



EMHCS Code of Conduct

This handbook is the property of Eugenio Maria de Hostos Charter School. Its intent is to provide clarity of policies and procedures to all its parents and students. The content is subject to change at the School's discretion.

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Our Mission and Vision

Our Mission

It is the mission of Eugenio Maria de Hostos Charter School to create a safe and nurturing a community of learners where students earn the Seal of Biliteracy (English and Spanish), learn to advocate for social justice and are prepared to enjoy and access what the world has to offer.

Our Vision

If a child cannot learn the way we teach, then we will learn to teach the way the child can learn.

School Values and Philosophy

Eugenio Maria de Hostos Charter School believes in creating a safe and nurturing community of learners. Students are held to high expectations of student character. Enforcement of expectations and rules are fair, equitable and consistent. Disciplinary practices are not punitive. They are focused on helping students learn appropriate behavior, equip them with strategies for managing their emotions, teaching them problem-solving skills and helping them to understand that our actions have consequences (positive or negative). Consequences for infractions of rules are reasonable, logical, and restorative.

The aim of restorative practices is to develop community and to manage conflict and tensions by building relationships and repairing harm. Our restorative practices include both proactive and responsive interventions. We seek to proactively build relationships, develop community, repair harm and restore relationships.

Restorative Practices such as circles and conferences provide a safe environment for people to express and exchange emotions. It is through the mutual exchange of expressed affect that we build community, creating the emotional bonds that tie us all together. The use of Restorative Practices helps to:

- improve behavior
- strengthen civil society
- provide effective leadership
- reduce maladaptive behavior
- restore relationships
- repair harm

Students are expected to act respectfully towards all students and staff. They are expected to attend school daily and punctually, participate in all classes, and work productively at all times. Finally, students are expected to conduct themselves using our core values of PRIDE whenever on or off-campus and at any school function. PRIDE demonstrates how individuals should conduct themselves and relate to each other. As a school, we have an obligation to protect all

students and create a safe, respectful and productive school community that enhances the school's mission.

PRIDE represents Perseverance, Respect, Integrity, Dedication, and Excellence.

Perseverance: Defines the individual's ability to never give up on anyone or anything; including themselves.

Respect: Defines how individuals treat each other and in turn the way they would like to be treated.

Integrity: Honesty is a characteristic that leads to positive results and in teaching students to "Do the Right Thing."

Dedication: Hard work and dedication to one's own learning, is key to their own achievement. When individuals dedicate themselves to their academic and social/emotional growth, they have positioned themselves for greater results during their educational experiences.

Excellence: When students take pride in the quality of their work and in setting goals for achieving academic success, they continue to grow intellectually and demonstrate confidence in other aspects of their school life.

Definitions:

For purposes of this Code, the following definitions apply:

- A. **Disruptive:** a student under the age of 21 who substantially interferes with the educational process or with the teacher's authority over the classroom (§3214(2-a) (b)).
- B. **Parent:** parent, guardian, or person in a legally recognized parental relation to a student. Stepparents can obtain access to their stepchild's educational records under two circumstances: (1) if the stepparent is married to a non-custodial parent and the non-custodial parent provides written consent; or (2) without written consent if the stepparent resides with the custodial parent and the child on a day to day basis. a. Written consent must include: (1) which records are sought, (2) why the records are sought, and (3) who the records will be released to.
- C. **School Property:** in or within any building, structure, vehicle, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary, secondary school, in or on a school bus, as defined in Vehicle and Traffic Law §142 (§2801(1)). School grounds refer to any property owned by the public and entrusted to Eugenio Maria de Hosots Charter School.
- D. **School Function:** any school-sponsored curricular or extracurricular event or activity, including activities that occur off school property (§2801(1)).
- E. **Violent Student:** a student under the age of 21 who commits an act of violence as listed on the NYS Violence and Disruptive Incident Report Form and/or who:
 - 1. Commits an act of violence upon a school employee or attempts to do so.

2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
 3. Possesses, while on school property or at a school function, a weapon.
 4. Displays, while on school property or at a school function, what appears to be a weapon.
 5. Threatens, while on school property or at a school function, to use a weapon.
 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 7. Knowingly and intentionally damages or destroys school district property.
- F. **Weapon:** a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckles knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun guns, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death (§3214(2-a)(3) and (4) when used to cause physical injury or death, or any instrument that appears capable of causing physical injury or death (§3214(6)).
- G. **Sexual Orientation:** actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).
- H. **Gender:** actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).
- I. **Bullying** has been described as an unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying can occur before and after school hours, in a school building or at locations such as on a playground or on a school bus while a student is traveling to or from school, or on the Internet. According to the United States Department of Education bullying generally involves the following characteristics: An imbalance of power, the intent to cause harm and repetition.
- J. **Cyberbullying:** bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else.
- K. **Harassment:** the creation of a hostile environment by conduct or by threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being.
- L. **Discrimination:** the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs.
- M. **Hazing:** any intentional, knowing, or reckless act directed at a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team whose members are or include other students.

- N. **Reasonable Suspicion** is to believe the student is in violation of the law or the Code of Conduct.
- O. **Tobacco Products:** cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis, and kreteks. Items associated with tobacco use are also considered “Tobacco Products” and are strictly forbidden and may include but are not limited to cups for spitting, matches, and lighters.
- P. **Illegal Substances** include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, and look-alikes (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others.
- Q. **Rules:** based on the principles (core values), they identify acceptable and unacceptable behavior that is observable, clear, specific, and enforceable.
- R. **Fair:** doing what is reasonable and in the best interest of the individual and/or group.
- S. **Designee:** An employee assigned by the administration that will help facilitate/support the work of another individual.
- T. **Loitering:** When students are on school grounds before or after school in an unsupervised setting. Loitering causes disruption to student safety.
- U. **Parent:** guardian or person in parental relation to a student.
- V. **Precluded:** Prevention or the holding back of progress for achievement
- W. **School transportation:** every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or b) privately owned and operated-for-compensation for the transportation of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
- X. **Disability:** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. (N.Y. Executive Law § 292.21)
- Y. **Employee:** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (N.Y. Education Law § 1125.3)
- Z. **Gender Identity and expression:** means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender

identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sexual orientation assigned to that person at birth. (N.Y. AB 5039/SB 2873 (2011) "GENDA")

- AA. **Emotional harm:** is behavior that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education
- BB. **Violent student behavior:** behavior occurring on or around school property, before, during or after the school day that endangers self, others or property
- CC. **Consequence:** the results of a previous action that breaks the rules. Those responsible for administering a consequence take into account, the behavior, the situation, the individual involved, and the best means for helping that individual.
- DD. **Intervention:** the modification of an event by school personnel to promote a safe physical and psychological environment for all members of the school community.



School, Student, Parent Compact

Believe, Achieve, Succeed

PRIDE (Perseverance, Respect, Integrity, Dedication, and Excellence) is the school's core values and beliefs that guide our daily actions and responsibilities to our school's mission and vision. The Code of Conduct supports the school's actions toward the expectations and responsibilities of all stakeholders.

SCHOOL RESPONSIBILITIES	STUDENT RESPONSIBILITIES	PARENT RESPONSIBILITIES
<p>Establish and maintain a safe and nurturing learning environment</p> <ul style="list-style-type: none"> Follow and enforce school rules and expectations Provide opportunities for students and parents to communicate with school personnel Maintain a clean school environment and display high-quality student work <p>Demonstrate respect</p> <ul style="list-style-type: none"> Be a positive role model Treat others with respect Maintain a climate of mutual respect and dignity for all <p>Be responsible</p> <ul style="list-style-type: none"> Arrive on time and be prepared to teach Reflect on your practice Adjust your teaching to meet your student's instructional needs Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations Enforce the Code of Conduct <p>Solve problems peacefully</p> <ul style="list-style-type: none"> Be as honest Tell your side Listen to the other side Agree to solve problems peacefully 	<p>Cooperate and collaborate with others</p> <ul style="list-style-type: none"> Keep personal space between yourself and others Share materials and work together Listen to others Wait patiently Have a positive attitude and help others <p>Demonstrate respect</p> <ul style="list-style-type: none"> Keep hands and feet to yourself Walk quietly in the halls Respect others privacy and needs Ask before touching others belongings Use appropriate language and voice level <p>Be responsible</p> <ul style="list-style-type: none"> Attend school daily and on time and be prepared to learn Wear your uniform at all times Complete assignments and homework on time Follow instructional and safety directions Use materials and equipment appropriately Adhere to the guidelines for electronic devices, internet safety, and social media use Maintain a clean school environment <p>Solve problems peacefully</p> <ul style="list-style-type: none"> Be honest Listen to others and tell your side Walk away from conflicts Ask for help from adults Agree to solve problems peacefully 	<p>Be a partner in your child's education</p> <ul style="list-style-type: none"> Ensure your child attends school regularly and on time Communicate regularly with teachers Reinforce school expectations Notify teachers and school of any changes at home or in information immediately Participate in school functions, parent/teacher conferences, and become involved in parent/teacher organization (PTO) Teach and model acceptable use for electronic devices, internet safety, and social media <p>Demonstrate respect</p> <ul style="list-style-type: none"> Model for your child a supportive and positive attitude Treat others the way you want to be treated <p>Establish and maintain a safe, loving and structured environment at home</p> <ul style="list-style-type: none"> Establish a daily routine Send children to school on time and ready to learn Be sure assignments and homework are completed Be sure children bring necessary supplies and materials to school every day Teach your child respect and dignity for themselves <p>Solve problems peacefully</p> <ul style="list-style-type: none"> Be honest Tell your side Listen to the other side Agree to solve problems peacefully

We agree to the best of our abilities in meeting our rights and responsibilities.

Student _____ Parent _____

Administrator _____ Date _____

REV. 7/19

Prohibited Student Conduct:

Eugenio Maria de Hostos expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, school personnel and other members of the school community, and for the care of school facilities and equipment. Students may be subject to disciplinary action, up to and including suspension and/or expulsion whether at school and/or on school grounds; participating in a school-sponsored activity or a school-sponsored event; walking to or from, waiting for, or riding on school-provided transportation, or walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity for the following:

1. Dress Code:

The responsibility for the dress and appearance of all students supports the school's uniform policy. All Students of Eugenio Maria de Hostos Charter School are required to follow the school's uniform policy and wear the appropriate school uniform. This is not an option.

The uniform consists of:

Bottoms in solid black or navy blue:

- Jumpers at knee length
- Skirts at knee length with shorts or solid school uniform color tights underneath
- Pants
- Shorts at knee length

Tops with school logo in black, royal blue, navy blue, charcoal grey

- Polo Shirts
- Sweaters (No school logo needed)

Shoes:

- Dress shoes
- Sneakers
- Tied Sandals (velcroed or fastened with a buckle) No flip flops or crocks.

Not acceptable:

- Hoodies
- Jeans
- Sweats
- Jogging suits
- Leggings
- Pants with stripes
- Flip flops
- High heels

2. Arriving to Class Unprepared:

Students must be prepared and have all the necessary materials (books, paper, pen, pencil, etc.) at the beginning of class.

3. Arriving late to class:

Students' tardiness to class disrupts instruction and often results in academic difficulties. Students may not be late to class.

4. Skipping school, class, detention, mandatory school events or leaving school grounds without permission:

Students are required to attend all academic and enrichment classes, assigned detention, assigned tutoring, and mandatory school events. EMHCS has a closed campus policy, therefore, students are not permitted to leave the school building, school grounds or class without permission.

5. Misbehaving inside or outside of class:

The School can fulfill its mission only if classrooms are safe and teaching is happening. Misbehavior inside or outside of class is not permitted. Students may not engage in any willful act that disrupts the normal operation of the school community.

6. Being Disrespectful toward a Staff Member, Student, or Visitor:

Students may not disrespect, threaten, and/or intimidate a staff member, peer or visitor. Integrity and respect are two of our core values and are needed to build a community based on trust and respect. In order for the school to function properly, it is important that students respect all adults and peers.

7. Failing to Comply with the Directive(s) of a Staff Member or His/Her Designee(s):

Failing to comply with the directives of teachers, school administrators, other school employees, or their designee(s) is unacceptable.

8. Abusive/Profane Language or Gestures:

The use of profane and/or obscene language, spoken or written, or transmitted through electronic means, is inappropriate and is therefore prohibited in the public transactions of EMHCS, except as a topic of academic study. Also prohibited is language which constitutes a threat, hazing, abuse of others, impingement on the rights of others, any form of harassment, or any interference with the educational process or the Board of Trustees ability to effectively meet its duties with respect to its management and control over the educational affairs. The administration is authorized to take action in instances of language use which violate these requirements.

For interpersonal transactions in EMHCS, the board requires all members of the school community and all visitors to employ language which reflects sensitivity and respect toward the feelings, values, humanity, and dignity of others which is in support of our school's mission. Though the appropriateness of specific language may vary from public to private contexts, the underlying principle of mutual respect should be upheld at all times.

These requirements and expectations are not intended to apply to the academic study of authorized curricular material which may contain language considered to be objectionable. Students may not use abusive, threatening, lewd, vulgar, coarse, or degrading language or gestures (including racial epithets or sexist or homophobic remarks).

9. Selling, Using or Possessing Obscene Material:

It is prohibited for students to sell, use, or possess obscene material.

10. Running in Hallways:

Running in the School's hallways is dangerous and is prohibited.

11. Gum/Candy, Food, and Beverages:

Students may not chew gum or eat candy at school. Students may not eat or drink at unauthorized times or places at school. Food should be of a healthy choice and beverages should not be in a glass container.

12. Creating a Hazardous or Offensive Environment:

Students may not create a hazardous or offensive condition that interferes with the social, physical and emotional well being of others.

13. Trespassing:

Students may not trespass onto any school property when school is not in session.

14. Defamation:

Students may not defame others by making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them through any medium, whether on or off school grounds.

15. Cheating, Plagiarism, or Copying the Work of Others, or Allowing Others to Copy Work:

Cheating or copying the work of others (or allowing other students to copy work) is unacceptable.

16. Gambling:

Gambling or betting is not tolerated on school property or at any school promoted functions.

17. Failing to Comply with School-Imposed Consequences:

Students must comply with school imposed consequences, including but not limited to detention, school service, suspension from school and/or temporary or permanent denial of school-provided transportation.

18. Theft, Loss, or Destruction of Personal or School Property:

Students may not steal, lose, vandalize, or damage the property of the school, other students, school personnel, or any other person lawfully on school property or attending a school function. In addition to facing other consequences for violations of this rule, students are expected to return the property to its rightful owner in its original condition or to reimburse the owner and/or school for lost, damaged, or stolen property.

19. Mistreatment of Inappropriate Use of Technology of School Property:

Students must treat computers, printers, and other technology with care. The School does not tolerate attempts to access the School's files or other inappropriate uses of technology or the internet. Students do not have the right to use school computers to access chat rooms or email or to access web sites or files that contain profanity, sexually explicit language or pictures, excessively violent themes, and/or other material inappropriate for minors. Students are prohibited from using school telephones. In the event of an emergency, students may be allowed to use school telephones, but only at the discretion of school staff members. Students must not mistreat other school property.

20. Inappropriate Use of Social Media:

Students may not be involved in online activities that have a detrimental impact on the school, its faculty or its students consequently creating a disruption to the educational process.

21. Cell phones:

Cell phones and electronic devices are not to be used during the instructional day or on school property.

22. Condoning or encouraging a violation of code of conduct:

To condone is to disregard or overlook acts that jeopardize school safety and security. It encourages behavior that is in violation of our Code of Conduct.

23. Littering or loitering:

All students are expected to clean up after themselves. Littering can be defined as not placing garbage in the appropriate place (trash can, wastebasket, recycle bin). Upon request, a student will pick up the litter that they caused.

24. Actions that create a substantial disruption to the daily operation of the educational program:

Students may not make any written or oral threats to cause disruption to the educational process. Students may not make a disruptive threat, including but not limited to bomb threats, intentionally set off an emergency alarm, calling 911, or discharging a fire extinguisher.

25. Using or Possessing Drugs or Alcohol:

Students may not use or possess any nonprescribed controlled substance, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, substances commonly referred to as “designer drugs,” or other intoxicants of any kind. Prescribed and over-the-counter drugs must be delivered to the Nurse or Office Manager by a parent/guardian with a doctor-signed Medication Authorization Form. Students may not be in possession of prescribed or over-the-counter drugs.

26. Selling, Transferring, Using, or Possessing Drugs, Alcohol, or Tobacco products:

Students may not sell, distribute, or possess with intent to sell or distribute a prescribed or non-prescribed controlled substance. The use of tobacco is banned. Students may not use or possess cigarettes, e-cigarettes, cigars, chewing tobacco, or other tobacco products. Students may not use or possess electronic smoking devices. Students may not use or possess e-cigarettes, e-cigars, epipes, e-hookahs, or vaporizers or vaporizer pens, or under any other product name or descriptor.

27. Sexual Misconduct:

Students may not make unwanted sexual advances toward or commit sexual harassment of any members of the school community. A student may not engage in sexual activity of any kind or touch himself/herself or others inappropriately. Students may not expose the private parts of the body.

28. Committing a Physical or Emotional Act of Violence:

Students may not commit assault, including sexual assault, or assault and battery on other students, school personnel or their designee(s), or any other person on school property. Assault is an attempt or threat to physically harm another person; assault does not require physical contact. Battery is any unlawful touching of another person. Students cannot engage in conduct that has the potential of resulting in violence on school property. Students can be disciplined for actions that threaten harm to others.

29. Play Fighting, Horseplay, Threatening, Bullying, and/or Intimidating:

Under no circumstance is it tolerated to put hands on another individual and/or the use of threats or intimidation that threaten the safety of the school community. Students may not playfight and/or threaten, bully, or intimidate others.

Student Consequences for Maladaptive Behavior:

Restorative Justice is a subset of Restorative Practices and utilizes formal or informal responses to maladaptive behavior and other wrongdoing after it occurs. School personnel is authorized to uphold the Code of Conduct including assigning consequences. These Restorative Justice practices include but are not limited to:

- Verbal Warning

- Conference (student and/or parent, teacher, counselor, case manager, social worker, etc.)
- Intervention(s) such as detention, behavioral contract, restriction of student privileges
- In-School Suspension - An In-School Suspension may result in a required re-entry meeting REQUIRING PARENT PARTICIPATION
- Out-of-School Suspension (up to 5 days) - An Out-of-School suspension will require a re-entry meeting REQUIRING PARENT PARTICIPATION
- Disciplinary Committee Meeting to determine possible long-term suspension or expulsion
- Our educational partners such as the YMCA have additional student behavior expectations and consequences.
- The district may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment.

Alternative Instruction:

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

Discipline for Students with Disability:

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state requirements. EMHCS is committed to a policy of inclusion of students with disabilities, to the fullest extent consistent with the specific needs of individuals. Consistent with the principle of inclusion, to the fullest extent provided by federal or state law, the policy of EMHCS regarding student discipline for students shall be uniform for all students, both with reference to disciplinary proceedings and reporting crimes to appropriate authorities.

EMHCS recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. EMHCS also recognizes that students with disabilities enjoy certain procedural protections by virtue of statute, regulation and/or court order when school authorities intend to impose discipline upon them. EMHCS is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

It is the policy of the EMHCS to implement the provisions of the federal “Individuals with Disabilities Education Improvement Act of 2004” P.L. 108-446 (effective July 1, 2005), which defines the current law for addressing discipline for students with disabilities. Students with disabilities who are suspended for not more than ten school days shall be afforded the

same rights as their non-disabled peers. When a removal will result in the student accumulating more than ten school days of removals for the school year, a parent and necessary EMHCS employees shall review the student's file to determine whether the conduct was caused by or had a direct and substantial relationship to the disability, or was a direct result of a failure to implement the IEP. If the behavior was a manifestation of the student's disability, the CSE shall conduct a functional behavioral assessment and create or modify and implement a behavior plan and the student shall return to his/her prior (or otherwise agreed-upon) placement, except when the student's behavior involves serious bodily injury, weapons, illegal drugs or controlled substances, the student may be disciplined in accordance with Part 201.7(e) of the Commissioner's Regulations. If the behavior was not a manifestation of the student's disability, then a student with a disability will be treated in the same manner as the student's nondisabled peers and EMHCS shall continue to implement the student's IEP. In all instances, EMHCS shall consider any unique circumstances when determining whether to change the placement of students with disabilities who violate this Code.

Ref.: P.L. 108-446 "Individuals with Disabilities Education Improvement Act of 2004"
Education Law §3214(3)(g)
8 NYCRR Part 201

Academic and Behavioral Eligibility for Athletics:

See Student - Athletic Handbook and Team Rules/Expectations Parent/student-athlete contract.

Student Attendance Policy:

Attending school is essential for our young people to continually believe, achieve, and succeed. Therefore, students must attend all classes and will be held accountable to attend those classes from the moment they enter the building. We strive for every student to have an attendance rate of 95% or higher.

Excused Absences and Unexcused Absences

An Excused Absence is an absence from all or part of the school day due to school-recognized reasons that include, but are not limited to:

- | | | |
|------------------------------|---|----------------------------------|
| <i>* Sickness</i> | <i>*Religious observance</i> | <i>*Death in Family</i> |
| <i>*In-School Suspension</i> | <i>*Doctors appointment</i> | <i>*Court appearance</i> |
| <i>*Home instruction</i> | <i>*Academic or athletic activities</i> | <i>*Out-of-school suspension</i> |

What to do if an Absence Occurs

The Parent/Guardian should call the following numbers based on where your child attends school as follows;

- 27 Zimbrich Street offices for grades K-5 at 585-544-6170 (after 7:30 AM)
- 1069 Joseph Avenue offices for grades 6-8 at (585) 697-7115 (after 7:30 AM)

- 343 State Street, Building 10, 5th-floor office for grades 9-12 (585) 544-6170 ext. 7500 (after 7:30 AM)

Returning to School After an Absence

A letter from a Parent/Guardian or medical professional with the following information is to be provided to the office within one school day following an absence:

- Date(s) of absence
- Reason
- Parent/Guardian Signature

An Unexcused Absence is an absence from all or part of the school day which a reason is not provided or does not fall under the above listed excused absence.

Late to School

A student is considered late to school when they arrived after 8:30 AM. Upon arrival to school, the student must report immediately to the parent center and sign in. It is important that the student does not report to class prior to reporting to the parent center.

Early Dismissal

Early dismissal is considered picking the child up before the end of the school day.

Dismissal times for the three campuses are as follows;

Zimbrich Campus: 4:30 pm

Joseph Campus: 4:30 pm

Kodak Campus: 4:30 pm

Students will not be released to the adult picking them up until the adult has signed them out in the parent center. Any parent/guardian picking their child up prior to the dismissal time should call before 1:00 PM or provide a note with contact information that is listed on our school's emergency contact page. All written excuses should be given to a Parent Coordinator. A pattern of early dismissal results in the loss of instructional time will impact a student's overall performance in class and quarterly grades.

Late to Class / Skipping:

- Students have 2 minutes between each period to get to class on time; students at the Kodak Campus have 3 minutes.
- Students who are frequently tardy to class will:
 - o After 3 late arrivals, receive a phone call home by the teacher and a possible consequence issued by the teacher
 - o Be required to attend a parent conference if the behavior continues
 - o Have consequences determined by an administrator

- Skipping class will not be tolerated. Students who are found skipping will be sent to see the Assistant Principal for further discussion and possible consequences from both teacher and administration. A student's record of tardiness and skipping class will be considered in determining consequences.

Attendance Guidelines/Protocols for extensive absences/tardy/early dismissal

Phase I - (3-10 absences/tardy/early dismissal)

Recurring attendance concerns: a student has unexplained, unacceptable and/or frequent absences/tardiness (3 tardies or early dismissals are equivalent to a full lost instructional day). The student is missing opportunities for school involvement and achievement.

Steps:

1. The classroom teacher and/or the parent coordinator identifies students with an attendance concern. Attendance concern is discussed with the parent and student. Phone call home for every absence by the parent coordinator. Documentation begins in school tool.
2. The teacher and parent coordinator collaborate on problem-solving suggestions once there's 3 or more absences/tardy/early dismissal.
3. The social worker will conduct a home visit after 5 **consecutive** absences or 10 absences/tardy/early dismissal within 3 months or less. A letter will be sent home by the parent coordinator and documented into school tool.

Phase II - (15 absences/tardy/early dismissal)

Problematic attendance Phase I has been addressed. The student's pattern of attendance continues to interfere with opportunities to be successful at school and he or she is struggling academically and socially.

Steps:

1. Formal referral to the school social worker for further steps/actions.
2. Meeting with parents. Social worker and administrator to discuss support options and responsibilities. Parent Coordinator will send a letter home and document in school tool.

Phase III - (20 absences/tardy/early dismissal)

Chronic absenteeism Phase I and II have been addressed. The student's continuing absentee pattern is seriously affecting their ability to succeed in school. Less intrusive measures have been unsuccessful. The student is no longer an active participant in regular school activities.

Steps:

1. Discussion with the administration about final steps and possible referral to family service/ CPS.
2. Report to family services/education neglect.

The Dignity for All Students Act (DASA):

Eugenio Maria de Hostos Charter School (EMHCS) is committed to providing a safe, supportive environment free from harassment, bullying, and discrimination for all students. EMHCS encourages the involvement of staff, students, parents and community members in the implementation of the Dignity for All Students Act (“DASA”) and the expectation that all students should be treated with compassion and respect.

Each school employs social workers that act as Dignity Act Coordinators. Please reach out to the social worker at each location regarding any questions or concerns.

For additional information regarding DASA, please visit:

<https://www.emhcharter.org/documentation/>

Hard copies of the DASA forms are available in the Parent Coordinator Office in each of the three school locations.

Services for Students:

The school has available staff supporting students and families in providing specially designed instruction, intervention, services, and training based on research-based best practices.

- School Social Workers
- Parent Coordinators
- Intervention Teachers
- Guidance Counselors
- School Nurses
- Student Support Specialist
- Bilingual Coordinator
- Special Education Coordinator
- Family Service Assistants
- ENL Services
- Consulting teacher

Student Searches and Interrogations:

The School authorizes the Principal and the Principal’s designee(s) to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the School’s Code of Conduct or otherwise constituted a threat to the health, safety, welfare, or morals of the School, other students, school personnel, or any other person lawfully on school property or attending a school function. In authorizing searches, the School acknowledges both state and

federal constitutional rights which are applicable to personal searches of students and searches of their possessions.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the School's employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. School employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Students may be subject to personal searches and searches of their possessions where reasonable individualized suspicion exists to conduct such a search. Reasonable individualized suspicion to conduct a search of a student or a student's possessions and the scope of the particular search shall be based upon, among other things, the student's age, the prevalence and seriousness of the problem to which the search is directed, the urgency necessitating an immediate search, and the probative value and reliability of the information used as justification for the search.

Students have no reasonable expectation of privacy rights in school lockers, cubbies, desks, or other school storage places. The School exercises overriding control over such school property, which may be opened and subjected to inspection at any time by school officials.

Communication With Parents:

School staff will communicate with parents in writing whenever there are concerns regarding discipline, in a timely and efficient manner.

Visitor Policy:

The Board of Trustees encourages parents and other citizens of the community to visit the school. Visitors will report to the security desk. A visitor management system is in use at both campuses. All visitors are required to present valid photo government-issued identification each time they visit a school. The presented identification will be scanned into the visitor management system and the visitor will be provided with a pass for the building that they must visibly wear at all times. Any visitor who is a registered sex offender must comply with the EMHCS Sex Offender Policy as well as follow any other conditions placed upon his or her presence on school property pursuant to that policy. Visitors will sign out when they return the visitor's pass.

Visitors will adhere to school policies and regulations and the rules for public conduct on school property contained in the EMHCS Code of Conduct. To keep instructional interruptions to a minimum, parents should leave items such as books, lunches or other supplies in the parent

center. There is a procedure in place for getting items to the students. Parents should not attempt to deliver items to the students in classrooms.

Grievance Procedure:

At any time, a student, parent, teacher, staff member or member of the community may present an issue or complaint to the Board of Trustees. After making a good faith effort to have an issue addressed within the school through its administrative structure of teachers, assistant principals, principals, and executive director, the person wishing to present an issue or raise a complaint should adhere to the following procedures:

Present a written request to the Board of Trustees to present the issue or complaint at the Board's next scheduled meeting. The written request should indicate the nature of the issue or complaint, and the steps that have been taken thus far to resolve it.

The Board will allow the person wishing to address an issue or complaint an opportunity to make a presentation of no more than two minutes at the next scheduled Board meeting. The person making the presentation may elect to make the presentation in person or in writing.

At its meeting, the Board is required to inform the person making the presentation of its decision to:

Resolve the issue or complaint by taking corrective action directly or appointing a subcommittee to do so.

Study the issue or complaint, either as a committee or the whole or by appointing a subcommittee to do so and make a report with specific recommendations for resolving the issue within no more than two meetings of the presentation.

Take no action, either because the request for resolution does not fall within the purview of the Board's activities, is not directly relevant or helpful to the operation of the School or because it is not permitted by law.

Any decision made by the Board will be communicated directly to the presenter. Such decisions will also be communicated to the presenter by mail as soon as it is practical to do so.

If, after the presentation of the complaint to the Board of Trustees of EMHCS, the individual or group determines that such board has not adequately addressed the complaint, they may present that complaint to the charter entity, which shall investigate and respond. If, after the presentation of the complaint to the charter entity, the individual group determines that the charter entity has not adequately addressed the complaint, they may present that complaint to the Board of Regents, which shall investigate and respond. The charter entity and the Board of Regents shall have the power and duty to issue appropriate remedial orders to effectuate the provisions of the above.