

E.L. Haynes Discipline Policy (applies to all three campuses)

E.L. Haynes is committed to a thoughtful, fair, transparent, and timely discipline process that honors our commitment to the safety, support, and well-being of our entire community. Haynes uses a positive discipline approach in which rules and expectations are explicitly taught, modeled, and practiced on an ongoing basis, and consequences for breaking rules and agreements are administered calmly. Whenever possible, consequences are logical and relevant. Staff members treat students respectfully in all situations.

Our response to infractions are in alignment with the Student Fair Access to School Act of 2018, as well as the principles of Responsive Classroom, Developmental Designs, and Restorative Practices. By using these approaches, the focus is placed on resolving conflicts and disruptions to the school environment in a way that provides growth and understanding.

Our approach supports the adoption of a continuum of interventions, where behavioral interventions begin proactively and move along a continuum based on the circumstances surrounding the infraction. Our interventions and our emphasis on restorative practices seek to achieve the following:

- An acknowledgment that relationships are central to the building of the school community;
- A focus on harm done rather than rules broken;
- Give voice to the community member who has been harmed;
- Engage students in collaborative problem solving;
- Empower change and growth for all involved; and,
- Enhance responsibility for actions and attitudes for all involved.

Our goal is to ensure that interventions and consequences are (*adapted from Responsive Classroom and Developmental Designs approaches*):

- Relevant: related to the issue;
- Realistic: doable and productive;
- Respectful: without sarcasm or an “edge”; and,
- Repair: focus is on how the student can make it right.

RESTORATIVE PRACTICES

Restorative practices are prevention strategies to help increase social emotional strength, a sense of belonging, and a culture of caring in our school. Using restorative practices proactively builds a sense of community through the development of relationships which can result in fewer, more elaborate interventions later. When we speak of restorative practices we should keep in mind the notion of ‘making things better,’ which is our stated goal for students, for families, and the greater school community. Restorative practices help us to understand the root causes of a particular behavior and what led up to the behavior so that it can be addressed in a more empathetic way. Haynes believes that decisions are best made and conflicts are best resolved by those most directly involved. The goal is to work with community members to come to a solution, fix the problem, restore harm, foster understanding, and adjust behavior.

A restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

What happened?

- Who was harmed or affected by the behavior?
- What needs to be done to make things right?
- How can people behave differently in the future?

When used as a system of interventions to address inappropriate student behavior, restorative practices empower community members to take responsibility for the well-being of others, prevent or deal with conflict before it escalates, and address underlying factors that lead to engaging in inappropriate behavior. These sets of interventions build resilience, increase the pro-social skills of students, and provide our students with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the greatest extent possible.

Through Restorative Practices, members of our school community will:

- Have an opportunity to be heard;
- Understand the greater impact of one's actions;
- Learn to take responsibility;
- Repair the harm one's actions may have caused;
- Recognize one's role in maintaining a safe school environment;
- Build upon and expand on personal relationships in the school community; and,
- Recognize one's role as a positive, contributing member of the school community.

SUPPORTS AND INTERVENTIONS

To promote positive behavior, Haynes provides a range of prevention and intervention support services for students during and/or after school hours throughout the school year. Support and interventions are an integral part of a comprehensive response to proactive discipline. When used consistently and appropriately, interventions help improve student behavior, lower the incidence of repeated misbehavior, and contribute to a more positive school environment. Support services may include any of the interventions or a combination of services that best meet the needs of individual students. In order to reduce the amount of time students spend out of class following a discipline issue, responses to behavior, to the extent possible, are logical and relevant.

The chart below represents our intervention continuum, which provides a snapshot of our supports and interventions. The chart below provides a snapshot of our list of supports and interventions. In-depth disciplinary responses are detailed in the Tiers of Discipline section.



INTERVENTION CONTINUUM		
<i>Informal</i> ----- <i>Formal</i>		
Proactive Interventions	Responsive Interventions	Intensive Interventions Determined by Leadership Team and Dean of Culture
<ul style="list-style-type: none"> • Notice • Non-Verbal Cues • Affective Statements • Affective Questions • Empowering Language (Reinforcing Reminding, Directing, Redirecting, Reflecting) • Lightening Quick Public Correction • Anonymous Group Correction • Private Individual Correction • Remodel Routines • Loss of Privilege / Seat Change • Fix It or Redo It on the Spot • Quick Impromptu Problem Solving Conversation Inside or Outside the Classroom • Relationship Building Conference (outside classroom - lunch, morning, after lunch, office hours, sporting event) • Restorative Circle for Class • TAB or TAB OUT • Parent / Guardian Phone Call • Confiscation of electronic device • Parent / Teacher Meeting 	<ul style="list-style-type: none"> • Logistical / Natural Consequence • Office Hours / Reflection with Teacher • Lunch Reflection • Buddy Classroom • TAB OUT with Administrator • Full Problem Solving Conference with Parent led by Teacher • Conspiracy of Care Meeting (formal way to problem solve with colleagues) • Classroom Circle • Peer Court Referral • Behavior Contract • Wellness Referral • Short Term Progress Report • Individual Behavior Agreement • Completion of Restorative Disposition Assignment (i.e., reflection or project) • Restorative Meeting (conducted by colleague close to student or by Dean of Culture) 	<ul style="list-style-type: none"> • Peer Court Referral • Formal Conference • Behavior Contract • Home Visit • FAB (Functional Behavior Assessment) • BIP Meeting / Review (Behavior Intervention Plan) • IEP Meeting / Review (Individualized Education Plan) • Alternative Placement • Suspension • Re-Entry Meeting • Student Judicial Committee Hearing (SJC) • Family Decision Meeting • Expulsion Hearing • Expulsion
<p><i>*This list is by no means exhaustive.</i></p>		



Restorative Practices and Logical Consequences at the Elementary School

Our restorative practices approach follows our commitment to ensuring developmentally appropriate practices at every stage. In our elementary school, our school climate and approach to discipline is based on Responsive Classroom model, and our interventions are adjusted to account for the students' developmental level.

At the start of every school year, students in the elementary school are involved in making classroom rules with their teachers and are expected to follow all classroom and school rules. In keeping with Responsive Classroom, there are logical consequences when students do not follow rules. Logical consequences help students learn from their mistakes through relevant responses to misbehavior.

Logical consequences include:

- **Reset and Buddy Class:** Reset allows students to think about the rules and their importance to the classroom and the school community. Resetting is not considered punishment, but rather provides time away from classroom activities in order for the student to regain their composure or productive frame of mind. Thus, all students will likely use reset during the school year. When a student uses reset repeatedly in the same day, does not use reset successfully or uses reset multiple times for the same reason, a teacher may choose to have the student spend time in a buddy class. This time away from the classroom gives the student an opportunity to reflect on their behavior in the class and the importance of classroom rules. If a buddy class is needed, the teacher often will escort the student or have a peer escort them or check that they have made it to the buddy classroom successfully.
- **Problem-Solving Conference:** A problem-solving conference is a strategy for addressing a persistent problem that one student is having. In a problem-solving conference, the teacher builds an alliance with the student to solve a problem. The teacher opens up discussion with the child, listens to their perspective, and makes the problem a mutual issue. The teacher and student then together identify a likely cause of the problem and together decide how to address it moving forward.
- **Community Meeting:** The purpose of a community meeting is to enable a group to solve a problem while keeping the classroom rules front and center, sharing information, and using reasoned thinking. Community meetings follow a specific, preset protocol designed to give all group members an opportunity to describe their understanding of the problem and an equal say in how to solve it. The protocol encourages listening, compromise, collective problem solving and respect for everyone's needs and desires.
- **Loss of Privileges:** Loss of privileges for a specific amount of time reminds students that privileges come with expectations. For example, a student who chooses not to handle a material safely in accordance with the classroom expectations that they already know, may not be allowed to use the material again until they have demonstrated their knowledge of using the material safely.

- **“You Broke It, You Fix It”:** “You Broke It, You Fix It” shows students that their actions are important. For example, a student who writes on a table may be asked to clean all the tables. A student who hurts another student’s feelings may be asked to write a letter of apology to that student or participate in mediation with the other student. Students are encouraged to suggest their own reparation if a classmate has hurt their feelings, or they have treated school resources inappropriately.
- **Problem Solving Center:** If a student exhibits repeated or highly unsafe, unkind or disruptive behavior, they may be referred by a teacher to the Problem Solving Center where they will spend more significant time away from their classroom community reflecting on their actions and conferencing with a school administrator. Students will be welcomed back into the classroom community once they have demonstrated through their behavior that they are ready to meet classroom expectations and have identified what they will do differently to prevent similar incidents from happening again in the future.

Our community encourages the use of nonviolent conflict resolution strategies and students are expected to use those conflict resolution strategies to diffuse and/or resolve disputes in a nonviolent manner. In most instances, students will receive one of the above logical consequences for misbehavior based on the Responsive Classroom model. In cases where a student engages in extreme behavior, such as physical incidents or incidents of bullying/harassment that lead to significant physical, mental, and/or emotional harm a family conference may be scheduled as well as out of school suspension and/or expulsion if deemed appropriate.

E.L. HAYNES CODE OF CONDUCT

At E.L. Haynes, we ensure our approach to discipline is explicitly oriented towards creating positive interactions, focusing on recognizing and replicating positive choices in order to create a safe, positive and focused learning environment. Along with this, it is essential that we communicate and support a fair and consistent Code of Conduct so that students know what is expected of them at all times. Outlined below are those actions or inactions that interfere with the delivery of educational services, jeopardize the health, safety, and well-being of any member of the school community, or threaten the integrity and stability of the school itself.

The Dean of Culture, with the support of the Principal, will use their professional judgment in determining which disciplinary action(s) will be most effective in dealing with the student’s misconduct, taking into account the following factors:

- The student’s age and maturity level;
- The nature and seriousness of the behavior and the circumstance/context in which the behavior occurred;
- The student’s previous documented behavior and/or disciplinary record;
- The effectiveness of other forms of discipline;
- Information from parents/guardians, teachers, and others, as appropriate;
- The Student Individualized Education Plan (IEP), Behavioral Intervention Plan (BIP), and/or 504 Plan, if applicable; and,
- Other relevant factors.



In instances where an infraction falls within multiple tiers, it is within the discretion of the Dean of Culture and Principal, to determine the tier response for that infraction. Similarly, in instances where the behavior may not be clearly listed as a disciplinary infraction, it is within the discretion of the Dean of Culture and Principal to determine the tier response.

Participation in extracurricular activities, school functions, sports, or graduation exercises may be denied where it is necessary to maintain the order and integrity of the school environment.

TIERS OF DISCIPLINE

The Code of Conduct consists of 5 levels of infractions with corresponding supports, interventions, and/or disciplinary consequences. The levels range from minor infractions to major breaches of Haynes safety, security, and/or policies. The behaviors set forth below are not exhaustive but provide examples of violations of the Code of Conduct that may result in disciplinary consequences. The list may be modified from time to time and/or supplemented by Haynes staff upon notice to students and families.

When a student does not meet behavioral expectations, clear and consistent disciplinary action will ensue, and other consequences as further described below.

Tier 1	
These behaviors and interventions are solely addressed and implemented by classroom staff, focused on the promotion of positive behavior that allows students to be their best selves. When implemented correctly, no additional disciplinary action is required.	
Behavior	Behavioral Response
<ul style="list-style-type: none"> • Needs support in following classroom or school procedures • Lateness to class • Attending class without materials or assigned work • Minor disruption that interferes with classroom teaching and learning • Brief verbal or physical outburst or loss of control • Communication with staff and/or peers that is not kind, helpful or respectful • Excessive noise in the classroom, hall or building • Irresponsible cell phone usage • Behavior that indicates disengagement from classroom learning • Leaving classroom without permission • Non-compliance with mask policy • Eating in class • Using computer or technology equipment without permission 	<ul style="list-style-type: none"> • Verbal Notice • Non-Verbal Cues • Affective Statements • Affective Questions • Empowering Language (Reinforcing, Reminding, Directing, Redirecting, Reflecting) • Positive Group Correction • Anonymous Group Correction • Lightening quick Public Correction • Private Individual Correction • Remodel Routines • Loss of Privilege • Seat Change • Fix it on the Spot • Quick Impromptu Problem Solving Conversation Inside or Outside the Classroom • Relationship Building Conference (outside classroom - lunch, morning, after lunch, office hours, sporting event) • TAB or TAB OUT • Parent/Guardian Phone Call • Parent/Teacher Meeting • Logical/Natural consequences • Confiscation of electronic device



Tier 2	
<p>These interventions and behaviors are addressed and implemented by classroom staff with possible assistance from the Wellness Team and/or Dean of Culture</p>	
Behavior	Behavior Response
<ul style="list-style-type: none"> ● Leaving classroom or group without permission ● Persistent refusal to comply with instructions or rules, including profanity and/or offensive gestures ● Inappropriate or disruptive physical contact between students ● Skipping class ● Engaging in behavior that may cause harm to self or others (i.e. horseplay) ● Using or throwing objects in an unsafe manner ● Unauthorized presence in hallway ● Academic dishonesty and/or plagiarism ● Documented Pattern of Persistent Tier 1 Behavior 	<ul style="list-style-type: none"> ● Implement Tier 1 responses ● Office Hours/Reflection with Teacher ● Full Problem-Solving Conference with Parent led by Teacher ● Written Reflection ● Family contact ● TAB OUT with Admin ● Conspiracy of Care Meeting (formal way to problem solve with colleagues) ● Classroom Circle ● Peer Court Referral ● Behavior Contract ● Wellness Referral ● Short-Term Progress Report ● Individual Behavior Agreement ● Restorative Meeting (conducted by colleague close to student or by Dean of Culture)

Tier 3	
<p>These behaviors represent frequent and/or consistent disruption to the learning environment and safety of the community. These interventions and behaviors are addressed and implemented predominantly by the Wellness Team and Dean of Culture with possible support from classroom staff. These behaviors create a negative relationship between two or more people that does not result in physical harm.</p>	
Behavior	Behavior Response
<ul style="list-style-type: none"> ● Leaving campus without permission ● Pushing, hitting, kicking where there is no physical harm or weapon used ● Gambling ● Verbal, written, or physical threat to person or property (including social media posts) ● Throwing or using objects in a way that could cause injury ● Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight 	<ul style="list-style-type: none"> ● Parent Outreach ● Lunch Reflection ● Restorative Meeting (conducted by colleague, Dean of Culture) ● Family Meeting ● Behavior Contract ● Peer Court Referral ● Wellness referral ● Short-Term Progress Report ● Individual Behavior Agreement ● Completion of a Restorative Assignment or Plan facilitated by teacher



Tier 4

These behaviors represent serious, frequent, and/or harmful disruption to the learning environment. These behaviors interfere with school wide safety, create unsafe conditions for students, staff, and other community members, and could potentially lead to mental, physical, or emotional damage/distress. These are addressed solely by the Dean of Culture and administration.

Behavior	Behavior Response
<ul style="list-style-type: none"> ● Throwing or using objects in a way that cause injury to another person or property damage ● Pushing, hitting, kicking where there is minor physical harm ● Continued bullying, cyberbullying, intimidation and/or harassment ● Intentional vandalism or destruction of school property ● Consensual sexual behavior of any kind ● Posting or distributing material or literature that is disrespectful, demeaning, or harassing (includes social media) ● Sexual harassment ● Retaliation for reporting harassment of any kind ● Unauthorized possession, use, or distribution of over the counter medication ● Participating in fight/group fight that results in no physical injury ● Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, disability, or any other basis prohibited by law 	<p><i>K-8: Students are only suspended for willfully causing or attempting to cause or threatening to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds. Other behavioral responses (below) are used for any Tier 4 behaviors.</i></p> <ul style="list-style-type: none"> ● Parent Outreach ● Restorative Meeting (conducted by Dean of Culture or another administrator) ● Family Meeting ● Behavior Contract ● Peer Court Referral ● Wellness Referral ● Short Term Progress Report ● Individual Behavior Agreement ● Completion of a Restorative Assignment or Disposition Plan facilitated by Dean of Culture and Peer Court ● Student Judiciary Committee Hearing (SJC)



Tier 5
 These are addressed solely by administration at the school. Anything that causes physical, mental or emotional damage or distress, including: injury has occurred to another community member, threatening bodily harm, extreme bullying/harassment, weapon, selling of illegal substances (drugs and alcohol). These behaviors endanger the health, safety, or welfare of either the student or others in the school community.

Behavior	Behavior Response(s)
<ul style="list-style-type: none"> • Pushing, hitting, kicking, provoked or unprovoked, where there is physical harm and a weapon is used • Extreme bullying, cyberbullying, intimidation and/or harassment Commission or attempted commission of sexual assault, sexual act or sexual misconduct • Possession of a weapon (see detailed information in the Weapons section) • Possession of drug paraphernalia and/or controlled substance(s) (this includes but is not limited to drugs, alcohol, tobacco) • Participating in fight/group fight where physical harm occurred • Participating in fight/group fight that causes a major community disruption • Theft or attempted theft using force, coercion, intimidation, or threat of attack • Threatening to use a weapon • Using an article that is not normally considered a weapon to intimidate or threaten • Fire setting/use of incendiary material 	<p><i>K-8: Students are only suspended for willfully causing or attempting to cause or threatening to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds. Other behavioral responses (below) are used for any Tier 5 behaviors.</i></p> <ul style="list-style-type: none"> • Peer Court Referral • Behavior Contract • Home Visit • FBA (Functional Behavior Assessment) • BIP Meeting/Review(Behavior Intervention Plan) • IEP Meeting/Review (Individualized Education Plan) • Alternative Placement • Suspension - Short Term (1-5 days) • Suspension - Long Term (6 or more days) • Re-Entry Meeting • Student Judicial Committee Hearing (SJC) • Family Decision Meeting • Expulsion Hearing • Expulsion

WEAPONS

The safety and security of all members of our community are our top priority. Weapons of any type or items that appear to be and/or may be used as a weapon, are not permitted in the school, on school grounds, or at any off-campus school related activity or event. In order to keep all members of our community safe, as well as comply with local and federal laws, weapons of any kind are not permitted within our school community. Consequences are listed below based on the type of weapon confiscated. Any weapons that are confiscated will not be returned to the student, parent/guardian or family member and will be turned over to the D.C. Metropolitan Police Department.

Possession of a Weapon – Level I <i>(i.e., mace, pepper spray, brass knuckles, kubaton, taser, baton)</i>	
First Offense	Elementary School: Weapons are confiscated and a family meeting will be scheduled.
	Middle and High School: Weapons are confiscated and the student is referred to Peer Court and provided a plan of support



Second Offense	Elementary School: Weapons are confiscated and a family meeting will be scheduled. The Wellness team will be invited to the second meeting.
	Middle School: Weapons are confiscated and students are referred to the Student Judicial Committee (SJC).
	High School: Weapons are confiscated, students receive a 3-day suspension, and students are referred for a Student Judicial Committee (SJC) (see below). The SJC may recommend a longer suspension.
Possession of a Weapon – Level II	
First Offense	Elementary School: Weapons are confiscated and a family meeting will be scheduled.
	Middle School: Weapons are confiscated and students are referred to the Student Judicial Committee (SJC).
	High School: Weapons are confiscated, students receive a 3-day suspension, and students are referred to the Student Judicial Committee (SJC). The SJC may recommend a longer suspension.
Second Offense	Elementary School: Weapons are confiscated and a family meeting will be scheduled. The Wellness team will be invited to the second meeting
	Middle School: Weapons are confiscated, students receive a 3-day suspension, and students are referred to the Student Judicial Committee (SJC). Students are given additional non-exclusionary consequences by the SJC, and may be recommended for support from a member of the wellness team or wellness support.
	High School: Weapons are confiscated, students receive a 3-day suspension, and students referred to a SJC. The SJC may recommend a longer suspension.

BEYOND SUPPORTS AND INTERVENTIONS: PROCEDURES FOR SUSPENDING AND EXPELLING STUDENTS

Our goal at E.L. Haynes is to adopt a discipline policy that is transparent, that is consistent with our restorative approach, and that minimizes the amount of time students are excluded from school.

E.L. Haynes may decide to suspend or expel a student after determining their behavior willfully caused, attempted to cause, or threatened to cause physical harm and/or emotional distress to another person. When a student is suspended or awaiting an expulsion hearing, they are not allowed to be present on school grounds at any time or attend or participate in any school-wide activity or event.

The Student Fair Access to School Amendment Act of 2018 sets limits on schools' use of suspensions, expulsions, and involuntary transfers as disciplinary consequences.

Out-of-School Suspension Limit of 5 Days in Elementary School: The duration of each out-of-school suspension cannot exceed five consecutive school days in Kindergarten through Grade 5.

Out-of-School Suspension Limit of 10 Days in Middle & High School: The duration of each out-of-school suspension cannot exceed ten consecutive school days in Grades 6 through 12.

Out-of-School Suspension Limit of 20 Days Total in All Grades: Regardless of grade, no student will receive an out-of-school suspension of longer than twenty cumulative days unless the Chief Academic Officer, or their designee, provides a written justification to the family as to why exceeding the limit is needed to protect the safety of our school environment.

This law is superseded by the Gun Free Schools Act. This federal law requires all schools to expel a student, who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, from attending school for a period of not less than 1 year.

Short-Term Suspension (5 Days or Less)

For short-term suspensions, the decision to suspend a student shall be made by the Principal or the Dean of Culture. The number of days for suspension will be based on the severity of the infraction, the age of the student, and previous infractions. Prior to the suspension, the student will participate in a conversation where they will be given the opportunity to explain their behavior as well as be notified of what infraction the school believes the student committed. An investigation will be conducted, if necessary, to gather additional information before suspending a student. The minimal amount of time for a suspension will be based on the following guidelines:



Considerations for Elementary and Middle School Campuses

In accordance with the Student Fair Access to School Act of 2018, students in grades K-8 shall only be suspended from school for the following infractions:

A student willfully causes, attempts to cause, or threatens to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds.

K - Grade 5:

Suspension not to exceed 1 day for any occurrence.

Grades 6 - 8:

- **First Offense:** Suspension not to exceed 1 day
- **Second Offense:** Suspension not to exceed 2 days
- **Third Offense:** Suspension not to exceed 3 days

Considerations for High School

Any Tier 4 or 5 infraction that:

- Willfully causes, attempt to cause, or threatens to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds.
- Includes possession of a weapon
- Includes illegal substances (alcohol, tobacco, drugs, etc) and/or paraphernalia, especially with the intent to distribute and/or sell in or on school grounds

- **First Offense:** minimum 3 day suspension and referred for an SJC
- **Second Offense:** minimum 3 day suspension and referred for an SJC

Peer Court

Students in grades 6 through 12 who commit a Tier 4 violation, which includes fighting without bodily harm or emotional distress, verbal harassment including hurtful speech, continued disruptive behavior, or carrying a non-lethal weapon, are referred to Peer Court.

The E.L. Haynes Peer Court is a unique intervention program that is run by a selected group of students at Haynes. Peer Court is a confidential, supportive, and safe space where teachers and students can bring personal and community issues and solve them in a peaceful and restorative manner. Peer Court gives all parties in a conflict a voice and seeks to heal all sides. Compared to traditional methods of discipline, Peer Court focuses on the deed, how to solve it, and include all parties in coming up with a way to make it right. It also honors and elevates a broad range of voices and perspectives and engages students as leaders, problem-solvers and decision-makers in the disciplinary process. At the conclusion of the hearing, Peer Court offers a disposition that includes steps, additional reflections, and/or projects the parties involved must complete in order to repair the harm to the situation and/or community.

Long Term Suspension (More Than 5 Days)

In instances when long-term suspension is under consideration, or when a student has been suspended for a Tier 5 behavior, the student and parent/guardian will be invited to meet with the School Judicial Committee Hearing (SJC). Families are also welcome to invite an attorney, legal advocate, or additional family members to the SJC.

Provision of Instruction During Removal

E.L. Haynes will coordinate with the family of any student who receives an out of school suspension to develop a plan for continuity of education while the student is out of school, including a plan to facilitate the student's return to the classroom. The plan will ensure that the student continues to receive all assignments during the suspension, can communicate with school staff about their assignments, and has the opportunity to make up any work missed during the suspension if the student cannot complete it during the suspension.

Student Judicial Committee Hearing (SJC)

The SJC is a forum for E.L. Haynes staff and families to discuss serious discipline issues in an open and constructive environment and engage in transparent communication about a student's circumstances. The goal of the hearing is to create a common understanding of events and plan for the student to restore trust with the school community. It is important to note that an SJC meeting is NOT an expulsion hearing.

The SJC meeting is normally scheduled within 2 business days of the suspension. During the meeting, the student's academic, attendance, and disciplinary records are reviewed. Students are required to come prepared with a written reflection that will be shared during the hearing and will be supported by their advisor and a representative of Peer Court (as appropriate). At the conclusion of the meeting, the SJC makes a recommendation to the Chief Academic Officer (CAO), or their designee, who in conjunction with the Principal, makes the final decision about the student's consequence.



At the SJC, aside from the student and parent/guardian, the following members of the community are required to attend:

- Hearing Officer: The CAO or their designee
- Principal
- Dean of Culture
- Student's Advisor (serves as the student's champion)
- Wellness Team Member (if the student receives services from Haynes)
- Assistant Director of Student Support Services (if the student is identified or going through the identification process)
- Peer Court Representative (if student has previously attended Peer Court), who will deliver testimony or read the disposition from Peer Court.

The following Tier 4 and Tier 5 behaviors will be recommended to the Student Judicial Committee (SJC):

- Pushing, hitting, kicking, provoked or unprovoked, where there is physical harm and a weapon is used
- Physical attack where there is major or severe injury
- Extreme bullying, cyberbullying, intimidation and/or harassment (Melissa update bullying policy to coincide with tiers)
- Commission or attempted commission of sexual assault, sexual act or sexual misconduct
- Possession of a lethal weapon
- Possession of drug paraphernalia and/or controlled substance(s) (this includes but is not limited to drugs, alcohol, tobacco)
- Participating in fight/group fight where physical harm occurred
- Participating in fight/group fight that causes a major community disruption
- Theft or attempted theft using force, coercion, intimidation, or threat of attack
- Threatening to use a weapon
- Using an article that is not normally considered a weapon to intimidate or threaten
- Fire setting/possession of incendiary material

SJC Outcomes

The outcome of the SJC is normally communicated by the Dean of Culture and/or Principal to the family within 24 hours of the hearing. The possible outcomes of an SJC are:

- **Return to the Community:** The student is welcomed back into the community and is placed on a behavior contract in order to promote the student's academic and behavioral success in school. This contract goes into effect immediately and a copy will be provided to the parent/guardian for their records. The student may also have to complete a restorative disposition which will allow for the student to fix any harm caused within the community. The Dean of Culture monitors the behavior contract unless the student is identified, in which case the Assistant Director of Student Support Services, along with the student's support team, will monitor the contract.

- **Long-Term Suspension without Expulsion Hearing:** If a student is recommended for a long-term suspension (more than 5 days), the Dean of Culture will provide written notice of the recommendation and rationale for that recommendation to the student and parent along with a determined return date. Upon return to the community, the student will be placed on a behavior contract in order to promote the student's academic and behavioral success in school. This contract goes into effect immediately and a copy will be provided to the parent/guardian for their records. The student may also have to complete a restorative disposition which will allow for the student to fix any harm caused within the community. The Dean of Culture monitors the behavior contract unless the student is identified, in which case the Assistant Director of Student Support Services, along with the student's support team, will monitor the contract.
- **Long-Term Suspension with Expulsion Hearing Referral:** If a student is recommended for a long-term suspension with a referral for an expulsion hearing, the Dean of Culture will provide written notice of the recommendation to the student and family. The Expulsion Hearing will typically be held no more than 5 days after the recommendation is made. The CAO, or their designee, will provide all relevant information regarding the basis for the recommendation to the Chief Executive Officer (CEO) at least 48 hours prior to the hearing.

Expulsion Hearing

At the Expulsion Hearing, the CEO or their designee, will serve as the impartial hearing officer and collaborate with the hearing committee to make a final decision regarding the recommendation for long-term suspension or expulsion after considering all of the information presented at the hearing. The hearing committee is composed of the CEO, or their designee, the Dean of Culture from another campus, the Principal, and a leadership team member from another campus. Peer Court will also submit a written recommendation that will be taken into consideration by the hearing committee (as appropriate). This final determination will be provided in a letter to the parent/guardian via the CEO within 24-48 hours. Decisions can be appealed within five (5) days of the final determination to the Board of Trustees, and their decision is considered final.

The Expulsion Hearing is normally scheduled within 2 business days of the SJC. During the meeting, the student's academic, attendance, and disciplinary records are reviewed. With the support of their advisor and a Peer Court representative (as appropriate), students are required to come prepared with an additional written reflection that will be shared during the hearing. A request will also be made for the parent/guardian to share a verbal reflection at the hearing in order to share their experiences and feelings through this process.

At the expulsion hearing, aside from the student and parent/guardian, the following members of the community are required to attend:

- Hearing Officer: The CEO or designee
- Principal
- Dean of Culture
- Student's Advisor (serves as the student's champion)
- A Principal, Assistant Principal, or Dean of Culture from a different campus

Expulsion Hearing Outcomes

The outcome of the expulsion hearing is normally communicated, by the Dean of Culture, to the family within 24 hours of the hearing. The possible outcomes of an expulsion hearing are:

- **Return to the Community:** The student is welcomed back into the community and is placed on a behavior contract in order to promote the student's academic and behavioral success in school. This contract goes into effect immediately and a copy will be provided to the parent/guardian for their records. The student may also have to complete a restorative disposition which will allow for the student to fix any harm caused within the community. This disposition will include recommendations made at the expulsion hearing and/or via Peer Court. The Dean of Culture monitors the behavior contract unless the student is identified, in which case the Assistant Director of Student Support Services, along with the student's support team, will monitor the contract.
- **Expulsion:** Expulsion refers to the permanent removal of a student from school for disciplinary reasons. The student is expelled from Haynes for a period of not less than one academic year and cannot re-enroll during this time. When a student is expelled, Haynes will continue to support the student and family by providing support in the enrollment of the student into another school.

Appeals

The decision to suspend or expel a student shall be made in writing and given to the parent/guardian. The student's parents/guardians have five school days to challenge the suspension or expulsion by submitting an appeal of a Principal's or Chief Executive Officer's decision, in writing, to the Chief Executive Officer and Chair of the Board of Trustees. The Board of Trustees will issue a decision in writing to the parents/guardians and the school administration within 5 school days after receiving the appeal. The Chair of the Board of Trustees shall convene a special meeting of the Board of Trustees to consider the appeal of the suspension or expulsion. The student and his or her parents/guardians, the student's teachers, a Principal, the Chief Executive Officer, and other school staff may be invited to participate in this special meeting as the Board sees fit. The decision of the Board of Trustees in affirming or reversing a Principal's or Chief Executive Officer's decision is final.

Special Considerations for Pre-K Students

E.L. Haynes does not expel Pre-K students for any reason.

Procedures for Suspending and Expelling Students with Disabilities

Removal for 10 or Fewer School Days in a School Year

Students with disabilities can be suspended for up to 10 consecutive or cumulative school days in a year to the same extent that suspension is used for general education students. The school is not required to provide services for the first 10 days in a school year that the student is suspended, however, the school will provide all academic work to the students as required by law.

Removal for more than 10 Cumulative School Days When the Student's Behavior Does Not Represent a Pattern



No manifestation determination is required when a student is suspended for more than 10 school days in a school year and the series of suspensions does not constitute a pattern. However, students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals. Students who are suspended for more than 10 days in a school year must also receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications to address the behavior violation so that it does not recur.

Removal for more than 10 Consecutive School Days or 10 Cumulative Schools Days when the Behavior Represents a Pattern

Disciplinary action that results in a student being suspended for more than 10 consecutive school days or 10 cumulative school days in a year where the series of suspensions constitute a pattern result in a disciplinary change in placement. A disciplinary change in placement requires a manifestation determination to be made by the IEP team.

The following is required under these circumstances:

1. Parent Notification - the parent/ guardian must be notified of the disciplinary action to be taken and informed of the procedural safeguards on the day the decision to take disciplinary action was made.
2. Manifestation Determination Review- an IEP team meeting must be convened within 10 school days to determine whether the student's behavior was a manifestation of all their disabilities, including those of which the school had prior knowledge.
3. Review of Behavior Intervention Plan - at the manifestation determination meeting, the IEP team must also conduct a functional behavior assessment, unless one has already been conducted, and develop a behavior intervention plan for the student or review the student's current behavior intervention plan and modify it as necessary.

Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

A manifestation determination meeting reviews the relationship between the student's disability and the student's behavior that is subject to the disciplinary action.



If it is determined that the student's behavior was a manifestation of his or her disability, then the student must return to E.L. Haynes unless the parent and E.L. Haynes agree otherwise. There are special circumstances where a student with a disability can be removed from E.L. Haynes for up to 45 school days without regard to whether the student's behavior was determined to be a manifestation of his/her disability: possession of a weapon at school on school premises or during a school function; possession or use of an illegal drug at school on school premises or during a school function; infliction of serious bodily injury at school on school premises or during a school function. At any time the IEP team, with parent consent, may change the student's placement.

If it is determined that the student's behavior was not a manifestation of the student's disability, the same disciplinary procedures applicable to a student without a disability, including long term suspension or expulsion may be applied to the student with a disability. Students who are suspended for more than 10 school days in a school year must continue to receive educational services while on suspension so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

Hearing Officer

If maintaining a student with a disability in his or her current placement would prove harmful to the student or to others, the school can request a hearing officer to order placement in an alternative setting for up to 45 days. In this case, the school is required to provide services for a student with a disability so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals.

Student Not Yet Found Eligible

A student who has not yet been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may be entitled to a manifestation determination meeting if the school had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred (34 CFR 300.534(a)).

The school shall be deemed to have knowledge that a student is a student with a disability before the behavior that precipitated the disciplinary action occurred, one or more of the following took place:

BULLYING POLICY (ALL CAMPUSES)

At E.L. Haynes, we believe that it is every person's right to feel physically and emotionally safe while they are at our school. Because of this belief, we will do everything possible both as individuals and as a campus, to create and preserve that environment through proactive anti-bullying education, zero tolerance for bullying behaviors along with well-defined and effective consequences for violations.

Bullying by definition, is any single incident or pattern of behavior directed at another person that results in that person feeling intimidated, harassed, or results in the physical or emotional injury of that person. Some examples of bullying are:

- Pushing, hitting, kicking or throwing things at someone.
- Stealing or damaging another person's property.
- Name calling or teasing.
- Threatening to hurt someone.
- Leaving someone out on purpose and without good reason.
- Spreading rumors about someone.

E.L. Haynes continues to educate students about bullying. Our focus continues to be giving students the skills and strategies to address other people's behavior positively. We talk about how they cannot control the behaviors of other people, they can only control how they react. At E.L. Haynes, we encourage students to assert themselves and seek assistance as needed so they have choices as to what they can do if someone is treating them in a negative way. For instance, students are encouraged to:

- Ignore
- Move Away
- Talk Friendly (Sounds like, "Will you please stop.")
- Talk Firmly (Sounds like, "STOP IT!")
- Get an adult for help

Any student, who believes that they have been bullied, or who has seen another student being bullied, should report the problem immediately to a teacher or other adult on campus. Furthermore, any ELH employee or parent who witnesses a bullying incident should report it to the campus principal or Dean of Culture.

For any violation of the anti-bullying policy, the following consequences will be applied in sequential order as each violation occurs. The campus principal may apply more than one disciplinary action, or skip a step, depending on the severity and nature of the violation.

Step 1: First Reported Incidence of Bullying Behavior

ELH Response - Student to Receive Intervention, Warning, and Redirection.

The staff member who receives the report will ensure that the immediate behavior stops and will reinforce to the student that bullying will not be tolerated. During this meeting with the student, the staff member will redirect the student to develop a plan to prevent similar behaviors in the future. The student will make a formal apology.

Step 2: Second Reported Incidence of Bullying Behavior

ELH Response - Meeting with the Teacher, Principal, and /or Dean of Culture

The student will meet with their teacher, principal and/or Dean of Culture to discuss the problem, solutions to the problem and to reinforce that bullying will not be tolerated. Parents are contacted by phone and the student is notified in writing of future consequences if the behavior continues. A meeting between parents of the bullying and the bullied student is recommended at which time the student will make a formal apology in the presence of both parents. Behavior and/or Anti-Bullying contract is signed by student and parent. Student is to make a formal apology.

Step 3: Third Reported Incidence of Bullying Behavior

ELH Response - Formal Meeting with Parents and Staff.

School staff will notify the parents of the involved student. The parents will be asked to meet with the principal and/or other members of the school support staff, including the student's teacher. Previous documentation will be reviewed with the parent and the student. A Level 2 consequence of loss of privilege or after-school detention may be assigned. Both students will be referred to the social work team for assessment and/or possible intervention.

Step 4: Fourth Incidence of Bullying Behavior

ELH Response - Level 2 Consequence

The Principal and/or Dean of Culture will meet with the students and parents and assign a Level 2 consequence, which may include loss of privileges or after-school detention. The Stop Bullying Contract is reviewed with the student and parent.

Step 5: Fifth Incidence of Bullying Behavior

ELH Response – Repeat of Step 4 actions and Suspension

In cases of severe or repeated bullying, the student may be suspended out of school.

Step 6: Sixth Incidence of Bullying Behavior

ELH Response - Candidate for Expulsion

In the event of dangerous bullying (such as serious physical violence or threat), or where repeated efforts to address the problem have failed, the student may be a candidate for expulsion.