems as excuses for not moving ahead</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Talking about outside issues during class time</li></ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"><li>• Blaming external factors for not moving ahead</li></ul>	•	•	•	•	•	•	•



BEHAVIORS		CONSEQUENCES						
(Behaviors in the “Thumbs Up” columns are acceptable expectations. Behaviors in the “Thumbs Down” columns have consequences as outlined to the right of the table)								
STRUCTURE AND SUPPORT		In-class intervention by teacher	Out-of-class intervention by teacher	Restorative circle with principal with written	SST Intervention	SST behavior plan/attendance plan	SST behavior contract/attendance contract	Community conference, suspension or expulsion
👍 Keep the hallways calm and quiet 👎								
Walk quietly in the hallway	• Running in the hallway	•	•	•	•	•	•	•
Transition purposefully from one place to the next	• Making a lot of noise in the hallway	•	•	•	•	•	•	•
Respect students working in the hallway	• Shouting in the hallway	•	•	•	•	•	•	•
Stay in The Next Step	• Hanging out in the hallway	•	•	•	•	•	•	•
	• Playing with athletic equipment in the hallway	•	•	•	•	•	•	•
👍 Use the pass system responsibly 👎								
Ask staff for a pass to use the bathroom, drink water, see a case manager, go to the main office, or when you need to leave the classroom or an activity	• Walking in the hallway during class time without a pass	•	•	•	•	•	•	•
Ask the registrar upon for a tardy pass when you arrive late	• Leaving the building without a pass			•	•	•	•	•

and provide the reason you are late	• Entering a class late without a pass	•	•	•	•	•	•	•
Ask case managers for an early dismissal pass when you need to leave early and provide the reason you need to leave early	• Taking a pass from a staff member without asking permission			•	•	•	•	•
Carry a pass with you in the hallway to indicate where you are going	• Leaving the pass in an inappropriate place	•	•	•	•	•	•	•
Be mindful of classmates waiting for the hallway pass	• Leaving The Next Step premises			•	•	•	•	•
Return the pass to its proper place	• Concealing the pass when in your possession	•	•	•	•	•	•	•
<b>BEHAVIORS</b>  (Behaviors in the “Thumbs Up” columns are acceptable expectations. Behaviors in the “Thumbs Down” columns have consequences as outlined to the right of the table)		<b>CONSEQUENCES</b>						
 <b>Follow school routines and systems</b> 								
<ul style="list-style-type: none"> <li>• Be in class on time</li> <li>• Transition from class to class when the bell rings</li> <li>• Use the pass system appropriately</li> <li>• Complete assigned work</li> <li>• Participate in class</li> <li>• Attend Monday Community Meeting</li> <li>• Participate in Community Days and Special Events</li> <li>• Eat breakfast and lunch during breakfast and lunch times</li> <li>• Attend classes from 9 am to 3 pm or 9 am to 12 pm</li> <li>• Come back from lunch on time</li> <li>• When you enter the building, empty your pockets, pass through the metal detector, open your bag for security to check, and lift your arms to be wanded</li> <li>• Sign in with the receptionist</li> </ul>	• Coming to class late or leave class early	•	•	•	•	•	•	•
	• Eating in the classroom	•	•	•	•	•	•	•
	• Drinking anything except water in the classroom	•	•	•	•	•	•	•
	• Eating outside food for breakfast if you come to school late	•	•	•	•	•	•	•
	• Using your cell phone during class			•	•	•	•	•
	• Smoking in the school or on school property			•	•	•	•	•





<ul style="list-style-type: none"> <li>• Come to school ready to learn</li> <li>• Stay free of drugs, alcohol, weapons, and gang affiliation</li> <li>• Be positive</li> <li>• Work with others</li> <li>• Be a positive influence on others</li> <li>• Encourage healthy behavior and habits</li> </ul>	• Coming to school under the influence of drugs or alcohol				•	•	•	•
	• Using drugs or alcohol in school or school zone							•
	• Bringing drugs or alcohol to school or school zone							•
	• Selling drugs in school or in school zone							•
	• Bringing weapons (anything that can be used to hurt someone) to school or in school zone							•
	• Actively engaging in gang activity in school or in school zone							•
	• Recruiting others to join a gang in school or in school zone							•
	• Representing your gang in school or in school zone							•
	• Making references to drugs or alcohol in school							•
 <b>Take care of school facilities and equipment and use them responsibly</b> 								
<ul style="list-style-type: none"> <li>• Keep the school clean</li> <li>• Throw trash in the trashcans</li> <li>• Clean up after yourself</li> <li>• Use the bathroom appropriately</li> <li>• Keep school furniture clean and in working order</li> <li>• Keep laptops clean and in working order</li> <li>• Clean the microwave if you leave a mess</li> <li>• Enter staff space with permission and under supervision</li> <li>• Ask staff to access the refrigerator</li> </ul>	• Throwing trash on the floor	•	•	•	•	•	•	•
	• Leaving food and drinks on the tables	•	•	•	•	•	•	•
	• Urinating on the floor of the bathroom or toilet seat			•	•	•	•	•
	• Writing, drawing, damaging or scratching the desks, chairs, furniture, or walls of the school			•	•	•	•	•
	• Leaving laptops unattended			•	•	•	•	•
	• Putting gum under the chairs or tables			•	•	•	•	•
 <b>Use respectful words and actions with all classmates and staff members</b> 								

<ul style="list-style-type: none"> <li>• Speak appropriately and respectfully in school</li> <li>• Address students and staff member respectfully</li> <li>• Listen to others even if you don't agree with them</li> <li>• Keep your hands to yourself</li> </ul>	<ul style="list-style-type: none"> <li>• Cursing at other students or staff</li> </ul>			•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Using offensive words, gestures, or actions</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Raising your voice to other students or staff</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Bullying (including cyber bullying) other students or staff</li> </ul>		•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Walking away from staff when they are speaking to you</li> </ul>			•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Talking back to other students or staff</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Poking or pushing other students or staff</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Engaging in sexual harassment</li> </ul>		•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Spreading rumors</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Gossiping</li> </ul>	•	•	•	•	•	•	•
 <b>Ask permission to use other people's property</b> 								
<ul style="list-style-type: none"> <li>• Ask to use other people's pencils, erasers, pens, paper, stapler, glue, tape, dictionary, notebook, ruler, calculator, computer, phone, etc.</li> <li>• Respect other people's property</li> </ul>	<ul style="list-style-type: none"> <li>• Taking anything that does not belong to you</li> </ul>			•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Using other people's things without asking and getting permission</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Sitting at staff's desk or chair without permission</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Taking things from staff's desks without permission</li> </ul>	•	•	•	•	•	•	•
	<ul style="list-style-type: none"> <li>• Using school phones without permission</li> </ul>	•	•	•	•	•	•	•

Violations of the code of conduct are handled using *Restorative Practices* in line with the severity of the infraction(s). *Restorative Practices* are preventative in nature, are used to repair harm done to the school community, and consequences are considered according to the code of conduct. **Students with and without disabilities follow the same code of conduct**; their disabilities are considered when addressing the code of conduct violation. The sequence of interventions upon code of conduct violations is as follows:

1. In-class intervention by the teacher
2. Out-of-class intervention by the teacher
3. Restorative circle with principal with a written agreement
4. Student Support Team meeting
5. Student Support Team meeting with behavior/attendance intervention plan
6. **Community conference, with potential suspension or expulsion**

Each potential infraction that would warrant any intervention above (1 to 4) is listed on the Code of Conduct (see Appendix B). In most cases, issues are resolved with restorative circles, community conferences, and/or with written agreements before relying on suspensions or expulsions.

### **Suspensions**

In the spirit of using *Restorative Practices*, the school refrains from suspending students. Students are sent home for the day, only when they refuse to participate in a restorative circle after they have

committed an infraction. They may return to school the next day and must engage in a restorative conference with the principal before re-entering class. After returning, the students must agree to repair the harm they caused, and it is up to them to come up with the solution to make things better. It can be apologizing for committing an infraction or agreeing not to do it again or coming up with more creative alternative solutions.

The Student Fair Access to School Amendment Act of 2018 states that students in grades K-8 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.

### **Expulsions**

The Next Step PCS takes the safety of students and staff very seriously. The only time an expulsion is considered is when:

- Students engage in verbal or physical sexual misconduct that is clearly unwanted and unwelcome (particularly if it is repetitive)
- Students display gang-related behavior or paraphernalia; actively engage in recruitment for their gangs, or cause harm to others as a result of proven gang-related activity on campus
- Students bring weapons to school. These can be knives, machetes, firearms (guns, rifles, automatic weapons, etc.), and or biological weapons (harmful chemicals or substances)
- Students show up under the influence of illegal drugs or substances, and/or engage in the buying or selling of illegal substances on school property
- Students directly bully or threaten the safety of students and staff and refuse to engage in a restorative conference, or students physically assault another student or staff member

### **Appeals Procedure for Students Who are Suspended or Expelled**

A decision to suspend or expel a student will never be made without having a restorative conference with the student and parent/legal guardian. At the restorative conference a decision is made to suspend or expel a student, if they violated any of the infractions listed above, which they do not want to repair via a restorative conversation, or if they violated one of the 5 infractions that warrant an expulsion. After a decision is made to suspend or expel a student,

an appeal process is available to students and parents/legal guardians that do not agree with the consequence (See also “Filing Grievances” under Section 21. PARENTAL INVOLVEMENT). Here are the steps to follow if a student/parent or legal guardian wants to appeal a decision to suspend or expel a student:

1. Student and parent/legal guardians must request a meeting with the principal to appeal the decision within three business days after a decision has been made.
2. If the principal is not available, the student and parents/legal guardians can request a meeting with the designee of the principal. The case is then presented to an appointed official outside of the school, who is familiar with restorative practices, and he or she will make the determination to apply the consequence or to withdraw the consequence.
3. If the results of this appeal are not satisfactory or seem unfair to the student, parent/legal guardian, they can request a meeting with the Executive Director for further consideration.
4. In the event that the Executive Director’s decision is still not satisfactory to the student or parent/legal guardian, a request to meet with the Chair of the Board of Directors can be made.
5. A final decision will be made between the Chair of the Board of Directors of The Next Step PCS.

The following is a list of people that students, parents/legal guardians can contact:

Name	Title	e-mail or phone number
Maria Paz	Day Principal, The Next Step PCS	<a href="mailto:mariapaz@nextsteppcs.org">mariapaz@nextsteppcs.org</a> (202) 319-2249
Michael Cuellar	Evening Principal, The Next Step PCS	<a href="mailto:michael@nextsteppcs.org">michael@nextsteppcs.org</a>
Vivian Robledo	Executive Director, The Next Step PCS	<a href="mailto:vrobledo@nextsteppcs.org">vrobledo@nextsteppcs.org</a> (202) 246-3916
Steve Cartwright	Board Chair, The Next Step PCS	<a href="mailto:steve.cartwright@gmail.com">steve.cartwright@gmail.com</a>

**Code of Conduct – Students with Disabilities (Manifestation Determination Process and Due Process)**

Nothing herein shall exempt a student with a disability from disciplinary action.

In initiating disciplinary procedures applicable to all students, The Next Step PCS must ensure that the special education and disciplinary records of the student with a disability are transmitted for consideration by the person or person(s) making the final determination regarding the disciplinary action. At The Next Step PCS that person is the Principal or his or her designee. Such documentation may include, but not be limited to (with any required permission from parent/legal guardian): the student's current IEP, discipline file, cumulative file, anecdotal records from teachers or other school personnel, reports or recommendations from health or mental health clinicians. The person making the disciplinary decision will use restorative practices as the first disciplinary action. If the student is not willing to participate in a restorative conversation, then the Code of Conduct will apply for the required consequence.

If for any reason, temporary or permanent removal of a student from current placement is necessary, for more than ten (10) school days for disciplinary reasons, a manifestation determination meeting will be needed to determine if the subject behavior is related to the student's disability. If the result of the review is a determination that the behavior of the student with a disability was not a manifestation of the child's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied in the same manner in which they would be applied to students without disabilities

The Next Step PCS must make sure a free appropriate public education is available to all eligible students with disabilities, including students with disabilities who have been suspended or expelled from school. When a student with a disability is removed from his or her current placement for more than ten (10) school days for disciplinary reasons, The Next Step PCS must continue to provide the specialized instruction and related services that are specified on the student's IEP.

Any interim alternative educational setting in which a student is placed must: (a) Be selected so as to enable the student to continue to participate in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the child to meet the goals set out in that IEP; and (b) Include services and modifications designed to address the behavior that led to the temporary removal from school, so that it does not recur.



If a disciplinary action is contemplated as decided in the manifestation determination meeting for a behavior of a student with a disability, or if a proposed disciplinary action involves removal of a student with a disability from his or her current placement for more than ten (10) consecutive school days:

- (a) Not later than the date on which the decision to take that action is made, the parents/legal guardians must be notified of that decision and of all procedural safeguards accorded by law; and
- (b) Immediately, if possible, but in no case later than ten (10) school days after the date on which the decision to take that action is made, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.

Within ten (10) school days of any disciplinary decision to remove a student with a disability from his or her current placement, The Next Step PCS, the parent/legal guardian, and relevant members of the student's IEP Team (as determined by the parent and the The Next Step PCS) must review all relevant information in the student's file, including the student'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 student's disability; or (b) If the conduct in question was the direct result of The Next Step PCS failure to implement the IEP.

The conduct must be determined to be a manifestation of the student's disability if The Next Step PCS, the parent, and relevant members of the student's IEP Team determine that a condition in either 34 CFR 300.530(e)(1)(i) or (1)(ii), the manifestation determination meeting, was met.

If The Next Step PCS, the parent, and relevant members of the student's IEP Team determine the condition described in 34 CFR 300.530(e)(1)(ii), the manifestation determination meeting was met, The Next Step PCS must take immediate steps to remedy those deficiencies.

In carrying out a review, the IEP Team may determine that the behavior of the student was not a manifestation of such student's disability only if the IEP Team: (a) First considers, in terms of the behavior subject to disciplinary action, all relevant information,

including: (1) Evaluation and diagnostic and results, or other relevant information supplied by the parents of the child; (2) Observations of the student; (3) The student's IEP and placement; and (4) Any other material deemed relevant by the IEP Team, including, but not limited to, school progress reports, anecdotal notes and facts related to disciplinary action taken by administrative personnel; and (b) Then determines that: (1) In relationship to the behavior subject to disciplinary action, the student's IEP, and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the student's IEP and placement; (2) The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and (3) The student's disability did not impair the ability of the child to control the behavior subject to disciplinary action.

Either before or not later than ten (10) consecutive school days after taking a disciplinary action: (a) If The Next Step PCS did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such student before the behavior that resulted in the suspension described above, The Next Step PCS must convene an IEP meeting to develop an assessment plan to address that behavior; or (b) If the student's parent disagrees with a determination that the student's behavior was not a manifestation of the student's disability or with any decision regarding placement, the parent may request a meeting.

The Next Step PCS must arrange for an expedited hearing, which must occur within twenty (20) school days of the date the complaint requesting the hearing is filed, in any case described in this section when requested by a parent.

In reviewing a decision with respect to the manifestation determination, the hearing officer must determine whether The Next Step PCS has demonstrated that the child's behavior was not a manifestation of such child's disability.

A disciplinary hearing officer may recommend the removal of a student with a disability from his or her current placement for not more than forty-five (45) days if the hearing officer: (a) Determines that The Next Step PCS has demonstrated by substantial evidence that maintaining the current placement of such child is substantially likely to result in injury to the child or to others; (b) Considers the appropriateness of the child's current placement; (c) Considers

whether The Next Step PCS has made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and (d) Determines that the interim alternative educational setting meets the requirements described in the placement hearing above.

In recommending the removal of a student with a disability from his or her current placement to an alternative education setting for disciplinary reasons, the hearing officer must apply the standards set out in the hearing where the recommendation was made to remove the student from not more than forty-five (45) days above.

When a parent requests a hearing regarding a disciplinary action to challenge the interim alternative educational setting or the manifestation determination, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided (i.e., 45 days), whichever occurs first, unless the parent and The Next Step PCS agree otherwise.

If a student is in an interim alternative educational setting for disciplinary reasons and school personnel propose to change the student's educational placement after expiration of the interim Alternative Setting for disciplinary reasons, during the pendency of any proceeding to challenge the proposed change in placement, the student must remain in the current placement (the student's placement prior to the interim alternative educational setting), except if the placement is dangerous for the student, as outlined below.

If school personnel maintain that it is dangerous for the student to be in the current placement (placement prior to removal to the interim alternative education setting) during the pendency of the due process proceedings, The Next Step PCS may request an expedited hearing.

A student who has not been determined to be eligible for special education and related services under this part and who has engaged in behavior that violated any rule or code of conduct of The Next Step PCS, may assert any of the applicable protections provided for in the Individuals with Disabilities Education Improvement Act, as amended, if The Next Step PCS had knowledge (as determined in accordance below), that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

The Next Step PCS is deemed to have knowledge that a student is a student with a disability if: (a) The parent of the student has expressed concern in writing (unless the parent is illiterate or has a disability that prevents compliance with the requirements contained in this clause) to supervisory or administrative personnel of The Next Step PCS, or a teacher of the student, that the student is in need of special education and related services; (c) The parent of the student has requested an evaluation of the student; or (d) The teacher of the student or other personnel of The Next Step PCS has expressed specific concerns about a pattern of behavior or performance of the student to the Coordinator of Special Education or to other The Next Step PCS personnel.

The Next Step PCS is deemed not to have knowledge that a student is a student with a disability if: the parent of the student has not allowed an evaluation of the child pursuant to 34 CFR 300.300 through 300.311 or has refused services under Part B of the IDEA; or the student has been evaluated in accordance with 34 CFR 300.300 through 300.311 and determined to not be a child with a disability under Part B of the IDEA.

If The Next Step PCS does not have knowledge that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures applied to children without disabilities who engaged in comparable behaviors.

If a request is made for an evaluation of a child during the time period in which the student is subjected to disciplinary measures under this chapter, the evaluation must be conducted in an expedited manner.

If the student is determined to be a student with a disability, taking into consideration information from the evaluation conducted by The Next Step PCS and information provided by parents, The Next Step PCS must provide special education and related services in accordance with the relevant provisions of the Individuals with Disabilities Education Improvement Act, as amended, except that, pending the results of the evaluation, the child must remain in the educational placement determined by school authorities.

Nothing in the Individuals with Disabilities Education Improvement Act, as amended, shall be construed to prevent D.C. law enforcement and judicial authorities from exercising their responsibilities with

regard to the application of federal and state law to crimes committed by a child with a disability.

Nothing in the Individuals with Disabilities Education Improvement Act, as amended, shall be construed to prohibit The Next Step PCS from reporting a crime committed by a student with a disability to appropriate authorities. In reporting a crime committed by a child with a disability to appropriate authorities, The Next Step PCS must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to which it reports the crime.

## **ATTENDANCE POLICY**

### **Purpose:**

Strong attendance at The Next Step PCS is vital to academic success. Students are expected to come to school on time every day (or in the case of virtual learning, students are expected to log in and have cameras on, on-time for the start of class), ready to learn to achieve their goals.

There is evidence that a direct relationship exists between attendance and academic success. The more students are present, on time and in the classroom; the more opportunities they have to achieve their goals. We also understand that from time to time it is inevitable to be absent. The attendance policy outlines expectations regarding daily attendance, tardiness and accountability related to absences for both day and evening programs.

### **Attendance Policy**

The Next Step PCS requires students to attend school daily, for 190 days of instruction, each academic year. TNS also requires all students to adhere to the attendance expectations of their particular age group, as outlined below.

- Students of compulsory age (16-17 year-olds) are required by law to attend school according to the duration of the school program. TNS Day Program is six hours of duration per instructional day during the academic calendar, from Monday to Friday.
- Students over the age of 18 enrolled in the Day Program are required to attend five hours of instruction per day during the academic calendar.

- Students over the age of 18 enrolled in the Evening Program are required to attend three hours per instructional day. The TNS Evening Program is three hours of duration, per instructional day, during the academic calendar; from Monday to Thursday.
- In addition, Day and Evening program hours of instruction are complemented with access to *Bridge to Early College* and *Custom electives*.
- Students over the age of 25 enrolled in the Evening Program have the option of attending up to two additional hours of instruction (e.g. Custom Electives) for a total of five instructional hours per day.

Students of compulsory age (16-17 year-olds) are not allowed to miss more than 20 consecutive instructional days per academic year. This includes both *Excused* and *Unexcused Absences*. If a student exceeds the minimum number of permitted absences, the parent or legal guardian will be informed; and the student will be withdrawn for the remainder of the semester. In the *Interventions Section* of the Handbook to follow is a series of interventions will be implemented, however, prior to withdrawal considerations.

Students over the age of 18 are not allowed to miss more than ten absences per semester. Five of those absences can be excused and five can be unexcused. After the 10th absence, students will be informed that they have lost their seat for the remaining of the semester and that they have been withdrawn, with the option to re-enroll in subsequent semesters and or academic years as permitted by the number of seats available. Several interventions are in place to assist students with their attendance before withdrawal is considered, however (refer to the *Interventions Section* below).

Any student who is withdrawn has the option of re-enrolling in subsequent semesters or academic years if seats are available during the enrollment season.

### **Attendance Expectations:**

The Next Step PCS expects all students who enroll in any of its programs to attend school daily for academic, personal, and professional success while school is in session. TNS requires all students to attend school during the entire calendar year to include Semester 1 (September through February), Semester 2 (February through June), and the Spring Extension/Summer Session (July). Refer to the school's calendar for specific dates when students are required to attend school, which includes breaks and holidays.

### **During Hybrid Summer Session 2021**

During Hybrid learning in the summer session, students will follow their schedule and be engaged whether in school or at home. attendance will be taken every day in Schoology for all students - those at home and those in the classroom. All students must log in daily to Schoology, engage in each class, and will be responsible to complete all assignments posted.

In-person students are expected to be in class on their assigned days and follow the attendance policies outlined here and the School Policies Handbook.

Students learning remotely are expected to be on the Zoom video conference for their assigned class times. Students must keep their cameras ON throughout the lesson or depending on the teacher's designed activities. Students must request the teacher for permission to turn their camera off and communicate any needs related to engaging remotely.

Students that cannot attend due to health reasons or refuse to attend in-person will be expected to engage daily and participate in all classes and activities during normal scheduled class time remotely.

### **Requirements to be excused from In-Person (Virtual engagement only)**

- Write a letter of request and explanation sent to the Dean of Student Success ([studentsuccess@nextsteppcs.org](mailto:studentsuccess@nextsteppcs.org)), with support from case managers
- Attach valid documentation (e.g. doctor's note for illness)
- Obtain final approval from the Chief Academic Officer (CAO) via email

### **School Hours:**

The Next Step PCS offers classes from 9:00 a.m. to 9:00 p.m., Monday-Thursday; and from 9:00 a.m. to 5:00 p.m. on Fridays. Students are expected to attend school on a daily basis for the duration of their academic program.

### **Daily Attendance**

Attendance is recorded daily via the CAASS (Access411's Comprehensive Attendance, Administration and Security System). The Attendance and Transportation Coordinator (ATC) and other TNS staff will work closely with students to ensure that they attend school daily. Upon arrival, students are required to scan their TNS ID at the CASS station to document their attendance and time of arrival. Students who do not have their TNS ID with them will have to ask the ATC or the designated person at the CASS station to enter their attendance manually. When a student does not come to school, someone on staff will contact them to ensure they are alright and to remind them that attendance is important for academic success. Automated text and email messages will be sent to all students (and legal guardians or parents of minors) if they do not arrive to school within the 1st hour of the start of the academic program. Subsequent messages will be sent each day a student does not report to school until the student reaches the maximum allowable absences and is withdrawn. A series of interventions are set-up in order to avoid withdrawal, as shown in the next section.

In the classrooms, teachers will use Schoology, the school's Learning Management System, to record student attendance and engagement during scheduled class hours. Aside from marking them present when they are in class, students are authenticated by logging into Schoology and completing assignments during and outside class hours.

### **Absences**

For students who are considered minors (under the age of 18), parents/legal guardians are encouraged to notify the school of pre-arranged appointments as soon as the dates of such appointments are known. Students who are 18 years old or older are encouraged to follow the same protocol for themselves.

A written or officially issued note providing the dates of and reasons for the student's absence is required the day the student returns to school. The purpose of the note is to determine whether or not the student's absence is excused or unexcused. The attendance and transportation coordinator will determine whether the absence is excused or



unexcused based on whether or not the student provides valid documentation upon his or her return. See excused and unexcused absences below.

If a student leaves school without permission, or if he or she fails to return to school after lunch, the parent/legal guardian will be notified, and a restorative conversation will need to take place before the student is allowed back in class.

If an **adult student** leaves school without permission, or if he or she fails to return to school after lunch, the student will be counted absent. A restorative conversation will take place before they are allowed back in class.

**A. Excused absence** means that the student has a formally written document that speaks directly to the date(s) he or she was absent and that document has been submitted to the attendance and transportation coordinator the day on which he or she returns to school. The following conditions represent acceptable reasons for a student's absence to be considered as excused:

- **Illness** – When a student is unable to attend school due to an illness, a note written by the student (age 18 or older), by the parent/legal guardian (under age 18), or by a health professional documenting the illness is required. **Note: An adult student may only write up to 5 excuses due to illness; otherwise a doctor's note is required.**
- **Chronic/Extended Illness** – For students who are absent due to chronic illness, a disability, maternity leave or because of a need for homebound services, the adult student or parent/guardian must complete a **Chronic/Extended Illness Notification Form** with the principal at the beginning of enrollment into The Next Step or upon the onset of the student's condition that affects regular attendance. Documentation from a physician or healthcare provider is required.
- **Prearranged Appointments** – For appointments with the court, social services or other state agencies and appointments with health care providers, official documentation must be presented to the attendance and transportation coordinator.
- **Family Death or Emergency** – For absences because of a death in the family or an emergency beyond the family's control, the adult student or parent/legal guardian must

notify the school and provide documentation for the absence(s).

- **Religious Observances** – Absences due to observances of religious holidays should be pre-arranged by the adult student, or parent/legal guardian and the attendance and transportation coordinator should be notified.
- **Exceptional Circumstances** – The principal may approve pre-arranged absences for situations in which an exemption from attendance appears to be in the best interest of the student and his or her family:
  - Severe injury
  - Moving to a new residence (including unexpected homelessness)
  - Travel due to adjustment of immigration status
  - Passport and/or identification renewal

Prior to the student's absence, the **adult student** or parent/legal guardian must complete the ***Request for Exceptional Circumstance to Attendance Form***. The adult student or parent/legal guardian will document the rationale for the absence and date(s) of absence. The principal will provide the approval or non-approval on the form. In documented extenuating circumstances, the principal may approve an absence after the fact as exempt from the sanctions of the attendance policy.

For those circumstances which cause the student to be absent and prior request for approval is not possible, the adult student or parent/legal guardian must complete the ***Request for Exceptional Circumstance to Attendance Form*** as soon as the student knows about the potential absences, and needs to submit a valid note excusing the absence. Upon return to school, the student must bring a valid excuse for the absences, if they have not already submitted one.

**B. Unexcused Absence** means that a student has failed to report to school and/or provide proper notification or documentation to the principal or attendance and transportation coordinator. **After their 10th absence**, adult students are permitted to write up to five (5) excuses starting on their 11th absence, not to exceed 5 total excuses. Students will be required to bring their excuse note the very day they return to school, after they have been absent.

The following explanations (not exhaustive) will not be accepted as excused absences:

- Running late to school
- Failure to attend or departing field trips without permission
- Work obligations
- Child Care of siblings or extended family members

When students who are under 18 years of age are absent without an excuse after 10 school days, the attendance monitor alerts their service provider, who then refers the students to a community-based agency.

When a student reaches 15 unexcused absences and is under 18, the attendance and transportation coordinator sends a referral form with the appropriate documentation to the Court Social Services Division of the Superior Court of the District of Columbia and the Office of the Attorney General (OAG) Juvenile Section DC Superior Court and The Next Step waits for court intervention before withdrawing, consistently following up with the student and their parent to encourage attendance. Withdrawing or unenrolling a student of compulsory school age (under 18) will not take place, unless the student has accumulated 20 consecutive unexcused full days of school.

When an **adult student** over 18 reaches 10 unexcused absences, the attendance and transportation coordinator makes a recommendation for withdrawal. If the student is non-attending and reaches 10 unexcused absences, the attendance and transportation coordinator makes a recommendation for withdrawal and sends a letter home to the student stating that they have been withdrawn. Students withdrawn due to excessive absences are welcome to reapply for the following semester and they start the new semester with an attendance support plan.

### Intervention Process

**\*\* See table**

### **Attendance Interventions**

<b>Number of absences</b>	<b>What to do for staff</b>	<b>What to do when the student returns to school</b>
<b>1<sup>st</sup> absence</b>	Phone call/Message/E-mail to student by Attendance and Transportation Coordinator (ATC)	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.

<b>2<sup>nd</sup> absence</b>	Phone call/Message/E-mail to student by ATC	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.
<b>3<sup>rd</sup> absence</b>	ATC informs service provider. Case manager will attempt to contact student or parent and report to ATC	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy. 1st warning is signed.
<b>4<sup>th</sup> absence</b>	START discusses student and service provider reports findings.	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.
<b>5<sup>th</sup> absence</b>	Home visit by ATC	Student must have a note to give to ATC to be excused. If no note, ATC and service provider pulls student and explains policy. 2 <sup>nd</sup> warning and Intervention plan is signed.
<b>6<sup>th</sup> absence</b>	Letter sent home (with school and MPD letterhead)	Restorative conference with service provider and ATC.
<b>7<sup>th</sup> absence</b>	START to discuss	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.
<b>8<sup>th</sup> absence</b>	ATC calls home to remind of home visit, letter, and warning of withdrawal (for adult students)	Restorative conference, with principal, service provider, teachers and ATC. Attendance contract is signed and 3 <sup>rd</sup> warning signed.
<b>9<sup>th</sup> absence</b>	ATC calls home to remind of home visit, letter, and warning of withdrawal (for adult students).	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.
<b>10<sup>th</sup> absence</b>	START to discuss withdrawal for adult students. ATC calls student to inform of possible withdrawal.	Student must have a note to give to ATC to be excused. If no note, ATC pulls student and explains policy.
<b>11<sup>th</sup> absence</b>	Adult student withdrawn. Withdrawal letter sent by ATC.	N/A
<b>15<sup>th</sup> absence</b>	ATC will communicate with family, and send a letter to the Court of Social Services Division and to the Office of Attorney General Juvenile Section.	AFTER THE 20 <sup>TH</sup> CONSECUTIVE ABSENCE, A STUDENT OF COMPULSORY AGE WILL BE WITHDRAWN.

The following is a list of people and contact information that students, parents/legal guardians can contact to file a grievance:

<b>Name</b>	<b>Title</b>	<b>e-mail or phone number</b>
Maria Paz	Principal,, The Next Step PCS	<a href="mailto:mariapaz@nextsteppcs.org">mariapaz@nextsteppcs.org</a> (202) 319-2249
Michael Cuellar	Principal, The Next Step PCS	<a href="mailto:michael@nextsteppcs.org">michael@nextsteppcs.org</a>
Vivian Robledo	Executive Director, The Next Step PCS	<a href="mailto:vrobledo@nextsteppcs.org">vrobledo@nextsteppcs.org</a> (202) 246-3916
Steve Cartwright	Board Chair, The Next Step PCS	<a href="mailto:steve.cartwright@gmail.com">steve.cartwright@gmail.com</a>

## **Non Discrimination Policy**

The Next Step does not discriminate on the basis of a student's race, color, religion, immigration or citizen status, national origin, language spoken, intellectual or athletic ability, measures of achievement or aptitude, sexual orientation, or disability.

## **The Family Educational Rights and Privacy Act (FERPA) Notice**

The Next Step adheres to The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). It is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

A parent of a student under the age of 18 or a student who is at least 18 years of age or attending a postsecondary institution at any age ("eligible student") may file a written complaint with regarding an alleged violation of a school's failure to comply with his or her rights under FERPA. A parent of an eligible student generally may not file a complaint under FERPA, as the rights afforded to parents are transferred to the student when he or she becomes an eligible student.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records, which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

- Parents may opt out of the students directory information being released by completing a “Opt Out” request with the Enrollment team or with the Student Support and Engagement team.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest; ( i.e. a person employed by the agency or school in an administrative, counseling, supervisory, academic, student support services, or research position, or a support person to these positions; or a person employed by or under contract to the agency or school to perform a special task.)
  - Legitimate educational interested are appropriate tasks that are specified in their position description or by a contract agreement. Performing a task related to a student's education. Performing a task related to the discipline of a student. Providing services for the student or the student's family, such as health care, counseling, job placement, or financial aid.
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special

letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

### **Open Meetings Policy**

We will notify our stakeholders by noting which meetings will be open on our school's website, for anyone to see.

### **Admissions Preference Policy**

The Next Step PCS does not have an admissions preference policy.