



- Parents are repeatedly not returning phone calls, responding to notes or letters home, or are not coming up to school for meetings.
- Parents have withdrawn a student and fail to provide documentation of enrollment in another education institution within 10 days.

#### **IV. ATTENDANCE**

Daily attendance is the first step in ensuring academic success. In order to achieve at high levels, students must come to school every day and work their hardest. Missing as few as 10 days of the year for excused or unexcused reasons makes a student truant and results in them missing out on significant learning. Ingenuity Prep's curriculum is fast-paced and ambitious and students quickly fall behind when they are absent. Excessive absences put students at significant risk for retention or for dis-enrollment from the campus. Please do not allow your student to miss a day of school except for serious illness.

Getting to school on time is key to your student's success. At Ingenuity Prep every minute counts. Your student will miss valuable learning time if s/he is tardy. School opens for breakfast at 8:00 a.m. Students should arrive at school no later than 8:20 and will be marked tardy if they arrive after that time.

Excessive absences or tardies may cause your student to be retained in his or her current grade.

##### ***Never Miss School for Appointments***

It is the family's responsibility to schedule medical and other appointments outside of school time. On the rare occasion when a student has a medical appointment during the school day, s/he should not be absent for the entire day.

##### ***Consequences of Absences***

We understand that students get sick occasionally and that emergencies can occur. In order to keep the important focus on good attendance, we have established the following policies to assist families and students in maintaining the good attendance that is critical to their education.

Please be aware that the following are part of the Ingenuity Prep attendance policy:

- A phone call will be made home after each absence – excused or unexcused.
- Students who reach 3 unexcused absences during the year will receive a letter from the school documenting the excessive absences.
- Students who reach 5 unexcused absences during the year will receive a phone call from the school to discuss the excessive absences.
- Students who reach 7 unexcused absences will participate in a mandatory conference with teachers and a member of the school attendance team to discuss the excessive absences.



- Students who reach 9 unexcused absences receive a phone call from the school social worker and a letter documenting the student's absences and with a reminder of the school attendance policy.
- If a student has 10 or more unexcused absences (consecutive or nonconsecutive), we will report the situation to Child and Family Services. We will report the situation again if there are 15 or 20 unexcused absences.

Students with an excessive number of excused absences (10 or more days) will be reviewed for retention.

Additionally, Ingenuity Prep will follow up with the families of students who accrue multiple consecutive absences.

- A student who is absent two or more days in a row will receive a phone call from an Ingenuity Prep staff member to discuss the reason for the student's absence and how Ingenuity Prep can support the student's return to school.
- A student who accumulates five consecutive absences without a medical or court note will be reported to Child and Family Services for a safety check.

### **COVID-19 and other Illness**

Students should remain at home if:

- He or she is experiencing any of the following:
  - Fever (subjective or 100.4 degrees Fahrenheit) or chills
  - Cough
  - Congestion
  - Sore throat
  - Shortness of breath or difficulty breathing
  - Diarrhea
  - Nausea or vomiting
  - Fatigue
  - Headache
  - Muscle or body aches
  - New loss of taste or smell
  - Or otherwise feeling unwell.
- He or she has a temperature of 100.4 or higher in the 72 hours preceding the school day
- He or she answers "yes" to any of the symptoms listed above
- A member of their household or any close contact is confirmed to have COVID-19
- A member of their household is awaiting COVID-19 test results
- The student has been in close contact with a person who tested positive for COVID-19



- The student has been in close contact with a person who is awaiting COVID-19 results

Students with a pre-existing health condition that presents with specific COVID-19–like symptoms may not be excluded from entering the school building on the basis of those specific symptoms, if previously evaluated by a health care provider and those specific symptoms determined to not be due to COVID-19.

If excluded, students/parents/guardians and staff should call their healthcare provider for further directions.

A student who is excluded from school for exhibiting COVID-19 symptoms must remain at home until:

- 72 hours **after** the fever has resolved without the use of fever-reducing medication (e.g., Motrin, Tylenol) and respiratory symptoms have improved; and
- At least 10 days after symptoms first appeared (whichever is later)

Or they have a negative COVID-19 test and meet standard criteria to return to school or their health care provider provides written permission for the student to return to school.

Students who are excluded from school for the above reasons will:

- be marked absent excused for the first day of their exclusion; and
- be moved to Virtual Learning for the remainder of their exclusion period, including all virtual learning attendance requirements.

### ***Dismissal Criteria***

In addition to full-day exclusion, a student who was admitted at arrival but begins exhibiting symptoms that are part of the arrival health screening will be sent home early from school. Families must arrange for their student to be picked up immediately.

### **Reporting Absences**

Families need to report all absences to the Front Office staff as soon as the need for absence is known. Additional information will be required for the absence to be excused (see below). If we do not receive notification of the absence in advance, we will call the family to ascertain the reason for the absence.

### ***Excused Absences***

All absences will be reported as unexcused absences unless the school receives the following documentation:

- Doctor note specifying the excused days;
- Religious holidays, as indicated by a parent note;



- Parent note indicating there is a family funeral – the student will be excused only for the day of the funeral unless extenuating circumstances apply;
- Court documents mandating a court appearance – the student will be excused only for the day(s) indicated on the court documents; or
- Parent note indicating that there is another reason for a student's absence. Up to 10 dates of absences can be excused by parent note each year. Absence dates after 10 parent notes are used are only excused with one of the other above note types.

Additionally, students will have an excused absence (full or partial day) when they exhibit symptoms of illness during school and are sent home by school staff or the student is required to quarantine as a result of current school or DC Health guidelines.

In addition to the specific instances outlined above, the school reserves the right to determine that an absence is excused at its discretion.

### ***Unexcused Absences***

All absences other than those noted above will be considered unexcused.

### ***Long term***

If your student is absent for a week or more, please contact the office immediately upon learning that your student will be missing school time. Please make arrangements with your student's classroom teacher for assignment completion. Depending upon the nature of the illness or emergency, students will be responsible for keeping up with their class work. If a student is absent for any reason for 10 consecutive days without parent/guardian notification, the student may be dropped from the roster. If a student has 10 unexcused absences (consecutive or nonconsecutive), we will report the situation to Child and Family Services, as required by D.C. law.

### **Early Dismissals**

If your student has a medical or dental appointment or a family emergency, requiring you to come to school requesting an early dismissal, please inform the Front Desk staff ahead of time. Families may not enter the building for early dismissal, due to COVID-19 precautions. Please try to arrange appointments for after school whenever possible. A student will be dismissed early only to a parent/guardian or other properly authorized and identified adult. Any adult who is not a legal guardian of a student must be listed on the student's file as an authorized pick-up in order for the student to be dismissed. The student's dismissal time will be logged into Infinite Campus as a record of the dismissal.

### **Educational Neglect**



Educational neglect is the failure of a parent/guardian to ensure that a student attends school consistent with the requirements of the law including, without limitation, the failure to enroll a school-age student in an educational institution or provide appropriate private instruction; permitting habitual absenteeism from school; inattention to special education needs; refusal to allow or failure to obtain recommended remedial education services; or the failure to obtain treatment or other special education services without reasonable cause.

Upon information, reason, or belief that a school-age student who has been withdrawn from Ingenuity Prep has not been re-enrolled in a school following withdrawal from school or is not receiving private instruction, or if Ingenuity Prep suspects educational neglect for any reason, Ingenuity Prep must immediately:

- Report the issue to CFSA;
- Contact the Office of the Attorney General Juvenile Section (for students ages 5 – 13) or the Court Social Services Division of the Superior Court of the District of Columbia (for students over the age of 13);
- Notify the point person for attendance and truancy issues at the Office of the State Superintendent of Education (OSSE): Jessica Morffi, [Jessica.morffi@dc.gov](mailto:Jessica.morffi@dc.gov) 202-727-7207



In the event that a uniform-related issue arises, Ingenuity Prep is solely responsible for making all determinations as to whether a clothing article or accessory adheres to the Uniform Guidelines. We reserve the right to make any changes to the Uniform Guidelines and the related consequences, as we determine is necessary, at any time.

See Appendix L for full SY22-23 Uniform Guide.

## **VIII. ADMISSIONS**

### **Enrollment**

Ingenuity Prep is open to all students in the District of Columbia. Ingenuity Prep participates in the MySchoolDC common application and lottery process. Applications will only be accepted through the MySchoolDC process. Interested families can learn more at [myschooldc.org](https://myschooldc.org).

### **Age Requirements for Admission**

Students must meet the age requirements below for their grade by September 30<sup>th</sup> of the current school year:

<b>Grade</b>	<b>Age</b>
PreK3	3
PreK4	4
Kindergarten	5
1 <sup>st</sup> Grade	6
2 <sup>nd</sup> Grade	7
3 <sup>rd</sup> Grade	8
4 <sup>th</sup> Grade	9
5 <sup>th</sup> Grade	10
6 <sup>th</sup> Grade	11
7 <sup>th</sup> Grade	12
8 <sup>th</sup> Grade	13



For students entering 1<sup>st</sup> Grade or above, proof of successful completion of the prior grade (as demonstrated by a report card from the prior school) may be provided if a student does not meet the age cut requirement. Additionally, report cards may be requested for students entering 1<sup>st</sup> Grade or above to ensure that students successfully completed the prior grade. Ingenuity Prep reserves the right to make final determination of grade placement for students who are below the age cut-off for the grade they applied to.

### **Lottery**

Ingenuity Prep participates in the MySchoolDC common application and lottery process. Applications will only be accepted through the MySchoolDC process. Interested families can learn more at [myschooldc.org](https://myschooldc.org).

### **Residency Verification**

All guardians must prove DC residency by their enrollment deadline. If there are any residency disputes, the guardian has one week to submit the additional documentation. If residency cannot be proven by this time, the student may be disenrolled. DC residency must be proven by the legal guardian. If anyone besides the birth mother or birth father is proving residency, legal documentation must be submitted proving guardianship. Ingenuity Prep may report potential non-residents to the Office of the State Superintendent of Education (OSSE) for a residency investigation upon receiving evidence that a family is not living in the District of Columbia.

Acceptable DC Residency documents are defined by the Office of the State Superintendent (OSSE), and are available at <https://osse.dc.gov/page/office-enrollment-residency-supporting-families-students>. All documentation needs to include the enrolling adult's full name and full DC address, including street address, unit numbers, city quadrant, and zip code. Some documents need to meet additional criteria to be accepted for DC residency.

### **Sibling Preference**

The DC Charter Law states that siblings of enrolled students may receive preference for admissions. Thus, if a family of an enrolled student would like a sibling to attend Ingenuity Prep, the family must submit a completed application via My School DC prior to the lottery deadline. Siblings of enrolled students will receive a preference over applicants from new families. This preference must be requested in the My School DC application and verified by Ingenuity Prep before the lottery deadline.

For application and enrollment, Ingenuity Prep defines a sibling as a child who shares a biological parent, legal guardian, or parent by marriage with a student at Ingenuity Prep, or lives in the same household as an Ingenuity Prep student with a different primary caregiver than the primary caregiver of the Ingenuity Prep student. This relationship can be shown with a birth certificate or, in cases of legal



guardianship or parent by marriage, with a birth certificate in combination with marriage certificate or court documentation in order for Ingenuity Prep to verify the sibling preference. Students who request sibling preference due to sharing a household but not caregivers must demonstrate their shared address using documents that are acceptable for DC Residency Verification. Please note that, in the event that documents that prove shared legal guardianship or meet DC Residency Verification requirements are not available, sibling preference may be denied. Siblings of currently-enrolled (returning) students will receive first priority in the lottery. Siblings of newly-accepted or newly-enrolled students will receive second priority in the lottery. If a student applies through the common lottery with a sibling preference, Ingenuity Prep reserves the right to deny the preference when appropriate documentation is not provided. If a sibling preference is denied, the student's application will remain in the lottery with other non-sibling applicants.

### **Other Preferences**

In accordance with federal and D.C. regulations, Ingenuity Prep gives admissions preference to the students of staff and school founders. The use of these preferences, however, may constitute only a small percentage of the student body.

Child of staff preference is available to the children of all employees who have a signed offer letter for the year their student is applying to attend Ingenuity Prep. In the event that offer letters have not been generated at the time of application, staff preference will be granted when the staff member is in good standing. Staff preference is available to students when the qualifying Ingenuity Prep staff member is eligible to enroll the student under DC Residency requirements *or* the staff member is married to an adult who is eligible to enroll the student under DC Residency requirements. Enrollment based on children of staff preference may not exceed 10% of the total student population.

Child of founders preference is available to the children of all Ingenuity Prep SY13-14 employees and board members, when is available to students when the qualifying Ingenuity Prep founding staff member or board member is eligible to enroll the student under DC Residency requirements *or* the founding staff member or board member is married to an adult who is eligible to enroll the student under DC Residency requirements. Enrollment based on child of founders preference may not exceed 10% of the total student population or 20 students, whichever is less.

### **Waiting List(s)**

Ingenuity Prep participates in the MySchoolDC common application and lottery process. Waitlists are managed through the MySchoolDC website. Interested families should visit [myschooldc.org](http://myschooldc.org) to learn more.

### **Re-enrollment**

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Parents are required to re-enroll their student each spring for the following school year and, by DC law, must submit annual proof of residency. The re-enrollment process at Ingenuity Prep begins on the day that MySchoolDC lottery results are released and concludes on May 1. A student's place at Ingenuity Prep for the following year is not secure until all required paperwork has been completed. A student whose paperwork is incomplete at the day of the deadline may forfeit their seat for the following school year.

Families who miss the re-enrollment deadline but wish to enroll their students should contact a member of the Front Desk team as soon as possible. Ingenuity Prep will maintain a re-enrollment waitlist for families who request a seat. Available seats will be offered to students on the re-enrollment waitlist before being offered to new students. The re-enrollment waitlist will include a preference for siblings of students who have completed re-enrollment or with an active offer of re-enrollment. After the sibling preference is applied, seats will be offered on a first-come, first-served basis.

Ingenuity Prep begins accepting applications for new students in mid-December, with a lottery date in March. Siblings of current Ingenuity Prep students receive preference in the admissions process/lottery. Please see the definition of siblings above.

### **Dis-enrollment**

If you find that you need to dis-enroll your student for any reason, including relocating outside of Washington DC, please follow the below steps:

1. Notify the Front Office staff of your intent to dis-enroll him or her.
2. Schedule a meeting with the CEO or his/her designee to discuss your reason for leaving and to fill out the Dis-Enrollment Form.
3. If necessary, complete a Records Request Form in the Front Office. Student records files can take up to 3 business days to compile.

If a student leaves the school before the Disenrollment Form has been submitted to the Front Office, those absences will be marked as unexcused. In addition, student records will not be released to a new school without parental consent, which is given on the Disenrollment Form.

It is important to make this decision with great care. Once a student has disenrolled, returning to Ingenuity Prep requires that a new application be submitted through the MySchoolDC lottery. Former students do not receive preference in the lottery or on the waitlist.

### **No-Show Policy**



Ingenuity Prep is committed to open enrollment for all students who are residents of D.C. and making offers to waitlisted students in a timely fashion. As such, students who are no-shows at the beginning of the school year may forfeit their enrollment at Ingenuity Prep.

A no-show is a student who misses three or more of the first 5 days of school or 5 or more of the first 10 days of school without a parent or medical note. If your student will not be able to start school on time or will miss several days in the first two weeks, please be sure to communicate the reason for the absence to the Front Desk team as soon as possible.



### **XIII. APPENDICES**

- A. NCLB COMPLAINT RESOLUTION POLICY
- B. TITLE I PARENTAL INVOLVEMENT POLICY
- C. NCLB RIGHT TO KNOW
- D. DISCLOSURE OF STUDENT RECORDS UNDER THE FAMILY EDUCATIONAL RIGHTS PRIVACY ACT (FERPA) POLICY
- E. NOTIFICATION OF RIGHTS UNDER PPRA
- F. HOMELESS CHILDREN AND YOUTH PROGRAM
- G. NOTICE OF NON-DISCRIMINATION
- H. TRUANCY POLICY
- I. DISCIPLINE POLICY
- J. DISCIPLINE OF STUDENTS WITH DISABILITIES
- K. SY22-23 ACADEMIC CALENDAR
- L. SY22-23 UNIFORM GUIDE
- M. OPEN MEETINGS POLICY
- N. USDA NON-DISCRIMINATION POLICY
- O. APPLETREE STATEMENT OF PARTNERSHIP



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

### **INTRODUCTION**

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

### **PURPOSE**

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

### **AUTHORIZATION**

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

### **APPLICABILITY**

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

### **POLICY STATEMENT**

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

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

### **COMPLAINANTS**

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

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

**STATEMENT** for details of the content of the statement.

#### **PROCESSING ENTITY**

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

#### **COMPLAINT RECEIVED BY THE AE**

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

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

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

#### **PROCESS FOR INVESTIGATING COMPLAINTS**

- The complaint will include all information specified in the policy statement
- The assigned CI will review the facts and circumstances of the complaint. Upon receipt of a written complaint, a **record** of the source and nature of the complaint, including the applicable program involved in the complaint, statute violated and facts on which the complaint is based will be initiated.
- **A Letter of Allegations** will be developed after contact with the complainant and AE has been made. The **Letter of Allegations** will 1) identify the complainants alleged issues (i.e., which specific federal or state law or regulation related tot the provision of services was violated 2) identify the documentation the AE will need to provide in order to assist the CI in making a determination of compliance or noncompliance and 3) indicate the date the AE will need to submit a written response to the CI.



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

#### **FORMAL COMPLAINTS REGARDING PARTICIPATION OF PRIVATE SCHOOL CHILDREN**

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

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

#### **APPEALS TO THE U.S. DEPARTMENT OF EDUCATION**

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



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

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

**Policy:** The School may not release personally identifiable information contained within student education records to a third party unless such release is expressly permitted under FERPA. A student's education records under FERPA include all records directly related to the student and which are maintained by the School. Records covered by FERPA therefore include, but are not limited to: grades, report cards, transcripts, attendance information, academic appeals, and records of any disciplinary proceedings. This list is not exhaustive and is provided only as an example of the wide range of information considered to be an "education record" under FERPA.

### **Definitions:**

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

**Parent:** A parent or legal guardian of a student at the School. (The legal guardian of a student includes any individual or entity acting as a parent in the absence of a parent or guardian, including, but not limited to, any governmental agency or third party who is granted custody, care and control of a child or granted legal custody pursuant to a court order.)

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

### **Procedures:**

#### Disclosure

The School will protect the privacy of all student education records and will not disclose personally identifiable information within student education records to anyone other than the Parent or Eligible Student unless (1) the Parent or Eligible Student has provided prior written consent to such disclosure using the attached "Consent to Disclose Student Education Records" form; (2) the information to be disclosed has been classified as "directory information" in the School's annual FERPA notification (described further below); or (3) the disclosure is permitted under one or more FERPA exceptions, some of which are presented below, but must be specifically determined to apply in a particular circumstance by the School's administration before the disclosure occurs.

#### Consent to Disclose Student Education Records Form ("Consent Form")

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Unless the requested records are not covered by FERPA, have been classified “directory information” in the annual FERPA notification, or another exception applies, a Parent, or Eligible Student must provide advance written permission to release the student’s education records to an outside third-party. The Parent’s or Eligible Student’s permission must be given through completion of the attached Consent Form. No information may be released beyond the scope of the permission as indicated in the form.

Once completed, the signed Consent Form will be kept in the School’s office. Parents or Eligible Students may revise their consent at any time during the year by completing a new form. No form shall be effective for more than one academic year.

### Directory Information

#### *Allowable Information*

The School may disclose student information that has been classified as “directory information” in its annual FERPA notification. Directory information refers to information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, the following student information:

1. Student name
2. Address and telephone number
3. E-mail address
4. Photograph
5. Date and place of birth
6. Grade level
7. Dates of attendance
8. Participation in officially recognized activities and sports
9. Weight and height of members of athletic teams
10. Degrees, honors, and awards received

Directory information cannot include a student’s Social Security number. A student’s ID number or user ID can be considered directory information, but only if that identifier cannot be used to gain access to the student’s education records without utilizing a password or personal identification number.

#### *Annual FERPA Disclosure Regarding Directory Information and Opt Out Option*

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In order for the School to disclose directory information, it must first provide public notice in an annual FERPA notification to Parents and Eligible Students of the following:

1. The types of personally identifiable information that is designated as directory information;
2. A Parent's or Eligible Student's right to refuse the designation of any or all of those types of information about the student as directory information; and
3. The period of time within which a Parent or Eligible Student has to notify the School in writing that he or she does not want any or all of those types of information about the student designated as directory information.

The required annual FERPA notification can be provided within other informational documents sent by the School or as separate School correspondence.

A parent/guardian may opt out of directory information being released by submitting a written request to [admissions@ingenuityprep.org](mailto:admissions@ingenuityprep.org).

### Exceptions

#### *Allowable Disclosures*

There are several exceptions that permit the release of student education records under FERPA. The following are some common examples of parties who can receive disclosures without the student's written consent in a manner that does not violate FERPA:

- A contractor, consultant, volunteer to whom the School has outsourced institutional services or functions, if the party is under the direct control of the School and has met the Third-Party Requirements described below.
- Other schools, school districts or institutions of postsecondary education in which the student is seeking to enroll or to transfer credits.
- Authorized representatives of the DC Public Charter School Board (PCSB), the District of Columbia Office of the State Superintendent of Education ("OSSE"), U.S. Department of Education ("DOE"), the U.S. Attorney General ("AG"), or the U.S. Comptroller General ("USCG") for audit, evaluation, or compliance activity with respect to Federal or state education programs.
- Organizations conducting studies for, or on behalf of, the Board, a School, or another governmental entity provided such organization has met the Third-Party Requirements described below.
- Schools' accrediting agencies.
- To appropriate parties, if necessary to protect the health or safety of a student or other individuals.

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- To comply with a judicial order or lawfully issued subpoena.

Responses to requests for student records can be made to the third-parties identified above. School staff must notify the PCSB FERPA Contact prior to the release of these records, provided that such notification is feasible. Schools must within 15 days of such release provide the PCSB with a brief description of such release via upload to AOIS.

#### *Recordkeeping Requirements*

A record of any disclosure must be made in students' education records, which describes: (1) the party or parties who received the students' records; and (2) the legitimate interests of the party or parties had in requesting and obtaining the information. In the event that the disclosure is to an authorized representative of the PCSB, School, OSSE, the DOE, AG, or USCG, the record of the disclosure may be made by class, school, or other appropriate grouping. (For example, if OSSE requested all student records from the School, a record could be made indicating that the entire School's student records were provided, rather than placing a record in each student's file.)

#### *Notification Requirements*

If the School receives a judicial order or lawfully issued subpoena, there are certain notification requirements it must make before disclosing the students' records. The Parent or Eligible Student must be notified of the order or subpoena in order to give an opportunity to seek protective action. Before disclosing student education records pursuant to a judicial order or lawfully issued subpoena, please consult with School counsel.

#### *Third-Party Requirements*

If the School discloses student records that contain personally identifiable information to an authorized representative, such as a contractor, consultant or research organization, a written agreement must be entered into. The agreement must specify the following:

1. The designated official or entity that constitutes an authorized representative;
2. The type of student records to be disclosed to the authorized representative;
3. The purpose for which the student records are being disclosed;
4. A requirement that the authorized representative must destroy any personally identifiable information when it is no longer needed for the purpose specified, and a time period in which the information will be destroyed; and
5. Policies and procedures to protect personally identifiable information within the students' records from re-disclosure and unauthorized use by the authorized representative.

If charter school staff are contacted by a party purporting to be an authorized representative of the PCSB, OSSE, the DOE, AG, or USCG requesting student records, or purporting to be a representative

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of an organization conducting a study or studies for, or on behalf of one of these entities, they must notify the PCSB FERPA Contact prior to the release of student records.

### *Health and Safety Emergencies*

The School may disclose student education records that contain personally identifiable information to appropriate parties, including parents of a student, in connection with an emergency, if necessary to protect the health or safety of students or other individuals. In disclosing student records, a determination must be made that there is a clear and significant threat to individuals' health or safety. If a disclosure is made due to a health or safety emergency, the School must record a description of the significant threat to students or other individuals that formed the basis for the disclosure, and the parties who received the information.

### **Other FERPA Requirements:**

#### Right to Request Inspection of Student Records

Every Parent or Eligible Student must be allowed to personally inspect copies of his or her records upon request. The School must therefore either provide copies of student records to Parents and Eligible Students upon request, or make arrangements to allow for inspection of requested records within 45 days of when the request was received.

A reasonable fee for copies of student records may be charged, but not if imposition of a fee will prevent the Parent or Eligible Student from receiving copies of the records. No fee may be charged solely in order to search for or retrieve a student's education records.

#### Right to Request Amendments to Records and Hearings

If a Parent or Eligible Student believes that the education records maintained by the School relating to the student contains information that is inaccurate or misleading, he or she may ask for the records to be amended, in writing. If, based on that written statement, the School decides not to amend the records as requested it must inform the Parent or Eligible Student of its decision and the right to a hearing. The hearing may be conducted by any School staff who was not involved in the initial decision not to accept the Parent's or Eligible Student's request to amend the relevant records.

In the event of a hearing, if the School staff who conducted the hearing decides that the information in question is inaccurate or misleading, it must direct relevant staff to amend the records accordingly and inform the Parent or Eligible Student of the amendment in writing. If, on the other hand, School staff decides that the information is not inaccurate or misleading, it must provide its decision in writing and inform the Parent or Eligible Student of the right to place a statement in the records commenting on the contested information. School staff's decision must be based solely on the

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evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

#### Reasonable Protection of Student Information

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

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

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

#### Complaints of FERPA Violations

If a parent/guardian believes there has been a violation of FERPA, they may file a complaint with Ingenuity Prep. The complaint should be sent in writing to the Chief Financial and Operations Officer (contact information available at the front of the Handbook) and must:

- include allegations of fact giving reasonable cause to believe that a FERPA violation has occurred;
- be filed by the parent/guardian of a student at Ingenuity Prep
- be filed within 180 days of the alleged violation or within 180 days after the complainant knew or should have known about the violation.

If the parent/guardian desires, a complaint may also be made to the U.S. Department of Education at <https://studentprivacy.ed.gov>. The form must be completed in its entirety and submitted electronically or printed and submitted by mail. Emailed complaints should be sent to [FERPA.complaints@ed.gov](mailto:FERPA.complaints@ed.gov). Mailed complaints should be sent to:

Family Policy Compliance Office  
U.S. Department of Education

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Washington, D.C. 20202-8520

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**CONSENT TO DISCLOSE STUDENT EDUCATION RECORDS**

Student's Name: \_\_\_\_\_

Age of Student: \_\_\_\_\_

Parent's Name (if student is under 18): \_\_\_\_\_

Student Social Security #: \_\_\_\_\_

I know that the Family Education Rights and Privacy Act of 1974 as amended protects the privacy of student education records and limits access to the information contained in those records.

I have indicated below the party or parties who may have information from my education records:

1) Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_

2) Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_



**PLEASE INITIAL ALL AREAS THAT APPLY:**

If asked, I want the above named individual(s) to receive student records regarding:

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The purpose of disclosing the student records is as follows:

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Date		Printed Name
		Student's Signature (if student is 18 or over) Parent's Signature (if student is under 18)



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

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

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

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

### **2. Can a homeless child enroll in school?**

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

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

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

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

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

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

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

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

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



## **APPENDIX G - NOTICE OF NONDISCRIMINATION**

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



## **APPENDIX H – TRUANCY POLICY**

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

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

If at any time however, educational neglect is suspected, we immediately notify the authorities. At each unexcused absence, a call goes out to the parent/guardian of each absent student by 10:00 am on the day of the absence. Parents/guardians must call the school to report the absence of their child by 8:20 a.m.

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

### **Every absence:**

- A phone call/message is sent to student's parent/guardian

### **At three (3) absences (unexcused):**

- A notification letter is sent to student's parent/guardian documenting current absences

### **At five (5) absences (unexcused):**

- Student's advisory teacher calls the parent/guardian to discuss current absences and reasons for missing school

### **At seven (7) absences (unexcused):**

- A mandatory meeting is set with the student's teacher, parent/guardian, and academy social worker to discuss absences and reasons for the student missing school

### **At nine (9) absences (unexcused):**

- A notification that the student is nearly truant is sent to the parent/guardian

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

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

Should the absences continue:

- Additional truancy reports are made for every 5 absences (e.g., 15, 20, and so on)
- Notification letters are sent to the parent/guardian about the increase in absences
- Should the student reach 20 unexcused absences, the parent/guardian is required to meet with the student's Principal, social worker, and the Director of Family & Community Engagement

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

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



## **APPENDIX I – DISCIPLINE POLICY**

See next page.



# **Student Discipline Plan**

2022-2023 School Year

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## Schoolwide Plan

### Mission

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

### Discipline Philosophy

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

### Restorative Justice

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

Through restorative practices, members of the school community will:

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

### Suspension and Expulsion

Through proactive support of and engagement with students and families, Ingenuity Prep will seek to minimize the number of out-of-school suspensions and expulsions it administers. On the occasion a student *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person*, he/she may be suspended from the school for a specified number of days or expelled from the school for up to one calendar year.

Students may be suspended or expelled for:

- Bullying or cyberbullying, as defined in Ingenuity Prep's Bullying Policy;
- Bringing a weapon to school or a school event (including off-campus events);
- Intentionally injuring, attempting to injure, or threatening to injure another person or oneself;
- Unsafe behavior that causes concern for the physical or emotional safety of the individual student or others;



- Sexual harassment or sexual assault; or
- Any other behavior in which a student *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person.*

*Short Term Suspension (applies to students in Kindergarten and above)*

For short-term suspensions (5 days or less) the decision to suspend a student shall be made by the Academy Principal or CAO with or without the recommendation of the student's teacher or other school employee only *after* an investigation is complete by the school leadership team and a hearing is conducted with the student and the student's family. The Academy Principal or CAO will determine the number of days for suspension based on the severity of the infraction, the age of the student, and previous infractions. The suspension shall become effective immediately unless otherwise stated.

Upon finalizing a decision for suspension, students and families will receive written notice from the school detailing the infraction, the consequence, the length of time for the consequence, and finally, the student's return date. While the student is out on suspension, the student is entitled to receive work that the school will provide. After three suspensions from school within the same school year for the same or different infractions, the student may be a candidate for expulsion.

Ingenuity Prep encourages (but does not require) a parent/guardian to attend a meeting with the Academy Principal or Administrative Designee before a student returns to school.

*Long-Term Suspension and Expulsion (applies only to students in 6th grade and above)*

A student who *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person* may be a candidate for long term suspension (6 days or more) or expulsion for up to one calendar year. The Academy Principal or CAO can recommend a determination of long-term suspension or expulsion.

*Note: Students in Kindergarten through 5th grade who exhibit these behaviors will receive a suspension lasting no longer than 5 days (a short-term suspension).*

Upon making the recommendation for a long-term suspension or expulsion, the family will be invited to participate in a hearing, with the Chief Academic Officer (or Administrative Designee) serving as the hearing officer, the Academy Principal, and any other school representative deemed necessary by the school, often the Dean of Students or School Culture Associate, so that the family, student, and school administration can better understand the incident and determine if a long-term suspension or expulsion is warranted. The family may have representatives (attorneys, mentors, family members) attend the hearing. This meeting is an opportunity for the student and family to engage in a dialogue about the incident in order to share all pertinent information about the incident and/or student's situation. The CAO, as the hearing officer, will make a final determination of the consequence. In the event that the CAO made the original recommendation of the long-term suspension or expulsion, the CEO will serve as the hearing officer.

Upon finalizing a decision for suspension or expulsion, students and families will receive written notice

from the school detailing the infraction, the consequence, the length of time for the consequence, and finally, the student's return date. While the student is out on suspension, the student is entitled to receive work that the school will provide.

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

### *Appeals*

A parent/guardian may appeal the decision to suspend or expel a student by providing a written request for an appeal hearing to the CEO within 48 business hours of receiving notification of the suspension or expulsion. A hearing will be scheduled with the parent/guardian, the administrative designee who assigned the suspension or expulsion, the CAO, and the CEO. In the event that the CAO made the original recommendation of the long-term suspension or expulsion, the Chair of the Board of Trustees will serve as the hearing officer. Following the appeal hearing, the determination by the CEO (or Chair of Board of Trustees, if applicable) of the discipline decision is considered final.

### **COVID Health and Safety**

During these unprecedented times, Ingenuity Prep will place a priority on health and safety. The school reserves the right to remove students from in-person learning who repeatedly demonstrate intentional non-compliance with mask wearing or other health and safety measures. Should the school have to take this action, impacted students will be re-assigned to our virtual learning program.

### **Academy Discipline Plans**

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

## Early Childhood Academy (PK-3, PK-4, and Kindergarten)

### Student Culture Statement

We believe that students learn through play and exploration, as well as engaging, explicit instruction. Our daily schedule reflects both of these beliefs, as we work to provide a high quality language environment, opportunities to learn and practice social emotional skills, as well as instruction in critical readiness skills in math and literacy.

Our ECA VALUES	Our ECA ACTIONS
<p><b>RELATIONSHIPS</b></p> <p><i>We prioritize the importance of strong <b>relationships</b> between teachers, students and families. We believe that a positive classroom culture is built on these relationships. This foundation drives how we learn <b>kindness, regulation, and conflict resolution.</b></i></p>	<p><b>Social Emotional Learning</b></p> <p><i>We engage in learning as a staff around <b>social emotional development and understanding</b> and use this learning to drive our daily actions in the classroom. We work to understand developmental stages to better support the needs of our students.</i></p>
<p><b>PLAY</b></p> <p><i>We believe that <b>play</b> is the foundation for student learning where a purposeful environment sets students up for strong language acquisition and social emotional learning.</i></p>	<p><b>Plan and Engage</b></p> <p><i>We intentionally <b>plan</b> for free choice play with thematic materials that encourage imagination and problem solving. We <b>engage in play together with students</b> to model strong language and help guide them to strong interactions and play scenarios. We <b>set clear expectations</b> for supporting a positive and calm play environment.</i></p>
<p><b>LANGUAGE</b></p> <p><i>We believe that a <b>high quality language environment</b> is a key driver in students' social and academic success.</i></p>	<p><b>Model and Interact</b></p> <p><i>We engage in <b>multiple language modeling strategies</b> throughout the day, like self and parallel talk, repetition and extension and advanced vocabulary. We prioritize these <b>high quality interactions</b> in all verbal communication with students.</i></p>
<p><b>ENGAGING INSTRUCTION</b></p> <p><i>We believe that <b>engaging</b>, explicit instruction in both literacy and math is critical to student success.</i></p>	<p><b>Support and Data</b></p> <p><i>We prioritize <b>coaching and professional development</b> on engagement strategies and academic content. We use <b>data</b> to drive the creation of differentiated small groups and interventions.</i></p>
<p><b>COLLABORATION</b></p> <p><i>We believe that <b>collaboration</b> between all key stakeholders builds a strong and positive culture. We value a purposeful dialogue between teaching teams,</i></p>	<p><b>Listen and Share</b></p> <p><i>We plan for <b>intentional meetings</b> to grow and learn together as educators. We <b>listen</b> to and communicate with families to build a partnership that supports student</i></p>

<i>across grade levels and with families.</i>	<i>learning.</i>
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### Off-Expectation Behavior

#### Student Support Strategies

The foundation of our work is to support students. Our number one strategy to support students comes through relationships. Research shows that positive developmental relationships are one of the highest leverage tools teachers can use to support all students and especially students with trauma. We know that they work for those students and all other students.

#### Actions that Support Positive Developmental Relationships

- Getting down to engage on student level
- Giving consistent eye contact, smiling, and using student names
- Using matched affect and positive facial expressions
- Giving appropriate physical affection and affirmation such as hugs, high fives, thumbs up, praise, and encouragement
- Displaying interest in students by asking them questions about their lives and conversing with them
- Sharing activities and doing them with students

We support students by responding to their academic, developmental and social emotional needs with an understanding of child development.

#### Actions to Support Students

- Ask, “Are you okay?” and “What happened?” to seek to understand the problem
  - Listen to students
- Acknowledge their feelings
- Provide comfort and assistance with verbal + physical actions
  - Modeling deep breaths
  - Talking/distracting student from perseveration/poor choice
  - Squeeze hands & Deep pressure
  - Hugs
  - Restatement of child emotion
  - Wait time
- Directly teach and practice SEL skills with them
  - Emotional recognition & management
  - Self regulation & management
  - Emotional recognition of others
  - Conflict resolution
  - Negotiation

#### Calm Down

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

#### Physical Space

- Located in visible spot that is not distracting to peers
- Soft rug/cushion
- Sand timer
- Feelings Chart posted
- Calm Down Chart posted
- Calm Down books (meditation, yoga, emotions)
- Stuffed Animals

#### Teacher Actions in Calm Down

- Asking questions to understand root cause of student using calm down
- Providing comfort and assistance (see above)
- Set timer (as needed)
- Give expectation for space and student rejoining class/activity
- Provide praise to student when calming down/using strategies

#### Student Actions in Calm Down

- Laying down or sitting up
- Using calm down materials (books, stuffed animals) safely
- Crying is okay!
- Breathing and using other physical calm down strategies
- Returning to activity when feelings are calmed/managed

#### Pitfalls to Avoid

- Students in calm down without support or expectations
- Students staying too long in calm down without teacher support
- Multiple students in calm down with different needs
- Students playing or acting unsafely in calm down

#### **Sit & Watch or “Take a Break”**

Sit and watch is a time for students to sit separately from their peers (but where they can still hear and see the lesson) to reset and reflect on their actions for 1 minute. We begin the use of sit and watch AFTER students have learned expectations and routines, which is typically at the end of Unit 1, after at least 2 full weeks in school. We do not consequence students for skills they have not yet learned.

**PRE-SIT & WATCH:** While teaching students routines and expectations, if a behavior persists after teachers have implemented multiple student support strategies, the teacher may pull a student aside and have a separate conversation to teach them the lagging skill and highlight the school expectation and rationale.

- Ex. student is unsafe with blocks and is asked to talk to the teacher on the carpet and discuss appropriate use of blocks
- Ex. student is attempting to run up the hill on the playground and the teacher brings the student to sit and calm down and talk about safety

We always begin our support of students by going through the student support strategies first. If a behavior continues after a variety of strategies have been implemented, and we can answer that the student has learned and had opportunities to practice the skill, we may send a student to take a break from their peers/the activity. This would happen after support strategies are implemented and 3 additional reminders to fix the behavior are given.

#### Procedure

1. Teacher says, “[Name], let’s take a break to discuss [behavior].”
2. A teacher accompanies the student to sit and watch (praising if they travel there appropriately)
3. Teacher names expectation to sit calmly and watch peers. Teacher sets 1 minute timer for the student and names that they will check in on them.
  - a. If the student does not sit, the teacher talks to them and gives wait time
4. After one minute, teacher immediately comes to check in with student and uses some restorative questions to help child reflect on behavior.
5. Teacher states what child will attempt to do when returning to carpet and praises them for taking a break appropriately.

#### **Restart Room**

Our restart room is a safe place outside of the classroom for students to calm down and reset. It is consistently staffed by our PreK Behavior Support Specialist(s). We bring students to the restart room when their behavior has escalated to the point that they are being unsafe to themselves or others or learning cannot continue in the classroom due to their actions.

#### Questions we ask when deciding to go

1. Have I done all I can to provide comfort and assistance to this student?
2. Do I fully understand the challenge the student is having and have I been able to respond to it?
3. Are they being unsafe with their body/materials and I am unable to reset them in the calm down space?
4. Is this preventing the learning of the majority of the class?

#### **Response to Intervention**

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



# Response to Intervention

## Tier 3

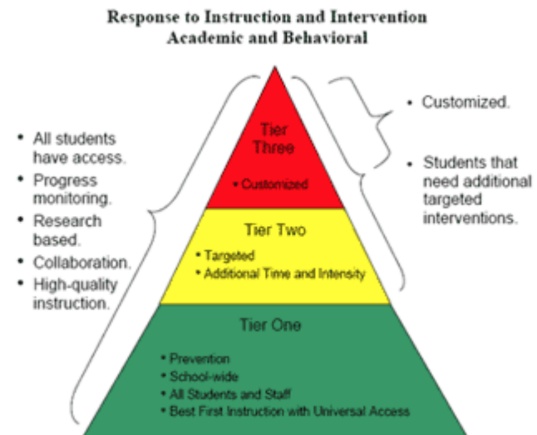
- Very Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 1-2 students

## Tier 2

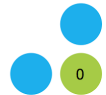
- Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 2-4 students

## Tier 1

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



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## **Elementary Academy (1st - 4th Grade)**

### **Student Culture Statement**

In our classrooms, we seek to ensure our students feel safe, successful, and known.

Our classrooms have systems and structures that are consistent across adults and predictable for all students at all times. We seek to make these systems both efficient and simple, ensuring we are maximizing the time for our students to learn. Our teachers see it as their responsibility to know our children beyond their academics, including knowing their families, their long term goals and how they best receive appreciation. Our classrooms have purposeful routines, rituals, and traditions for students to build strong relationships with their peers and a pride in their school and classroom community.

When students take actions that hurt their community or hinder their progress toward their goals, our team will support in repairing the damage done to their community and building their skills to ensure that the same mistake does not happen again.

Our school community's pride in our students' growth will be constantly evident in their classroom, from teachers' daily interactions with students to classroom and school-wide celebrations, we will celebrate each success and constantly build momentum in pursuit of students' bigger goals.

### **Off-Expectation Behavior**

We have three expectations for students:

1. Students always follow directions the first time
2. Students always treat all others with respect
3. Students always support our own and each other's learning

If a student breaches one of these expectations, our goal as educators is to repair any damage done to the students relationships with peers or staff and to build the student's skills and knowledge so that behavior does not occur again.

Whenever possible, our teachers and staff use a logical consequence to achieve this goal. For example, if a student draws on the wall, we ask them to use some of their choice time to clean the area they have damaged.

When it is not possible to use a logical consequence, we use a simple check system. After clearly stating expectations, if a behavioral transgression occurs, the teacher will give a first check to the student. If the behavior persists, then the teacher will give a second check to the student and either move the student's seat or take time to have a check-in conversation with the child. If the student is still unable to change their behavior, the teacher will give a third check meaning that the student will need to complete a reflection during a separate time of day and that a parent will be notified.

If a student's behavior has become so disruptive that their peers are unable to learn even after teacher intervention, our behavior support staff will be called. The student will be walked to our calm down room and our behavior support staff will use therapeutic and restorative practices to deescalate the



situation and help the student process their emotions. Once the student is calm, they will be escorted back to class in order to minimize the disruption to their learning time.

Aligned to our key expectations, there are behaviors that are more severe and may potentially lead to suspension. These behaviors, including attempting to cause physical or emotional harm to another member of our school community and destruction of property in a way that endangers the safety of others, will be treated using the following consequence structure.

- 1.) First instance
  - a.) The student will spend the remainder of the day in behavioral support and a parent will be notified immediately via phone call and a letter will be sent home. During this time the child will still receive access to their grade-level instruction, but will not be able to spend time with their peers. Before the child returns to class, school staff, including teachers, will work to set up a meeting with family members and the student to discuss the incident, practice new skills, and sign a behavioral contract. This meeting is not required for the student to return to the general education setting.
- 2.) Second instance
  - a.) Upon the second instance, the student will spend the remainder of the day in behavioral support and will spend the following day in in-school suspension. The parents will be notified of the incident immediately via phone call and a letter will be sent home with the child. In both these settings the child will have access to grade-level instruction, but will not spend time with grade-level peers. Again, before the child returns to class, school staff, including teachers, will work to set up a meeting with family members and the student to discuss the incident, practice new skills, and revise the students behavioral contract. This meeting is not required for the student to return to the educational setting.
- 3.) Third instance
  - a.) Depending on the behavior, if it aligns to our Code of Conduct for suspendable offenses, the student may spend the following day in an in-school suspension, be given an administrative dismissal, or be given an Out-of-School suspension. As a critical note, an In-School Suspension, an Administrative Dismissal and an Out-of-School Suspension all count toward a student's cumulative suspension total. The parent will be notified immediately of the event via phone call and a letter will be sent home with the child. The school will ensure any instructional materials are sent home with the child. Again, before the child returns to class, school staff, including teachers, will work to set up a meeting with family members and the student to discuss the incident, practice new skills, and revise the students behavioral contract. This meeting is not required for the student to return to the educational setting.
- 4.) Fourth instance
  - a.) Depending on the behavior, if it aligns to our Code of Conduct for suspendable offenses, the student may spend the following day in an in-school suspension, be given an administrative dismissal, or be given an Out-of-School suspension. As a critical note, an In-School Suspension, an Administrative Dismissal and an Out-of-School Suspension all

count toward a student's cumulative suspension total. The parent will be notified immediately of the event via phone call and a letter will be sent home with the child. We will ensure any instructional materials the child will need are sent home with them. We will also continue to follow the parent notification procedures as listed in the previous instances.

5.) Further instances

- a.) Upon further instances of the same behavior, the student may be suspended in accordance with our Code of Conduct if the behavior is in fact a suspendable offense., depending on the severity of the incident. We will ensure any instructional materials the child will need are sent home with them. We will also continue to follow the parent notification procedures as listed in the previous instances.

While it is rare that a student's behavior in a remote setting will require significant discipline, these situations do occur. During remote learning, we will use the same check system that we use in-person. If a student receives three checks or becomes disruptive enough to the online learning environment that other students are unable to learn, the teacher may temporarily move the student to the zoom waiting room and will notify the student's parent. After a timeout of no more than 5 minutes, the student will be brought back into the zoom classroom and the expectations will be restated. If there are multiple incidents of a student's inability to participate in a zoom classroom without disrupting their peers the administration and classroom team will set up a meeting with the parents and plan interventions to support the student's ability to learn remotely alongside their peers. If the behavior causes or intends to cause emotional harm to other students, the student may be given an administrative dismissal from remote learning for the remainder of the day or suspended from remote learning for an escalating number of days, up to a maximum of 5 days. Administrative dismissals and suspensions from remote learning will follow the same protocol as for in person learning.

### Response to Intervention

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



# Response to Intervention

## Tier 3

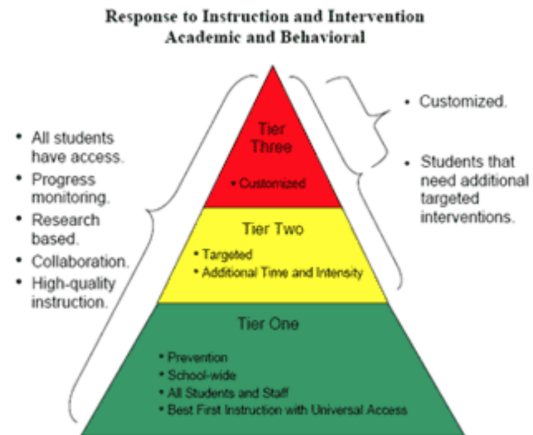
- Very Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 1-2 students

## Tier 2

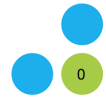
- Small targeted groups for a specific skill
- Usually lasts 6-8 weeks (3-5 lessons per week)
- 2-4 students

## Tier 1

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



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## **Middle School Academy (5th - 8th Grade)**

### **Student Culture Statement**

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

### **Off-Expectation Behaviors**

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

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

- While the student is on school grounds or traveling between school and home
- During school-sponsored activities and trips
- During all other school-related events
- Off of school grounds that result in substantial disruption to the learning environment
- While the student is participating in any and all virtual platforms and/or activities with any relation to Ingenuity Prep or its staff.

### *Responses to off-expectation behavior*

#### **Classroom Discipline Plan & Management Process**

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

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

While it is rare that a student's behavior in a remote setting will require significant discipline, these situations may occur. During remote learning we will use the same system that we use in-person. If a student receives three warnings (non-verbal, verbal and formal), or becomes disruptive enough to the online learning environment that other students are unable to learn, the teacher may temporarily move the student to a zoom breakout room and will notify the DeanTeam to provide behavioral intervention

and notify the student's parent. After a timeout of about 5 - 15 minutes, expectations will be restated and the student will be brought back into the zoom classroom. If there are multiple incidents of a student's inability to participate in a zoom classroom without disrupting their peers the administration and classroom team will set up a meeting with the parents and plan interventions to support the student's ability to work with their peers. If the behavior causes or intends to cause emotional harm to other students, the student may be given an administrative dismissal from remote learning for the remainder of the day or suspended from remote learning for an escalating number of days, up to a maximum of 5 days. Administrative dismissals and suspensions from remote learning will follow the same protocol as for in person learning.

If a student is disengaged for more than 5 minutes and does not communicate with the teacher and the teacher has multiple failed attempts to engage, the teacher will issue a formal warning, place the student in a breakout room in order for the DeanTeam to provide behavioral intervention and contact the student's parent. Virtual learning expectations will be restated and the student will be brought back into the zoom classroom. In the event this happens again in the same class the same steps above will be taken but the student will be asynchronous for the remainder of that block; not the day.

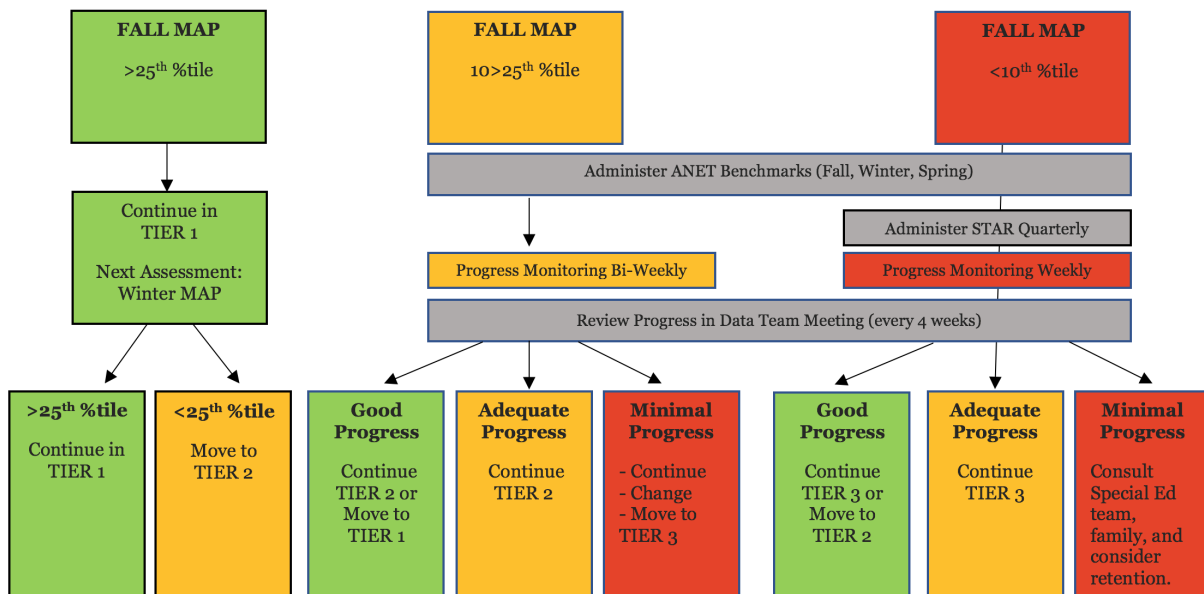
Category	Examples of Behavior	Response
<b>Repeated behavior or behavioral patterns</b>	Yelling Out of seat without permission Making disruptive non-verbal noises Repeated behaviors following a non-verbal Out of seat without permission Inappropriate Communication (ex: passing notes in class, side conversations)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

## Response to Intervention

Response to Instruction and Intervention (RTI<sup>2</sup>), which is the Middle School Academy's framework for teaching and learning that begins with high-quality, differentiated instruction throughout the day and emphasizes intervening with students when they first start to struggle to avoid prolonged academic difficulties.

Core instruction and grade-level expectations are delivered to all students through the Tier I instructional block. In fact, this is where students spend the majority of their day. RTI<sup>2</sup> also offers additional instruction with multiple entry and exit points based on students' needs: a student who is on grade level may receive high-quality Tier I instruction and enrichment; another student who is showing slight deficits in specific areas may receive targeted interventions through Tier II for a specific period of time; alternately, a student who has significant needs may receive extended, intensive interventions through Tier III.

**6-8 Academy RTI<sup>2</sup> flow:**



## **Discipline Of Students With Disabilities**

### **Purpose**

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

### **Legal Standard**

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

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

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

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

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

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

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



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

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

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

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

#### Emergency Hearing/Dangerousness

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

#### Notice to Parents

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

#### Restraints

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

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

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

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

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

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

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

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

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

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

## Suspension and Expulsion

Through proactive support of and engagement with students and families, Ingenuity Prep will seek to minimize the number of out-of-school suspensions and expulsions it administers. On the occasion a student *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person*, he/she may be suspended from the school for a specified number of days or expelled from the school for up to one calendar year.

Students may be suspended for:

- Bullying or cyberbullying, as defined in Ingenuity Prep's Bullying Policy;
- Bringing a weapon to school or a school event (including off-campus events);
- Intentionally injuring, attempting to injure, or threatening to injure another person or oneself;
- Unsafe behavior that causes concern for the physical or emotional safety of the individual student or others;
- Sexual harassment or sexual assault; or
- Any other behavior in which a student *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person*.

### *Short Term Suspension (applies to students in Kindergarten and above)*

For short-term suspensions (5 days or less) the decision to suspend a student shall be made by the Academy Principal or CAO with or without the recommendation of the student's teacher or other school employee only *after* an investigation is complete by the school leadership team and a hearing is conducted with the student and the student's family. The Academy Principal or CAO will determine the number of days for suspension based on the severity of the infraction, the age of the student, and previous infractions. The suspension shall become effective immediately unless otherwise stated.

Upon finalizing a decision for suspension, students and families will receive written notice from the school detailing the infraction, the consequence, the length of time for the consequence, and finally, the student's return date. While the student is out on suspension, the student is entitled to receive work that the school will provide. After three suspensions from school within the same school year for the same or different infractions, the student may be a candidate for expulsion.

Ingenuity Prep encourages (but does not require) a parent/guardian to attend a meeting with the Academy Principal or Administrative Designee before a student returns to school.

### *Long-Term Suspension and Expulsion (applies only to students in 6th grade and above)*

A student who *willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person* may be a candidate for long term suspension (6 days or more) or expulsion for up to one calendar year. The Academy Principal or CAO can recommend a determination of long-term suspension or expulsion.

*Note: Students in Kindergarten through 5th grade who exhibit these behaviors will receive a suspension lasting no longer than 5 days (a short-term suspension).*

Upon making the recommendation for a long-term suspension or expulsion, the family will be invited to participate in a hearing, with the Chief Academic Officer (or Administrative Designee) serving as the hearing officer, the Academy Principal, and any other school representative deemed necessary by the school, often the Dean of Students or School Culture Associate, so that the family, student, and school administration can better understand the incident and determine if a long-term suspension or expulsion is warranted. The family may have representatives (attorneys, mentors, family members) attend the hearing. This meeting is an opportunity for the student and family to engage in a dialogue about the incident in order to share all pertinent information about the incident and/or student's situation. The CAO, as the hearing officer, will make a final determination of the consequence. In the event that the CAO made the original recommendation of the long-term suspension or expulsion, the CEO will serve as the hearing officer.

Upon finalizing a decision for suspension or expulsion, students and families will receive written notice from the school detailing the infraction, the consequence, the length of time for the consequence, and finally, the student's return date. While the student is out on suspension, the student is entitled to receive work that the school will provide.

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

### *Appeals*

A parent/guardian may appeal the decision to suspend or expel a student by providing a written request for an appeal hearing to the CEO within 48 business hours of receiving notification of the suspension or expulsion. A hearing will be scheduled with the parent/guardian, the administrative designee who assigned the suspension or expulsion, the CAO, and the CEO. In the event that the CAO made the original recommendation of the long-term suspension or expulsion, the Chair of the Board of Trustees will serve as the hearing officer. Following the appeal hearing, the determination by the CEO (or Chair of Board of Trustees, if applicable) of the discipline decision is considered final.

### **Grievance Procedures**

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

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

### **What May Be Grieved**

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

### Who May Grieve

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

### *Other Remedies*

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

### *Informal Grievance*

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

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

### *Formal Grievance*

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

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

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

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

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

### Appeal of Grievance

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

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

### Prohibition Against Retaliation

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

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



## **APPENDIX J – Discipline Of Students With Disabilities**

### ***Purpose***

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

### ***Legal Standard***

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

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

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

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

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

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



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

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

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

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

### ***Emergency Hearing/Dangerousness***

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

### ***Notice to Parents***

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

### ***Restraints***

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

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to him/herself, to other students or to





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

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

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

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

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

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

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

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

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### ***Notice and Appeal of Suspension and Expulsion***

The decision to suspend or expel a student shall be made by the CEO or administrative designee and communicated to the parent/guardian in writing, in person, or over the phone. An electronic record of the suspension, accessible to parents, will be made within 12 hours of the decision. The student's parents/guardians have 48 hours from this electronic submission to challenge the suspension or expulsion by submitting to the Chair of the Board of Trustees, in writing, an appeal of the decision. During this time, the student will not be allowed to attend classes. A hearing will be held to respond to the appeal, with the parent/guardian, CEO or designee, and the administrator who issued the suspension decision with 72 business hours of the appeal request. The Chair of the Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 48 hours of the hearing. The decision of the Chair of the Board of Trustees in affirming or reversing the CEO's decision is final.

### ***Grievance Procedures***

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

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

### ***What May Be Grieved***

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

### ***Who May Grieve***

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

### ***Other Remedies***

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

### ***Informal Grievance***

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

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

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**Formal Grievance**

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

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

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

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

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

If the complaint involves a member of the school leadership or if the issue cannot be resolved between the complainant and the school leadership, a written complaint or appeal may be made to the Board Chair, Derrick Mashore, at [derrick.mashore@cbre.com](mailto:derrick.mashore@cbre.com).

**Appeal of Grievance**

If the grievant is not satisfied with the Response, the grievant may appeal in writing to the Chair of the Board of Trustees within thirty (30) days of the date of the Response summarizing the outcome of the investigation by emailing Derrick Mashore at [derrick.mashore@cbre.com](mailto:derrick.mashore@cbre.com). The written appeal must contain all written documentation from the initial grievance and the grievant's reasons for not accepting the Response. The appeal, in letter form, may be submitted to the CEO who will relay it to the Chair of the Board of Trustees.

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

**Prohibition Against Retaliation**

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

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

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## **APPENDIX N – USDA NONDISCRIMINATION POLICY**

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

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

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

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