



Discipline Policy

Definition of Discipline

The precise definition of the word “discipline” means to “teach”. Discipline is defined as providing a school focus and perspective for teaching children clear and precise guidelines for behavior. Through a partnership between the school and the family, the overall framework of discipline is developed providing continuity between home and school. The goal of the school discipline policy is to provide learned strategies that will support positive child and adult relationships and enhance the learning experiences of each child that can be carried into adult life. Discipline is administered on an individual basis.

Corporal Punishment

LEARN Charter School Network does not use corporal punishment as a means of discipline. Guardians will not be allowed to use corporate/physical punishment within any of our schools.

Social Emotional Learning (SEL)

As a Network, we develop our curriculum based upon the Common Core State Standards with specific goals for the development of social and emotional learning as well. The LEARN Social and Emotional Learning (SEL) standards are regarded as equally important in the development of students as the core concepts of math, literature, language, science and social science. Throughout the LEARN Network staff strive to achieve these goals for every student. The collective view of those involved, Social Emotional Learning is not a program or task, but rather a way of educating students, which enables them to reach their greatest potential.

LEARN DC Social and Emotional Learning goals are as follows:

- **Goal 1:** Develop self-awareness and self-management skills to achieve school and life success.
- **Goal 2:** Use social-awareness and interpersonal skills to establish and maintain positive relationships.
- **Goal 3:** Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

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GROUP 1 – Inappropriate Behaviors

INAPPROPRIATE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p>1-1 Running and/or making excessive noise in the hall or building</p> <p>1-2 Leaving the classroom without permission</p> <p>1-3 Engaging in any behavior that is disruptive to the orderly process of classroom instruction</p> <p>1-4 Loitering, or occupying an unauthorized place in the school or on school grounds</p> <p>1-5 Failing to attend class without a valid excuse</p> <p>1-6 Persistent tardiness to school or class (3 or more incidents per semester)</p> <p>1-7 Use of the LEARN network for the purpose of accessing non educational materials, such as games and other inappropriate materials¹</p> <p>1-8 Unauthorized use or possession of cellular telephones or other technology devices</p>	<ul style="list-style-type: none">• Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence• Recommended instructive, corrective, or restorative response• Detention – lunch, before school, after school, or Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention)

¹Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN network when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

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GROUP 2 – Disruptive Behaviors

DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p>2-1 Posting or distributing unauthorized written materials on school grounds</p> <p>2-2 Leaving the school without permission</p> <p>2-3 Interfering with school authorities and programs through walkouts or sit-ins</p> <p>2-4 Initiating or participating in any unacceptable physical actions</p> <p>2-5 Failing to abide by school rules and regulations not otherwise listed in the Student Code of Conduct</p> <p>2-6 Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive materials, or using such language or gestures</p> <p>2-7 Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco or nicotine products, matches, or cigarette lighters, including vaporizer devices that contain nicotine products or vaporizer components that do not contain substances</p> <p>2-8 Disregard for the instructions or direction of school personnel causing interruption to other students' participation in school activities</p> <p>2-9 Failing to provide proper identification</p> <p>2-10 Unauthorized use of school parking lots or other areas school, or Saturday</p> <p>2-11 Use of the LEARN network for the purposes of distributing or downloading non-educational material²</p>	<ul style="list-style-type: none">• Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence• Recommended instructive, corrective, or restorative response (See Guidelines for Effective Discipline)• Detention – lunch, before school, after school, Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention)

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GROUP 3 – Seriously Disruptive Behaviors

SERIOUSLY DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p>3-1 Disruptive behavior on the school bus³</p> <p>**3-2 Gambling – participating in games of chance or skill for money or things of value</p> <p>3-3 Fighting⁴ – physical contact between two people with intent to harm, but no injuries result</p> <p>3-4 Profane, obscene, indecent, and immoral or seriously offensive language and gestures, propositions, behavior, or harassment based on race, color, national origin or immigration status, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability⁵</p> <p>3-5 Second or more documented violation of a Group 1 or 2 behavior category⁶</p> <p>3-6 Any behavior not otherwise listed in Groups 1 through 3 of this Student Code of Conduct that seriously disrupts the educational process</p> <p>3-7 Forgery – false and fraudulent making or altering of a document or the use of such a document</p> <p>3-8 Plagiarizing, cheating, and/or copying the work of another student or other source</p> <p>3-9 Overt display of gang affiliation⁷</p> <p>3-10 Bullying behaviors – conduct directed towards a student, or retaliation against another person for reporting non-sexual conduct that can be reasonably predicted to cause fear of physical or mental harm, harm to property, and/or interfere with student’s ability to participate in school or school activities (see Anti-Bullying Policy for full definition before assigning an intervention or consequence)⁸</p>	<ul style="list-style-type: none"> • Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence • Recommended instructive, corrective, or restorative response (See Guidelines for Effective Discipline) • Detention – lunch, before school, after school, or Saturday (NOTE: denying a student recess may NOT be used as a consequence/intervention) • Skill-building in-school suspension up to three days • ADDITIONAL CONSEQUENCES AVAILABLE FOR REPEATED GROUP 3 INAPPROPRIATE BEHAVIOR • Skill-building in-school suspension, out-of school suspension, or combination in-school and out-of-school suspension up to three days • Out-of-school and in-school suspensions assigned to repeated 3-6 behavior must be approved by the LEARN CEO or designee. Out-of-school suspensions of three days or less may be used only if the student’s continuing presence in school would

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3-11 Use of cellular telephones or other information technology devise to harass, incite violence or interrupt other students’ participation in school activities, including use of device to record others without permission or unauthorized distribution of recordings which are not sexual in nature ^{9 10}	pose a threat to safety or a disruption to other students’ learning opportunities.
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** Behaviors marked with two asterisks indicate that the misconduct may be a violation of the law.

²Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN network when it has been established that the behavior has resulted in an unsafe learning environment or if other students’ access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible. ³In addition to other disciplinary actions, a student who engages in disruptive behavior on the school bus may be subject to suspension from bus service for a period to be determined by the school principal with review by CEO or designee. ⁴It is not an act of misconduct to defend oneself as provided by the law.

⁵ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX by the LEARN CEO or designee.

⁶For example, a student’s first time failing to provide proper identification would be recorded as a 2-9 behavior category and available consequences would include skill-building in-school suspension up to three days. A student’s second time failing to provide proper identification would be recorded as a 3-5 behavior category and available consequences would include skill-building in-school suspension up to three days. A student’s third time failing to provide proper identification would be recorded as a 3-5 behavior category, repeated Group 3 inappropriate behavior, and available consequences would include skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days.

⁷A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g. recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the character of the acts and the circumstances surrounding the misconduct. Repeated violations of Behavior 3-9 of the Student Code of Conduct may result in a referral for an expulsion hearing and should be submitted as Behavior 5-6. ⁸Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX by the LEARN CEO or designee.

⁹Students may be temporarily suspended from some or all LEARN network privileges for improper use of the LEARN network when it has been established that the behavior has resulted in an unsafe learning environment or if other students’ access to learning has been interrupted. LEARN network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible

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Manifestation

Manifestation Determinations

A manifestation determination review (MDR) must be conducted by the IEP team when: A scholar with a disability (IEP or 504), has been suspended in excess of 10 days during the school year or there has been a pattern of removals, as determined by the Law Department in consultation with school personnel; or LEARN initiates a referral for expulsion, including referrals requesting emergency assignment to an Interim Alternative Education Setting (IAES) pursuant to the SCC. Please note: a MDR should also be considered if the scholar does not have a 504 or IEP but the school has evidence to suspect a disability (i.e the scholar is in process of an evaluation).

MDR Process Checklist

- Inform Student Support Services Coordinator or Director of Student Support Services/SPED of the school's request to suspend a scholar with a disability beyond 10 days or to expel a student with a disability.
- Provide written notice to the parent/guardian of the disciplinary action within 24 hours. The notification shall include a copy of the procedural safeguards notice.
- Student's case manager documents the incident under "discipline process" with the Special Education Data System (SEDS), indicating the proposed action and outcome.
- Schedule the MDR conference, which must be held within 10 school days of the date of the decision to refer for expulsion hearing or to request an emergency assignment to an interim alternative educational setting, if appropriate and eligible.
- Provide the parent/guardian written notice at least 3 school days prior to the MDR being held, using the Letter of Invitation in SEDS. Indicate the purpose of this conference as:
 - Other:
 - Consider relatedness of disability to disciplinary code violation(s)
 - Consider the need for a FBA for the scholar
 - Review a need to create or revise a BIP for the scholar.
- Conduct the MDR conference.
- The parent/guardian, local school district representative, special education teacher, evaluation representative and any other relevant members of the IEP team must be present for and participate in the MDR. The "relevant members of the team" are determined by the parent/guardian and District Representative. At the MDR conference, the IEP team must:
 - Determine whether the misconduct is related to the scholar's disability by reviewing all current and relevant information, including evaluation and diagnostic results, information from the parent/guardian, observations of the scholar, and the scholar's IEP. The behavior is a manifestation of the scholar's disability if:
 - the conduct in question is caused by the scholar's disability or has a direct and substantial relationship to the scholar's disability;
 - the conduct in question is the direct result of the school's failure to implement the scholar's IEP.

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- The IEP team reviews, and revises if necessary, the scholar's existing BIP or initiates a FBA/BIP to address the misconduct. The FBA/BIP must address the behavior(s) which led to the disciplinary action. The child is returned to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

NOTE: If the parent/guardian does not attend the MDR meeting, the school may proceed with the meeting if the parent/guardian was provided proper notification of the meeting. Proper notification includes at least 3 out of the following: email, hand deliver, certified mail, and/or documented phone call.

The IEP team must provide a written narrative substantiating its determination and document this decision under the "discipline process" section in SEDS.

- If the scholar's behavior **is not** a manifestation of the disability, school officials may implement the SCC, taking into consideration the scholar's special education and disciplinary records. During periods of removal, the LEA shall provide services to a scholar with a disability if the scholar has been removed from his or her current placement for 10 school days or fewer in that school year, if it provides services to a scholar without disabilities who is similarly removed. In no event, however, may the scholar be suspended for more than 10 consecutive or cumulative school days in a school year without providing IEP services.
- If the scholar's behavior **is** a manifestation of the disability, a disciplinary change in placement (e.g. expulsion) cannot occur. The IEP team should also consider if there is a need for a reevaluation and/or revision of the IEP. Scholars with disabilities, even if expelled, must be provided with a FAPE in an alternative educational setting so as to enable the scholar to continue participating in the general education curriculum and to progress toward meeting the goals set out in the scholar's IEP.

Interim Alternative Educational Settings

Interim Alternative Educational Setting is an educational setting and program other than the scholar's current placement at LEARN that provides the scholar with a free and appropriate public education.

Scholars with disabilities may be placed in an interim alternative educational setting for a maximum of 45 school days, even in instances where the scholar's misconduct is ultimately determined to be a manifestation of his or her disability. Scholars with disabilities may be referred for emergency assignment when in possession of weapons or drugs, or for inflicting serious bodily injury on another person while on school grounds or at a school-sponsored event. The parent or legal guardian may request a due process hearing to challenge the emergency assignment.

A scholar in an interim alternative school setting still must receive services as defined in their individualized education plans.

Suspension and Expulsion

Suspension Guidelines

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Students in grades pre-kindergarten through second may NOT be assigned in-school or out-of-school suspensions. If a student in pre-kindergarten through second grade exhibits behavior that presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff, the LEARN CEO or designee may grant an exception and assign an emergency one-day in-school or out-of-school suspension after the student's parent/guardian has been notified. During the suspension, the principal or designee must develop a plan addressing the safety of students/staff and including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs.

Skill-Building In-School Suspension

A skill-building in-school suspension is the removal of a student from his/her regular educational schedule for more than 60 minutes of the school day to an alternative supervised setting inside the school building to engage in structured activities that develop academic, social, emotional, and/or behavioral skills.

A student in grades three through eight may be assigned a skill-building in-school suspension if:

1. Skill-building in-school suspension is listed as an available consequence for the SCC behavior category, and
2. The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
3. A copy of the misconduct report (generated in the student information system) was provided to the student's parents/guardians.

Out-of-School Suspension

An out-of-school suspension is the removal of the student from class attendance or school attendance. When a student is removed from school in response to an inappropriate behavior, the removal counts as the first day of an out-of-school suspension.

A student in grades three through eight may be assigned an out-of-school suspension if:

- Out-of-school suspension is listed as an available consequence for the SCC behavior category, and
- The principal or designee determines that the student's attendance at school presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff and this threat is documented in the District student information system, or
- The principal or designee determines that the student's behavior has caused chronic or extreme interruption to other students' participation in school activities and prior interventions have been utilized and documented in the District student information system, and
- The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
- A copy of the misconduct report (generated in the District student information system) was provided to the student's parents/guardians.

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A student serving out-of-school suspension is not allowed to come onto school property, participate in extracurricular activities, or attend school-sponsored events. A student may be considered trespassing if he or she comes onto school grounds while suspended out of school. Out-of-school suspensions are excused absences. The principal must ensure that a student serving suspension is able to obtain homework, and upon the student's return, provided with the opportunity to make up any quizzes, tests, special projects, or final exams given during the period of suspension.

A student serving suspension must be allowed to take state assessments at school and may participate in test preparation activities with CEO approval. The student's attendance will still be marked as suspended. The CEO must approve any other exception to the out-of-school suspension guidelines. If approved by the CEO's designee, a student suspended for more than three (3) days may be required to attend a LEARN Network approved program during the term of suspension.

EXPULSION HEARING AND EMERGENCY ASSIGNMENT GUIDELINES

Request for Expulsion Hearing

- Expulsion is the removal of a student from school for 11 or more consecutive days, up to a maximum of two calendar years.
- If a student's inappropriate behavior falls within Group 5 of the SCC, a LEARN principal *may* request an expulsion hearing for the student. A LEARN principal may also request assignment to an intervention program.
- If a student's inappropriate behavior falls within Group 6 of the SCC, the incident will be referred for review by the LEARN CEO or designee for a student 6th through 8th grade or for any student violating section 6-1; a school principal *may* request an expulsion hearing for a student committing any other Group 6 behavior.
- The LEARN CEO or designee will consult with LEARN's counsel to review the expulsion hearing request and determine whether to refer the student to the LEARN Board for an expulsion hearing, assign the student to an intervention program, or refer the student back to the school for intervention/support.

Expulsion Hearing Procedures

- The LEARN DC Board will schedule expulsion hearings and send parents/guardians a notice letter. The notice will provide a description of the incident, the date of the incident, the Student Code of Conduct (SCC) inappropriate behavior code(s), and the place, time and date for the expulsion hearing. The notice will be sent by registered or certified mail, or by personal delivery.
- Before the hearing, the LEARN DC principal will be responsible for assisting counsel for LEARN and the LEARN Board by identifying witnesses and relevant documents and reviewing all documentation regarding the incident to ensure it is complete, accurate and properly written.

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- The hearing will be conducted before an independent hearing officer. The LEARN Chief Executive Officer's representatives will call witnesses to testify and introduce documents regarding the incident. The student may also call witnesses to testify and introduce documents regarding the incident.

Expulsion Final Determination

- After the hearing, the hearing officer will make a recommendation for intervention or discipline, up to expulsion for a set term of two calendar years.
- The hearing officer's recommendation may be modified on a case-by-case basis by the LEARN Chief Executive Officer or designee.
- If a student is expelled, alternative program placement may be offered for the period of the expulsion. The hearing officer may recommend that the student attend an intervention program in lieu of expulsion. A recommendation to intervene is subject to approval by the LEARN Chief Executive Officer or designee. A student who is recommended for participation in the intervention program in lieu of expulsion but who fails to successfully complete the program shall be expelled.
- During a term of expulsion, students may not participate in extracurricular activities or school-sponsored events, with the exception of activities or events sponsored by the student's alternative program.

Attendance Policy

Student Attendance

Students are encouraged to attend class every day. LEARN DC's school calendar provides 182 days of instruction. A full-day of attendance for students in grades 1st grade through 8th must be a minimum of six hours.

Depending on inclement weather, LEARN DC may need to make up instructional hours to meet the 180 day requirement. If a late start or early dismissal is required due to extreme circumstances, the day must contain at least six hours to be considered an instructional day.

Early Dismissal

LEARN discourages early dismissals. However, in the event this is necessary, families should communicate with the office and the child's teacher in writing. Only adults who are listed in the school's records as being authorized will be allowed to take students from the school in these cases. Students leaving school early must be signed out in the front office.

Absences

LEARN D.C. requires that parent(s)/guardian(s) ensure that their children, once enrolled, attend school regularly and notify the school of absences. LEARN D.C. adheres to the District of Columbia Municipal Regulations in determining excused absences. Valid causes include:

- Illness or other bona fide medical cause experienced by student,

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- Exclusion, by direction of the authorities of the District of Columbia, due to quarantine, contagious disease, infection, infestation, or other condition requiring separation from other students for medical or health reasons,
- Observance of a religious holiday,
- Death in the family,
- Necessity for a student to attend judiciary or administrative proceedings as a party to the action or under subpoena,
- Lawful suspension or exclusion from school by school authorities,
- Temporary closing of facilities or suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other condition(s) or emergency requiring a school closing or suspension of classes;
- Failure of the District of Columbia to provide transportation in cases where the District of Columbia has a legal responsibility for the transportation of the student;
- Medical or dental appointments for the student;
- Absences to allow students to visit their parent or a legal guardian, who is in the military; immediately before, during, or after deployment, and
- An emergency or other circumstances approved by LEARN DC.

Guardians must call the school office as soon as possible to inform the school of an absence. Should guardians fail to call in advance they must provide a valid excuse for an absence no more than five (5) days upon the student's return to school, otherwise the absence will be unexcused. Any student who is absent more than five consecutive or non-consecutive days may be required to provide a physician's excuse.

In the case of an unreported absence, the school will make a reasonable effort to call the parent/guardian on the telephone numbers provided at registration within the first two hours of the student's school day.

Students who are absent because of the observance of a religious holiday are excused provided the parent or guardian has been given five (5) days advance notice of the student's intended absence to the building principal. A written excuse upon return to school following a religious observance absence that was prearranged is not required. All students who are absent from school due to the observance of a religious holiday have an equal opportunity to make up any school work requirements, including exams, missed due to the absence.

Tardies

Any student who arrives after the start of the school day at the school is considered tardy. Students are expected to arrive at class on time. Medical appointments and funeral attendance are valid reasons for excused tardiness. Guardians are expected to notify the school office if a student is arriving late, either with a phone call, a written note, or by accompanying the student to the office to sign in.

Early Drop-Off

Supervision will not be provided for LEARN DC students until 8:00 a.m. or earlier if determined by the site administrator. LEARN DC bears **NO RESPONSIBILITY** for students who are dropped off before that time.

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Late Drop-Off

Guardians are expected to drop off students on time. Guardians will **not** be allowed to drop students off at school after 1:00 PM unless approved by the Principal. Late drop off significantly impacts the classroom environment. Please bring your student to school on time.

Late Pick-Ups

Guardians are expected to pick students up on time. Students not picked up after dismissal will be waiting for pick-up in a designated area of the school. LEARN D.C. reserves its right to enforce appropriate consequences if late pick-ups become a chronic problem.

Truancy

Once enrolled at LEARN, regular attendance at school is expected. Guardians are responsible for their child's regular school attendance. Students who are truant will be referred to appropriate District of Columbia agencies under the following circumstances:

- students ages five (5) through thirteen (13) will be referred to the Child and Family Services Agency no later than two (2) business days after the accrual of ten (10) unexcused absences within a school year; and
- students ages fourteen (14) through seventeen (17) will be referred to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of Attorney General Juvenile Section no later than two (2) business days after the accrual of fifteen (15) unexcused absences within a school year.

Grievance Procedures

Procedures for Addressing Violations of Non-Discrimination, Harassment or Anti-Bullying Policy

- A. Upon receipt of a report that a violation has occurred, LEARN D.C. will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation within seven (7) calendar days of the report of the violation. Appropriate actions may include but are not limited to counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, termination, discharge or other recourse.
 - a. Any action taken by LEARN for violation of the Non-Discrimination, Harassment, and the Anti-Bullying Policy shall be consistent with the requirements of state and federal law and LEARN D.C. policies for violations of a similar nature or similar degree of severity. In addition to applying the Student Code of Conduct where appropriate, in determining what is an appropriate response to a finding that violation of any one of these policies has occurred, the LEARN D.C. shall consider:
 - i. what response is most likely to end any ongoing harassment;
 - ii. whether a particular response is likely to deter similar future conduct by the

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- harasser or others;
- iii. the amount and kind of harm suffered by the victim of the harassment;
- iv. the identity of the party who engaged in the harassing conduct; and,
- v. whether the harassment was engaged in by school personnel, and if so, the LEARN D.C. will also consider how it can best remediate the effects of the harassment.
- b. The LEARN D.C. will provide the parties written notice of a range of potential remedies and sanctions (apology; written warning; written reprimand; prohibition from holding office or participating in student activities, including sports; recommended counseling; required training; termination or other remedies). This may include services separate from or in addition to interim measures offered at the time the Complainant reported the harassment even if originally declined.
- c. In the event that the evidence suggests that the harassment at issue is also a crime that violates criminal law, LEARN will apply the Student Code of Conduct and rules for police notification and mandatory reporting.
- B. To the extent the LEARN D.C. can do so while respecting the privacy rights of the individuals involved, including the duty of confidentiality under FERPA, the Complaint Manager shall inform the parties of any action taken in response to the complaint.
- C. Due process for a determination that a LEARN student has been engaged in unlawful harassment or bullying is governed by the Student Code of Conduct below.
 - a. If the results of the LEARN D.C.'s evaluation of a complaint of harassment results in a conclusion that an individual has engaged in unlawful harassment in violation of this policy, or that school personnel have failed to report harassment as required herein, that individual may appeal this determination by use of established Board procedures for appealing other adverse personnel and/or education related actions.
 - b. A written appeal to the Board may be requested by either party within three (3) days from receipt of the written report. If an appeal reaches the Board, the LEARN D.C. hearing officer shall conduct a hearing within ten (10) days of receipt of the appeal and make a written report to the Board summarizing the evidence heard at the hearing within ten (10) days of the hearing. If the procedures allow the parties access to information used at a hearing, the LEARN D.C. will provide similar and timely access to both parties. With respect to the hearing, the LEARN D.C. will provide equal opportunity to both parties and apply equal restrictions to ability of lawyers/representatives to speak or otherwise participate (or equally permit 3rd party expert testimony; equal cross examination on witnesses; equally present for the entirety of a hearing).
 - c. With respect to hearings pertaining to sexual assault: the LEARN D.C. must not require a complainant to be present at the hearing as prerequisite to proceed. The LEARN D.C. does not allow parties to personally question or cross-examine each other during a

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hearing. However, the complainant and accused will have equal opportunity to present relevant witnesses and other evidence. The complainant and the accused will have similar and timely access to any information that will be used in a hearing. The complainant and the accused shall have the right to present witnesses, subject to the right of cross examination by the hearing officer. The LEARN D.C. does not allow evidence of past relationships with anyone other than the alleged perpetrator.

- d. Upon receipt of the written report from the hearing officer, the Board may take action, as it finds appropriate. The LEARN Board will take action within thirty (30) days of receipt of the hearing officer's report.
- D. Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained by the LEARN D.C. for at least five (5) years. The Nondiscrimination Coordinator shall be responsible for maintaining these records in a secure location.
- E. Submission of a good faith complaint or report of harassment will not affect the complainant or reporter's future employment, grades, learning or working environment or work assignments. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

Decision and Appeal

After receipt of the Complaint Manager's report, the LEARN CEO shall render a written decision which shall be provided to both parties. "If the Complainant is not satisfied with the decision, the Complainant may appeal to the LEARN Board by making a written request to the Complaint Manager, LEARN DC Board Member Maya Martin (phone number 202-677-9412, email address maya.martincadogan@dcpave.org). The Complaint Manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the LEARN Board. Thereafter, the LEARN Board shall render a written decision that shall be provided to the Complainant. This grievance procedure shall not be construed to create an independent right to a LEARN Board hearing.

LEGAL REFERENCES:

Title IV of the Civil Rights Act of 1964.

Section 504 of the Rehabilitation Act of 1973 (Section 504).

Title II of the Americans with Disabilities Act of 1990.

Title IX of Education Amendments of 1972, 20 U.S.C. § 1681.

34 C.F.R. Part 106.

Davis v. Monroe County Board, 119 S.Ct. 1661 (1999).

Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).

Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).

A PROUD MEMBER *of the* COLLEGE PREP NETWORK

100 Duncan Avenue SW • Washington, DC 20032

learncharter.org • learn-dc@learncharter.org

202.949.0930

Non-Discrimination Policy

LEARN D.C. provides equal educational opportunities to all students without regard to race, color, national origin, immigration status, age, sex, sexual orientation, gender identity or expression, personal appearance, marital status, ethnicity, religious beliefs, disability, family responsibilities, political affiliation, familial status, source of income. No individual shall be denied access to programs, activities, services, or benefits on the basis of these characteristics.

Title IX Coordinator sking@learncharter.org or 504 Coordinator: Alecia Ritzema @ aritzema@learncharter.org.

FERPA Notice

FERPA is a federal law that protects the privacy interests of students. It affords parents the right to access and access and amend their children's education records and gives them some control over the disclosure of the information in these records. FERPA generally prevents an education agency or institution from sharing student records, or personally identifiable information in these records, without the written consent of a parent.

The term "education records" is broadly defined to mean those records that are: (1) directly related to a student, and (2) maintained by an educational agency or institution or by a party acting for the 1 agency or institution. See 34 CFR § 99.3.

The term "school official" means a person employed by LEARN in an administrative, counseling, supervisory, academic, support services, or research position, or a support person to these positions, including any LEARN teacher, principal, officer, director, board member, counselor, attorney, accountant, human resources professional, information systems specialist, and support or clerical personnel.

The term "legitimate educational interest" means that the information requested is:

- necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement;
- to be used within the context of official school business and not for purposes extraneous to the official's areas of responsibility or to the school;
- relevant to the accomplishment of some task or to a determination about a student; and
- to be used consistently with the purposes for which the data are maintained.

At the elementary or secondary level, a student's health records, including immunization records, maintained by an educational agency or institution are subject to FERPA. Schools are permitted to disclose a student's health and medical information and other "education records" to teachers and other school officials, without written consent, if these school officials have "legitimate educational interests" in accordance with school policy. See 34 CFR § 99.31(a)(1). Another exception permits the disclosure of education records, without consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals. See 34 CFR §§ 99.31(a)(10) and 99.36. LEARN fully complies with FERPA. The LEARN D.C. notes, however, if a complaint requests anonymity and does not agree to release of information, the LEARN D.C. may be limited in its ability to respond to the complaint (including pursuing discipline against the accused) or the LEARN D.C. must override a request for confidentiality to address the complaint. The LEARN D.C. will evaluate a request for confidentiality in the context of its responsibility to provide a safe and nondiscriminatory environment for all students, and may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been

other harassment complaints about the same individual; and the alleged harasser rights to receive information about the allegations if the information is maintained by the school as an “education record” under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15. The Complaint Manager is responsible for evaluating requests for confidentiality.

Directory Information

The LEARN D.C. has designated the following as "Directory Information:" the student's name, address, email address, grade level, date and place of birth, telephone number, and his/her Guardians' names, mailing addresses, email addresses, telephone numbers, and Facebook profile name and other social media handles (such as Twitter and Instagram); participation in officially recognized activities and sports, awards and honors received, photographs and videos of students participating in school or school-sponsored activities that have appeared in school publications, and dates of attendance. Student social security number or student identification or unique student identifier will not be designated as Directory Information.

The LEARN D.C. may disclose Directory Information from time to time to the general public, including to military recruiters, the media, colleges and universities, and prospective employers. In addition, the LEARN D.C. may reach out to Guardians to inform them of, and/or connect them with opportunities to advocate for educational issues that impact their student and the LEARN D.C. The LEARN D.C. may release Directory Information, namely parent names and contact information (mailing addresses, email addresses, and telephone numbers), to contractors and partners involved in those efforts. The LEARN D.C. does not engage directly in any electoral activities, including to support or oppose any political party or candidate for public office, or otherwise engage in activities not permissible for a 501(c)(3) organization.

Guardians can object to the release of Directory Information regarding their students. Please contact the school office within 10 days of provision of this notice if you do not wish for your student's Directory Information to be released.

Admission Preference

In line with our campus's mission to connect the Joint Base Anacostia-Bolling community with the surrounding neighborhoods, LEARN DC is authorized to give preferential lottery status to the children of active duty members of the US Uniformed Services for up to 50% of our available seats. Military preference in our lottery may be claimed at the time of application by indicating your military affiliation. In order to accommodate families who leave Washington DC beyond the end of the current school year but will regain DC residency by the start of the next school year, LEARN DC will give preferential application status to any applicant who indicated their intent to return to LEARN DC at the time they withdrew from LEARN. This preference can only be claimed by students who were Washington DC residents enrolled at LEARN DC during the school year prior to the year applied for.

Re-Enrollment

To re-enroll for the upcoming school year, you must provide the following documentation:

- DC Residency Verification Form (DCRV)
- Updated medical and dental information, including immunization records
- School Fee, if applicable

- LEARN forms

A staff person will contact the family if additional information is needed. *Falsification of any documentation can lead to disqualifying your child.*