

Russell Byers Charter School



*“ROOTS TO GROW, WINGS TO FLY”*

**2017 – 2018**  
**PARENT/GUARDIAN**  
**&**  
**STUDENT HANDBOOK**

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Emergency KYW Broadcast 196

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## Mission

The Russell Byers Charter School provides students *roots*, a safe stimulating environment with a rigorous academic education grounded in Expeditionary Learning. Our students take responsibility for their learning to become powerful communicators, creative problem solvers and compassionate, engaged citizens. Russell Byers Charter School students develop *wings* to succeed in selective schools and embrace a love for learning.

## HISTORY OF RUSSELL BYERS CHARTER SCHOOL



*Philadelphia Daily News* columnist Russell Byers believed that the greatest gifts you can give a child are roots and wings. In his columns for the paper, Russell wrote frequently and passionately about how to improve the city of Philadelphia and was most passionate when writing about public education. He thrived on the excitement of city life and believed that a solid education has the power to change the life of a child... thereby helping to change the world.

Russell died on December 4, 1999, when he was murdered during an attempted robbery. As a tribute to his life, the columnist's family – his widow, Laurada Byers; his daughter, Alison Byers; and his son, Russell Byers, Jr. – have founded a charter school that honors Russell's lifelong commitment to civic responsibility, community service and academic excellence.

With tremendous community support, the Russell Byers Charter School opened its doors on September 17, 2001 to 160 students, in grades 4K through second, in the diverse Spring Garden neighborhood of Philadelphia.

Because of the number of interested families and in an effort to continue to grow and expand, the Russell Byers Charter School relocated in September 2003 to 1911 Arch Street, located in the heart of Center City, Philadelphia. Currently, the Russell Byers Charter School serves over 500 students in grades 4K through seventh.

## **ABOUT THE RUSSELL BYERS CHARTER SCHOOL**

The Russell Byers Charter School (“RBCS”) is a public elementary school with over 500 students in grades 4K through 7th. Russell Byers Charter School offers a full-day kindergarten for four and five-year-old students, one of the few kindergarten programs of this kind in Pennsylvania. Our students are from 37 neighborhoods across Philadelphia.

The Common Core Standards serve as the framework for our curriculum planning in reading, language arts, mathematics, science, and social studies. Music, Art, Digital Media Literacy, and Physical Education are offered as cultural arts disciplines.

Located in the heart of Center City, in our spacious building at 1911 Arch Street, the School is within walking distance of many of the city’s cultural treasures, including the Academy of Natural Sciences, the Franklin Institute, and the Free Library and makes regular use of these facilities, as well as the entire city, in our studies.

The school reflects Russell's values of academic excellence, civic responsibility and community service. Our approach to teaching, school culture and teacher training are centered upon Expeditionary Learning Schools (ELS) school design—an innovative model founded on the guiding principles of the famed outdoor educational program, Outward Bound. ELS emphasize high achievement through hands-on learning, inquiry, character growth and teamwork.

## ACADEMIC ACHIEVEMENT

Education at Russell Byers Charter School (“RBCS”) is a partnership between student and teacher, as supported by enlightened school leadership and committed parents. This partnership is key to the school's overarching goal: empowering students to take responsibility for their own education. At RBCS, students are on a journey of self-discovery and knowledge acquisition, and teachers provide guidance for this journey, drawing on experience, compassion, and respect for diverse learning styles, backgrounds, and needs.

**Academic Assessment Tools:** RBCS utilizes numerous assessment tools to measure the academic achievement of our students. The four (4) major assessments tools used are described below. We encourage you to consult with the classroom teacher throughout the year regarding your child (ren)’s individual assessment using each of these tools to help you determine how you can better support the education of your child (ren):

- **PSSA (Required By State of Pennsylvania):** The annual Pennsylvania System of School Assessment (PSSA) is a standards-based assessment used to measure a student's attainment of Pennsylvania academic standards. Every Pennsylvania student in grades 3 through 8 and grade 11 is assessed in reading and math. Every Pennsylvania student in grades 5, 8 and 11 is also assessed in writing. Every Pennsylvania student in grades 4, 8 and 11 is also assessed in science. Individual student scores are used to assist teachers in identifying students who may be in need of additional educational opportunities. An individual student’s PSSA results are a major factor in determining the promotion or retention of the student. PSSA scores are transferred to the school attended by a student after he/she leaves RBCS.
- **DRA:** The Developmental Reading Assessment (“DRA”) provides a method for assessing and documenting students' development in grades 5K to 5 as readers over time. Its purposes include: 1) identifying students’ reading level in terms of accuracy, fluency, and comprehension, 2) identifying students’ independent reading strengths and weaknesses, 3) guiding instruction, monitoring reading growth, and, for the grades 3-5, preparing students to meet classroom testing expectations, and 4) providing information to teachers regarding reading achievement. The DRA evaluates the major aspects of reading that are critical to independence as a reader.
- **MAP Assessment:** Measures of Academic Progress (MAP) tests present students in grades 1<sup>st</sup>-7<sup>th</sup> with engaging, age-appropriate content in Math and Reading. As a student responds to questions, the test responds to the student, adjusting up or down in difficulty. The result is a rewarding experience for the student, and a wealth of detailed information for teachers, parents, and administrators. The MAP test will give teachers a clear picture of how to differentiate their instruction to maximize achievement for each student.

**Honor Roll:** At the end of each report card period, students who have met the following criteria will be recognized for the accomplishments and will receive an Honor Roll Certificate:

**Distinguished**

A's in all subject areas

Homework average 95% or higher

3's and 4's in behavior

**Meritorious**

A's and B's in all subject areas

Homework average 90%-95%

3's in behavior only

**Grading:** Students will be graded in the following areas:

**Lower Division**

- **60% tests/projects**
- **20% quizzes**
- **10% classwork**
- **10% homework**

**Upper division**

- **50% tests/projects**
- **20% quizzes**
- **20% homework**
- **10% classwork**

**Retention Policy:** Students will be retained if they fail two core subjects.

**Core subjects are:**

**Reading and Math (5k-5<sup>th</sup>)**

**Reading, Math, Science, and Social Studies (6<sup>th</sup>-8<sup>th</sup>)**

**ARRIVAL AND DISMISSAL PROCEDURES**

**Arrival Procedure:** Students may enter RBCS through either the front door or back door between 7:45 a.m. and 8:00 a.m. At 8:00 a.m. the back door will be locked.

***Parent(s)/guardian(s) may not leave their children before 7:45 a.m.*** unless enrolled in the RBCS Before School Program (page 10).

- Parent(s)/guardian(s) are encouraged to have their children use the free school bus provided by RBCS. However, 4k and 5k students are not allowed to use school and must be brought to the school by an adult.
- **Parents/Students who are not registered in Carpe Diem Before Care program will not be admitted into the school building until 7:45AM**
- Upon entering the building, students will go directly to their assigned classroom.

- If your child arrives after 8:00 a.m., he/she is considered tardy. Please see *Late Arrival Procedures*.
- Parent(s)/guardian(s) are not allowed to escort their child to a classroom unless approved by an RBCS official at the front desk.

**Late Arrival Procedure:** Student arriving after 8:00 a.m. will follow the following procedures:

- Children who arrive late must be escorted to the front entrance of the school by their parent(s)/guardian(s) to sign in at the school check-in computer.
- Students will receive a late slip, which the classroom teacher will collect as the student enters the room.
- No student will be admitted to the classroom without a late slip, except in the case of a late school bus.

**Dismissal Procedure:** School ends at 3:30p.m. at which time students will be either dismissed from the school building or transitioned to after school programs. No child may remain in the building after 3:45 p.m. unless they are involved in after school activities for which they are registered or enrolled in the RBCS Before and After School Program (page 10).

**Picked-up by Parent/Guardian:**

- Students being picked up by parent(s)/guardian(s) will wait in the Multi-purpose Room (Grades 1-7) or front lobby (4K-5K) for pick-up.
- Parents(s)/guardian(s) and carpools should use the Cherry Street entrance for picking up their child (ren).
- RBCS has a **“Shake and Point”** procedure for parent(s)/guardian(s) pick-up. Parent(s)/guardians must come to the class line and children must shake their teacher’s hand and point to the person picking them up before they are dismissed.
- If pick up is by an automobile, a staff member will greet the parent/guardian and arrange for the child to come out.
- To ensure their personal safety, children are not permitted to wait outside or in any other non-designated area.

**Bus Riders:** Students will be called by the front desk and go directly to their assigned bus.

**Students Riding Public Transportation:** Students riding public transportation must have written permission from a parent/guardian and sign out at the front desk before leaving RBCS.

**Early Dismissal Procedure:**

- **The parent/guardian will send a note or send an email to [earlydismissal@byerschool.org](mailto:earlydismissal@byerschool.org) by 2:00pm in advance except in emergencies. Early dismissals will not be permitted between 2:30-3:30 without prior written notice.**
- On the day of early dismissal, the parent/guardian must go to the front desk to request the student be dismissed.
- A member of the front desk staff will call the classroom and ask the teacher to send the child to the front lobby to meet the parent/guardian.
- Children will not be dismissed from the school classroom without a call from the front desk. Parents/guardians are not permitted to go up to the classroom to pick up their child.

- The child will be responsible for completing any work that is missed.

**After School Programs:**

- Students enrolled in after school programs or clubs will be escorted from the multi-purpose room at 3:30 p.m. to their respective classrooms.
- Students involved in after school programs are expected to be picked up by parents/guardians or depart for public transportation at the time designed by RBCS.
- Students will be dropped from after school programs if the child is not picked up on time.

**When Parent(s)/Guardian(s) Pick Up Plans Change:**

- The parent(s)/guardian(s) must submit a signed note or email to [earlydismissal@byersschool.org](mailto:earlydismissal@byersschool.org) in advance when an individual other than the parent(s)/guardian(s) will be conducting the afternoon pick-up.
- This note may be submitted to the front desk or homeroom teacher. The note must designate the 1) name of the person authorized to pick up the student, 2) relationship of the person authorized by the parent(s)/guardian(s) and 3) the date(s) on which this authorization is permitted.
- If the student normally rides the bus or attends RBCS Before and After School Program, but will have alternate plans for a particular day, the parent/guardian is expected to send a signed note in advance detailing the arrangements.
- If anyone other than a parent(s)/guardian(s) or relative will be picking up your child that person needs to come to the front desk and present identification that he/she is the person authorized by the parent(s)/guardian(s) before the child will be released.
- The child must recognize the person. We will not release a student to a stranger.

**If Parent(s)/Guardian(s) Do Not Pick Up Child (ren) at Dismissal or at the End of an After-School Program:**

- Parent(s)/guardian(s) are expected to pick up their child (ren) each day at 3:30p.m (Dismissal) or at the end of an after-school program unless the child (ren) 1) ride the bus or take public transportation, 2) participate in an after-school program (in the case of dismissal) or 3) are enrolled in the RBCS Before and After School Program.
- All 4k and 5k students must be picked up by a parent(s)/guardian(s).
- **Parents/Students will be allowed (2) late arrivals pick-up grace to attend Aftercare at no cost if the student is picked up by 4:00PM. After the (2) grace has been exhausted then that student/parent/family will be invoiced for the Per Diem day rate of \$20.**

**\*Failure to pay for Carpe Diem Services will forfeit students from class trips, special programs, participation in after-school clubs and programs (Playworks, Chess, Debate, Science, Art, and Choir) Students/Parents/Families who do not reconcile invoices within 30 days it may result in Students/Parents/Families being brought before Russell Byers School Board of Trustees for violation of school policies.**

## ATTENDANCE AND TARDINESS POLICIES AND PROCEDURES

**Our Expectations:** Regular attendance is expected of all students. It is impossible to completely make up everything that is missed. A typical school day is filled with learning that is not limited to books, i.e. group projects, discussions, and lab work. Paper work can be made up, but the valuable learning opportunities cannot. Excellent attendance and punctuality are essential for reaching higher standards of achievement and progress. Punctuality and attendance are important skills for employment later in life. RBCS is building the future when we develop these skills in children. Responsibility for student attendance and punctuality lies primarily with students' parents/guardians. Absenteeism and tardiness by students is disruptive in the classroom, inconsistent with RBCS expectations of students and parents/guardians, and most importantly, hinders the learning opportunity for your child and the other children in the classroom and increases students' risks for academic difficulty or failure.

**Excused/Unexcused Tardy:** Arrival after 8:00 a.m. but before 10:00 a.m. is defined as tardy except in the case of a late school bus that is not considered as "Tardy". A Tardy can be "Excused" or "Unexcused". An Excused Tardy includes:

- A medical appointment or a family emergency (death, hospitalization) supported by acceptable documentation provided to the School within 48 hours of the Tardy
- Exceptional circumstances approved by the RBCS Dean of Students.
- **Reasons such as car trouble, personal/family reasons, heavy traffic, and the like while understandable, are not acceptable excuses and will be listed as unexcused lateness**

Acceptable documentation of an Excused Tardy includes: 1) a note signed by a medical professional in the case of a medical appointment or medical emergency to be turned in to the teacher or Dean of students. Without acceptable documentation, a Tardy will be classified as Unexcused. Excessive Tardies will be handled as described under *Consequences for Excessive Unexcused Tardiness and/or Early Dismissals*.

**Excused/Unexcused Early Dismissal:** Leaving school before 3:25 p.m. is defined as an "Early Dismissal". An Early Dismissal can be "Excused" or "Unexcused". Excused early dismissal includes: 1) A medical appointment or a family emergency (death, hospitalization) supported by acceptable documentation provided within 48 hours of the Early Dismissal or 2) Exceptional circumstances approved by the Principal.

Acceptable documentation of an Excused Early Dismissal includes: 1) a note signed by a medical professional for a medical appointment/medical emergency. Without acceptable documentation, an early dismissal will be considered unexcused. 2) A note or email to the teacher stating the reason for the early dismissal, time of dismissal, and who will be picking the child up. Excessive Unexcused Early Dismissals will be handled as described in *Consequences for Excessive Unexcused Tardiness and/or Early Dismissals*.

**Excused/Unexcused Absence:** An absence from school for more than two hours (including arrival after 10:00 a.m. and early dismissal before 1:25 p.m.) is defined as an “Absence”. An Absence can be “Excused” or “Unexcused”. The following situations supported by acceptable documentation provided to the School within 3 days of the absence qualify as an Excused Absence. Absences regardless of cause that are not supported by acceptable documentation are considered Unexcused. Acceptable documentation should be given to the homeroom teacher or Principal. **Parents will be allowed (5) parent notes/emails for the year to be used as an acceptable form of documentation. Once a parent has reached the limit (5) for the school year parent notes or emails are not an acceptable form of documentation. Family vacations scheduled on school days are considered Unexcused.** Excessive unexcused absences will be handled as described under Actions for Excessive Tardiness, Early Dismissals, and/or Unexcused Absenteeism. Excused absences include:

- **Serious Injury or Death of a Family Member** - Up to five (5) school days due to a serious injury or death in the immediate family and one school day due to a serious injury or death of a non-immediate family member. The immediate family of a student includes parents/guardians, grandparents, brothers and sisters. A dated and signed note or email to the homeroom teacher or ([kgoodwin@byerschool.org](mailto:kgoodwin@byerschool.org)) from a parent/guardian stating the serious injury or death and the relationship with the student will serve as acceptable documentation.
- **Student Illness or Injury** - A dated and signed note from the medical professional is required for any student illness or injury lasting three (3) consecutive school days or more or for a recurring personal illness or injury that results in three (3) or more days of absence.
- **Quarantine** - An absence that is ordered by the local health office or State Board of Health. A copy of the official order by the local health office or State Board of Health will serve as acceptable documentation.
- **Court or Administrative Proceedings** - A copy of the official order by the court or administrative organization will serve as acceptable documentation.
- **Observance of a Religious Holiday** - If the religious tenets to which the student and/or his/her family adhere require observance of the holiday. A dated and signed note or email to the homeroom teacher or ([kgoodwin@byerschool.org](mailto:kgoodwin@byerschool.org)) from a parent/guardian stating the religious holiday will serve as acceptable documentation.
- **Out of School Suspensions** - No documentation is required from the parent/guardian.
- **Other** – Other exceptional or unavoidable absences as approved by the Dean of Students.

**Perfect Attendance Award:** RBCS will recognize monthly and at the end of the school year, students with perfect attendance. To qualify for a perfect attendance award, a student must be present every school day and not have an unexcused lateness or unexcused early dismissal.

**Educational Leave of Absence Policy:** A planned absence, which extends beyond three consecutive scheduled school days, requires a formal application process in advance. The formal request must be made to the Principal 30 days prior to leaving, and include the dates, destination, and purpose of the trip, a description of the educational value, specific plans for enrichment, and arrangements that have been made for making up missed classroom work. Failure to follow Educational Leave of Absence Policy procedures without just cause may result

in removal from the rolls. Planned absences that shorten the school year by coinciding with either the beginning or the end of the extended school year are not permitted.

### **Consequences for Excessive Unexcused Tardiness and/or Early Dismissals:**

- **Three (3) unexcused tardies and/or early dismissals:** RBCS will send parent(s)/guardian(s) a letter outlining the school's tardiness and/or early dismissal policies. Student will also serve a Saturday detention.
- **Ten (10) unexcused tardies:** Administration shall notify the Philadelphia School District of the excessive tardiness/early dismissals for possible action against the parent(s)/guardian(s) for violation of the Pennsylvania compulsory attendance laws. In addition, the parent(s)/guardian(s) may be requested to meet with a school administrator regarding the tardiness or early dismissals. Student will also serve a Saturday detention.
- **Twenty-one (21) unexcused tardies and/or early dismissals:** RBCS will send the parent(s)/guardian(s) a letter notifying them that the child and the parent(s)/guardian(s) will be required to attend a meeting with Dean of Climate and Culture/Principal to develop a plan to eliminate tardiness. Depending upon the circumstances surrounding the unexcused tardies and/or or early dismissals and/or compliance with the plan, the Dean of Climate and Culture will also make a determination if other actions are to be taken, including but not limited to: 1) in-school or out-of-school suspension; 2) suspension or exclusion from clubs, after-school and extracurricular activities; 3) requiring make-up classes after-school and/or on Saturdays; and/or (4) Informal hearing; 5) and/or referral to the Board of Trustees for an expulsion hearing.

### **Consequences for Excessive Unexcused Absenteeism:**

- **Three (3) days of unexcused absence or more:** RBCS shall inform the Philadelphia School District when a student has accrued three (3) or more days of unexcused absence during the school year. It is the responsibility of the school district to enforce the compulsory attendance laws in accordance with the Public-School Code, which may include an action against parents or students who have violated the compulsory attendance laws. Penalties include the imposition of a fine, completion of parenting education programs and community service, and/or jail time. RBCS will also send the parent(s)/guardian(s) a letter outlining the school's attendance policies. In addition, the parent(s)/guardian(s) may be requested to meet with a school administrator regarding the absenteeism and to discuss a truancy elimination and/or reduction plan (TEP).
- **Six (6) days of unexcused absence or more:** RBCS shall inform the Philadelphia School District when a student has accrued six (6) or more days of unexcused absence during the school year. It is the responsibility of the school district to enforce the compulsory attendance laws in accordance with the Public-School Code, which may include an action against parents or students who have violated the compulsory attendance laws. Penalties include the imposition of a fine, completion of parenting education programs and community service, and/or jail time. RBCS will also send the parent(s)/guardian(s) a letter notifying them that the child and the parent(s)/guardian(s) will be required to attend a meeting with Dean of Students to develop a truancy elimination and/or reduction plan (TEP). Depending upon the circumstances surrounding the unexcused absences and/or compliance with the truancy elimination and/or reduction plan, the Dean of Students will also make a determination if other actions are to be taken,

including but not limited to: 1) in-school or out-of-school suspension; (2) suspension or exclusion from clubs, after-school and extracurricular activities; 3) requiring make-up classes after-school and/or on Saturdays; (4) Informal hearing; and/or (5) referral to the Board of Trustees for an expulsion hearing.

- **Consecutive Unexcused Absences:** Pursuant to Chapter 11.24 of Title 22 of the Pennsylvania Code, students who are absent from school for 10 consecutive school days, will be removed from the active membership roll unless one of the following occurs: (1) RBCS has been provided with evidence that absence may be legally excused or (2) Compulsory attendance prosecution has been or is being pursued.

### **Retention in Grade for Excessive Unexcused Absenteeism and Low Academic**

**Performance:** Regular attendance is expected of all students. It is impossible to completely make up everything that is missed. A typical school day is filled with learning that is not limited to books, i.e. group projects, discussions, and lab work. Paper work can be made up, but the valuable learning opportunities cannot. Excellence attendance is essential for reaching higher standards of achievement and progress. Therefore, if a child has 1) excessive unexcused absences and /or 2) low academic performance the child may be retained in grade and be required to attend summer school.

## **CODE OF CONDUCT**

**Expectations for Student under the Code of Conduct:** RBCS' goal is for all students to excel in the learning process. Feeling safe in the school environment contributes to this goal. We have established a Code of Conduct to set clear expectations for positive behaviors, attitudes and interactions that will support students in taking responsibility for their learning and achieving success. At RBCS, our model for positive behavior is the "4R's" approach- Responsibility, Respect, Resilience, and Reflection. Teachers will reinforce these 4R's by explicitly teaching them in the classroom and monitoring them throughout the school day. The Code of Conduct learning targets for students are:

### **Respect**

- **I am respectful to all adults and students.** This means I communicate with others by using positive body language and facial expressions, and an appropriate tone of voice.
- **I behave in a peaceful manner.** This means that I keep my body in my own space and I do not use mean or threatening words or gestures.

### **Responsibility**

- **I take responsibility for my own learning.** This means I am on time and well prepared for school each day. This also means that I make choices that help me learn and do my best work including carefully completing all classroom and homework assignments on time.
- **I make choices that help my crew and the school community.** This means that I follow all directions and procedures to make learning fun and safe.
- **I am careful to "leave no trace" or "make it better".** This means that I help take care of our school building, my classroom, school property and materials so that everything is clean and well maintained.

## Resilience

- **I maintain a positive attitude and work ethic even when things get tough.** This means that even when things in my personal life, friendships at school and/or my schoolwork feels hard, I push on and do my best

## Reflection

- **I learn about myself, set goals, and get better over time.** This means that when I make mistakes, I learn from the consequences and avoid repeating them. I know what I need to do to improve as a student and as a community member here at RBCS.

**Application of the Code of Conduct:** The Student Code of Conduct applies to all situations that occur in a school setting and/or where school employees have jurisdiction over the students, including, but not limited to, while the students are in the school, on their way to or from the school, on school buses including buses owned and operated by school districts in Pennsylvania, on the school premises, on a field trip, on the way to and from field trips, in our After School Care program and on the way to and from any After School Care program, at any extra-curricular activity or at any school sponsored event and on the way to or from any extra-curricular activity or at any school sponsored event.

A “school setting” shall mean in the school, on school grounds, on school property, at any school testing sites or other sites used by the school, on the school’s server or school’s electronic, web-based, Internet or on-line programs, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student whose out of school conduct materially and substantially interferes with the educational process in the school is also subject to this policy to the extent allowed by applicable laws and regulations.

**The Peace Policy:** A school must be a safe and peaceful environment so that students can thrive and learn. While conflicts in the classroom and on the playground, may arise, resolving these peacefully is our highest priority. Violence in any form is not tolerated within the Russell Byers School Community, and students are educated about how to use nonviolent means to express their concerns, get appropriate help and resolve disputes.

RBCS expects all students to act respectfully towards faculty, staff, visitors and other students, in accordance with our Peace Policy. The Code of Conduct and Peace Policy applies to school grounds, buildings, and premises during the following times when the student is present: before, during, and after school hours; anytime school buildings or grounds are used by a school group; on or off school grounds at any school function or event; when traveling to and from school, or school function or event; at bus stops; or at any time or place which may affect an educational function or be associated with the school. Students who demonstrate they cannot comply with our Peace Policy will be disciplined in accordance with the Code of Conduct. The school depends upon family support in promoting and maintaining our Peace Policy and Code of Conduct.

**School Disciplinary Approach:** The Code of Conduct is 1) designed to provide students with specific, clear, and consistent expectations regarding the behaviors that they are expected to engage in during all school classes and sponsored activities and events and 2) intended to assist students in making appropriate choices that support their learning. 3) grounded in the belief that, given the proper support and accountability, all students can thrive as meaningful contributors to our community. RBCS’ goal is to create a team effort between the home and

school to ensure each child’s success. We depend upon parents and guardians to notify the school if there is a social, emotional, or academic concern that may impact the child’s behavior at school. We strive for a proactive, consistent, restorative approach towards student conduct in order to promote a respectful and healthy learning environment that engages all partners (*parent(s)/guardian(s), staff, community, Board*) in a collaborative effort. This approach includes:

- Faculty maintaining professionalism when addressing student behavior by communicating expectations and consequences clearly and respectfully.
- Parents having the right to request a meeting with administration to discuss any student behavioral concerns.

Disciplinary actions are decided by the classroom/cultural arts teacher, Principal, Dean of Climate and Culture, Head of School and/or Board according to the Code of Conduct. Parent(s)/guardian(s) will be notified as to the nature of and rationale for disciplinary actions in accordance with the Code of Conduct.

**Behaviors Warranting Disciplinary Action:** Students who commit any of the following violations of the Code of Conduct shall be subject to appropriate disciplinary action, including suspension and/or expulsion, as set forth in Chapter 12 of Title 22 of the Pennsylvania Code. Violations are leveled for disciplinary consequences.

***Repeated violations of the Code of Conduct, regardless of whether they occurred in the same school year or in prior school year(s), may result in a violation being treated as a higher-level offense and may warrant suspension, expulsion and/or other disciplinary consequences connected with higher level offenses as reasonably determined by RBCS on a case by case basis.***

A violation can receive the consequence identified, a lesser, or a more severe consequence depending on the severity of the violation, repetition of violation(s), or effect on others. This list is not exhaustive of behaviors that may result in disciplinary action.

A parent/guardian may request written notice of the disciplinary action and the cause. Student and/or parent/guardian may not appeal a disciplinary action, other than expulsion, but the RBCS administration is eager to engage parents as partners in intervening in patterns of misbehavior.

Level 1 – Policy Violations/Disrespect/Disruptive Behavior	Consequences
<p><u>Policy Violations</u></p> <ul style="list-style-type: none"> <li>• Uniform violation;</li> <li>• Repeated instances of incomplete homework or class assignments;</li> <li>• Failure to follow established school/classroom rules.</li> </ul> <p><u>Disrespect/Disruptive Behavior</u></p> <ul style="list-style-type: none"> <li>• Talking, yelling, gesturing inappropriately or throwing a tantrum;</li> <li>• Rough play or activity;</li> <li>• Not following directions;</li> <li>• Teasing or name calling;</li> <li>• Bringing school property home without teacher permission;</li> <li>• Damage or loss textbooks, library books, or learning tools;</li> <li>• Disrespect toward adults and/or peers;</li> <li>• Disruption of class, study or instruction;</li> </ul>	<p>Classroom or supervising teacher will determine appropriate in-class consequences.</p> <p>These consequences may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Restitution (logical consequence)</li> <li>• Loss of privilege</li> <li>• Student/teacher</li> </ul>

<ul style="list-style-type: none"> <li>• Horseplay;</li> <li>• Inappropriate language or gesture;</li> <li>• Leaving class without teacher’s permission;</li> <li>• Possession or use of contraband items including but not limited to: cell phone, iPod/MP3 player, an electronic/digital device, not including a calculator or digital watch during school hours or school programs;</li> <li>• Unexcused tardy (see attendance policy);</li> <li>• Bus Infraction;</li> <li>• Cheating and/or plagiarism;</li> <li>• Damage or loss of textbooks, library books, or learning tools;</li> <li>• Disrespect;</li> <li>• Disruption of class, study or instruction;</li> <li>• Inappropriate display of affection</li> <li>• Loitering on school property, including halls and classrooms;</li> <li>• Rude behavior to others;</li> <li>• Sleeping in class;</li> <li>• Failure to attend class;</li> <li>• Loitering and/or failure to provide identification upon request;</li> <li>• Running or making of excessive noise in the school building;</li> <li>• Lying to school authority.</li> </ul>	<ul style="list-style-type: none"> <li>• conference</li> <li>• “Talk it out” process</li> <li>• Note or phone call to parent/guardian</li> <li>• Other consequences as determined by the teacher</li> </ul>
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<b>Level 2 – Serious Disruptive/Disorderly Behavior</b>	<b>Consequences</b>
<ul style="list-style-type: none"> <li>• Repeated Level 1 violation may be elevated to a Level 2 violation;</li> <li>• Bullying; Cyber-bullying when action is initiated in the school building;</li> <li>• Cheating and/or plagiarism;</li> <li>• Aggressive behaviors, including but not limited to hitting, pushing, and shoving;</li> <li>• Disobedience to teacher or other staff member;</li> <li>• Dishonesty/lying/falsehood: including presentation of forged notes or passes or refusal to identify yourself properly;</li> <li>• Misuse of school property or property of others including computers, networks, web pages;</li> <li>• Violating RBCS technology/acceptable use policy;</li> <li>• Use of obscene/profane language or gestures;</li> <li>• Creation or possession of obscene writing, pictures or articles;</li> <li>• Theft of school or other peoples’ property;</li> <li>• Throwing object without regard to safety;</li> <li>• Counterfeiting/use/distribution of counterfeit money;</li> <li>• Failure to report to office as directed;</li> <li>• Gambling or present at scene of gambling;</li> <li>• Violating RBCS’ technology/acceptable use policy;</li> </ul>	<p>Classroom/supervising teacher may determine appropriate consequences as described under Level 1 and/or seek guidance for other forms of appropriate consequences from the Principal Students. Consequences may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• The parent(s)/guardian(s) may be required to attend a conference at the school. During this conference, a behavior modification plan may be established to help the student comply with the Code of Conduct.</li> <li>• Suspension from clubs, after-school and extracurricular activities for up to four (4) weeks.</li> <li>• Detention</li> <li>• Full in-school suspension</li> <li>• Suspension</li> </ul>

<ul style="list-style-type: none"> <li>• Unexcused Absenteeism (see attendance policy).</li> </ul>	
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<b>Level 3 – Safety Issues, Aggressive / Threatening Behavior</b>	<b>Consequences</b>
<ul style="list-style-type: none"> <li>• Repeated Level 2 violations may be elevated to a Level 3 violation</li> <li>• Bus Infraction</li> <li>• Fighting</li> <li>• Creation or possession of violent writing, pictures or articles</li> <li>• Threats of violence (verbal or physical)</li> <li>• Student actions that present a danger to the safety and well-being of themselves or others</li> <li>• Unauthorized entry into restricted areas</li> <li>• Gang activity</li> </ul>	<p>Discipline Committee and/or Dean of Climate and Culture will determine appropriate consequences. Consequences may include:</p> <ul style="list-style-type: none"> <li>• Suspension or exclusion from clubs, after-school and extracurricular activities</li> <li>• Suspension from the school bus (for bus infraction)</li> <li>• In or out of school suspension for up to 10 days</li> <li>• Detention</li> <li>• The parent(s)/guardian(s) may be required to attend a conference at the school with the Dean of Climate and Culture and the classroom teacher. During this conference, a behavior modification plan may be established to help the student comply with the Code of Conduct.</li> </ul>

<b>Level 4 – Egregious Behaviors and/or Criminal Acts</b>	<b>Consequences</b>
<ul style="list-style-type: none"> <li>• Repeated Level 3 violations may be elevated to a Level 4 violation;</li> <li>• Actual or attempted Possession, use, manufacturing, growing, distribution, solicitation of and/or sale of illegal drugs and/or counterfeit illegal drugs, and/or controlled substances and/or drug paraphernalia</li> <li>• Attempted or actual possession, use, sale, manufacturing, solicitation of/ and/or distribution of non-prescription drugs or counterfeit non-prescription drugs;</li> <li>• Attempted or actual possession, use, sale, manufacturing, solicitation of and/or distribution of alcohol;</li> <li>• Attempted or actual Possession/use/sale/ and/or distribution of Tobacco products;</li> <li>• Inappropriate student actions which indicate the use of drugs, alcohol, or other behavior altering substances;</li> <li>• Harassment of any kind – verbal, written or gestures;</li> <li>• Engaging in any consensual sexual acts (for the purpose of this Code, sexual acts include, but are not limited to: Sexual Harassment and/or Sexual Assault and/or Sexual Battery;</li> <li>• Intercourse, oral sex, groping, simulated sex) on school property, at a school function, on school transportation or at any school-related activity or trip;</li> <li>• Forcing or attempting to force any other member of the school community to engage in any sexual act.</li> <li>• Molesting others;</li> <li>• Actual or attempted Possession, Distribution, Sale or Use of</li> </ul>	<p>Violation will be referred to the Principal who will determine the appropriate consequence(s).</p> <p><b>A Level 4 violation will result in an automatic out-of school suspension for 10 school days and an Informal Hearing.</b></p> <p>Other consequences may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Exclusion from all clubs, after-school and extracurricular activities for the remainder of the school year</li> <li>• Removal from the school bus (for</li> </ul>

<p>Pornography (whether written or electronic)</p> <ul style="list-style-type: none"> <li>• Illegal conduct and/or attempted illegal conduct;</li> <li>• Setting false fire alarms or reporting false emergencies;</li> <li>• Arson or attempted arson;</li> <li>• Assault and/or battery of an employee or student;</li> <li>• Extortion, attempted extortion, robbery, burglary and/or larceny;</li> <li>• Student actions that present a danger to the safety and well-being of themselves or others;</li> <li>• Serious violations of school’s internet safety and/or acceptable use policies;</li> <li>• Actual or attempted possession, distribution, sale, use or lighting of fireworks, stink bombs, or other explosives;</li> <li>• Attempted/actual possession/use/sale/solicitation of and/or distribution of lighters, matches, laser pointers and/or look-alike items;</li> <li>• Actual/attempted Possession, use, distribution, solicitation or sale of a firearm or dangerous weapon or look-alike weapon. Weapons include but are not limited to any knife, cutting or sharpened instrument, cutting tool, nunchucks, firearm, shotgun, rifle, metal pipes, clubs, ammunition, or any tool, instrument or implement capable of inflicting serious bodily injury.</li> <li>• Possession, use, distribution, sale, lighting, or discharge of explosive or incendiary devices;</li> <li>• Hazing;</li> <li>• Unlawful assembly and/or riot;</li> <li>• Vandalism or defacing or destruction of school property or property of another (includes writing on walls, etc.);</li> <li>• Leaving school grounds without proper authorization;</li> <li>• Trespassing;</li> <li>• Purposefully or recklessly endangering the health, welfare or safety of any member of the school community.</li> <li>• Threatening to endanger the health, welfare or safety of any member of the school community; Threats of death or serious bodily injury– either written, electronic or verbal;</li> <li>• Causing or attempting to cause serious bodily injury to any member of the school community.</li> <li>• Engaging in any activity that can reasonably be expected to have the effect of harassing, threatening or damaging the safety or reputation of any member of the school community.</li> <li>• Other criminal acts in violation of local, state, or federal laws and/or regulations.</li> </ul>	<p>repeated bus infraction).</p> <ul style="list-style-type: none"> <li>• A parent or guardian is required to attend a mandatory scheduled conference at the school with the Chief Executive Officer for an informal hearing.</li> <li>• Police shall be notified in the case of Safe Schools Act violations.</li> <li>• The student may be referred to the Board of Trustees for an expulsion hearing in accordance with Chapter 12 of Title 22 of the PA Code.</li> </ul>
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## UPPER DIVISION MERIT/DEMERIT POLICY

Upper Division students will carry a merit/demerit card with them daily. It should be in their lanyard. When a student has filled-up a merit card he/she will receive a reward and when a demerit card has been filled he/she will receive a consequence. The consequences are listed below:

- 1-2 Demerit Card: Lunch Detention w/ Parent Communication
- 3-4 Demerit Card: One week Lunch Detention w/ Community Service/Parent Conference
- 5-6: Demerit Card: After-School Detention & Parent Conference
- 7-8 Demerit Card: Saturday Detention & Parent Conference
- 9-10 Demerit Card: In-School Suspension and Saturday C.S./Parent Conference
- 15+ Demerit Card: Out of School Suspension & 1 Month Sat.

Students are responsible to bring their merit/demerit card home and return them the following day. This process provides parents with a way to view the card daily. Any student who loses a demerit card will automatically receive 5 demerits.

## DETENTION/SUSPENSION/EXPULSION

**Detention:** Detention, which is a form of disciplinary action that requires students to lose a privilege or remain after school for a set amount of time, are determined by the Principal or Dean of Climate and Culture. Detentions will be held Tuesdays and Thursdays after school for approximately one hour. Saturday detentions will be held from 10:00am- 12:00pm. **If a student arrives late to a Saturday detention, they will be assigned another Saturday detention.** A student will be informed of the reasons for the detention and given the opportunity to respond before the detention becomes effective. RBCS send home to parent(s)/guardian(s) written notice of the detention and a minimum of 1 day's notice when assigning a detention that will occur after school or on Saturday. It is the responsibility of the parent(s)/guardian(s) to provide transportation to and from an assigned detention. Failure of a student to report to a detention may result in additional detentions and/or escalation of the consequences to be determined by the Principal or Administrator of Students and Families. Students in detention will be required to complete homework assignments, read, and write a brief reflection tied to the 4R's that demonstrates their understanding of the infraction and their intention to avoid it in the future. This reflection will be submitted to the detention supervisor and forwarded to the child's parent.

### **In-school suspension:**

- A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.
- Communication to the parent(s)/guardian(s) shall follow the suspension action taken by the school, and may be made in writing, email, or via phone call.
- When the in-school suspension exceeds 10 consecutive school days, an informal hearing with the Head of School shall be offered to the student and the student's parent(s)/guardian(s) prior to the 11th school day in accordance with the procedures in the Pennsylvania Code.

- RBCS has the responsibility to make provision for the student's education during the period of the in-school suspension

**Out of School Suspension and Expulsion:** Exclusion from school may take the form of suspension or expulsion.

- Suspension is exclusion from school for a period of from 1 to 10 consecutive school days.
  - Suspensions may be given by the Dean of Climate and Culture, Principal, or the Head of School
  - A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.
  - Parent(s)/guardian(s) shall be notified immediately in writing when a student is suspended.
  - When the suspension exceeds three (3) school days, the student and parent(s)/guardian(s) shall be given the opportunity for an informal hearing consistent with the requirements of the Pennsylvania Code.
  - Suspensions may not be made to run consecutively beyond a 10-school day period.
  - Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the Board.
- Expulsion is exclusion from school by the Board for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing before the Board.
  - During the period prior to the hearing and decision of the Board in an expulsion case, the student shall be placed in his /her normal class except as set forth below.
  - If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by the parties. Any student so excluded shall be provided with alternative education, which may include home study.
- The initial responsibility for providing the required education rests with the student's parent(s)/guardian(s), through placement in another school, tutorial or correspondence study, or another educational program may be approved by the CEO.
- Within 30 days of action by the Board, the parent(s)/guardian(s) shall submit to the school written evidence that the required education is being provided as described above or that they are unable to do so. If the parent(s)/guardian(s) are unable to provide the required education, RBCS shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act 2004.
- If the approved educational program is not complied with, RBCS may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education.

**Formal Hearing:** A formal hearing is required in all expulsion actions. This hearing may be held before the Board or an authorized committee of the Board, or a qualified hearing examiner appointed by the Board. The qualified hearing examiner or authorized committee of the Board will consider the evidence presented by Administration and the student in connection with a formal hearing and will make a recommendation to the Board of Trustees. A majority vote of the entire Board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

- Notification of charges shall be sent to the student's parent/guardian by certified mail.
- At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
- The hearing shall be held in private unless the student or parent/guardian requests a public hearing.
- The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
- The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
- The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
- The student has the right to testify and present witnesses on his own behalf.
- A written or audio record shall be kept of the hearing. The student is entitled at the student's expense to a copy. A copy will be provided at no cost to a student who is indigent.
- The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
  - Laboratory reports are needed from law enforcement agencies.
  - Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act 2004 (20 U.S.C.A. § 1400—1482).
  - In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.
- Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

**Informal hearings:** The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

- The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.
- The following due process requirements shall be observed in regard to the informal hearing:

- Notification of the reasons for the suspension shall be given in writing to the parent(s)/guardian(s) and to the student.
- Sufficient notice of the time and place of the informal hearing shall be given.
- A student has the right to question any witnesses present at the hearing.
- A student has the right to speak and produce witnesses on his own behalf.
- RBCS shall offer to hold the informal hearing within the first five (5) days of the suspension.

**Discipline of Disabled Students:** RBCS complies with Chapter 711 of Title 22 of the Pennsylvania Code pertaining to the discipline of students with disabilities and thought-to-be eligible students. Please refer to the school’s Discipline of Special Education Students Policy and Annual Notice of Special Education Services for applicable accommodations. Any questions regarding the discipline of special education or Section 504 students should be directed to the RBCS’ Special Education Coordinator.

**Disciplinary Records:** All official disciplinary records for incidents involving the possession of a weapon or acts of violence shall remain in the student’s permanent record (pocket) and be transferred with the student to any public school within Pennsylvania. All incident reports shall be maintained in the student’s permanent record. All incidents involving violence (to a person or to property) or possession of a weapon shall be maintained in the student’s permanent record and transmitted to any K-12 school in Pennsylvania in which the student is enrolled. Lower-level incidents (1-2) are not maintained in a student’s permanent record.

Prior to admission to any school entity, the parent(s)/guardian(s) or other person having control or charge of a student shall, upon registration, provide a sworn statement or affirmation stating whether the pupil was previously or is presently suspended or expelled from any public or private school for an act or offense involving weapons, alcohol or drugs or for the willful infliction of injury to another person or for any act of violence committed on school property. The registration shall include the name of the school from which the student was expelled or suspended for the above-listed reasons with the dates of expulsion or suspension and shall be maintained as part of the student’s disciplinary record. Any willful false statement made under this section shall be misdemeanor of the third degree.

## Anti-Bullying Policy

RBCS provides a rigorous education that cultivates self-assurance, love of fresh ideas, and a sense of joy, and a commitment to the 4R’s. RBCS students will gain the academic and career skills to truly make their lives and their world better. The Board of Trustees recognizes the importance of a safe school environment to the educational process of RBCS. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other disruptive or violent behaviors that disrupt both a student’s ability to learn and a school’s ability to educate its students in a safe environment, is prohibited at RBCS. Because students learn by example, school administrators, faculty, staff and volunteers are directed to demonstrate appropriate behavior, treat others with civility and respect and to refuse to tolerate bullying.

**Bullying Definition:** “Bullying” is defined as intentional electronic, written, verbal or physical act, or a series of acts:

- Directed at another student or students;
- Which occur in a “school setting” or outside of school and materially and substantially interferes with the educational process or program at the school such as to create a sufficient nexus with the school, as allowed by law;
- That are severe, persistent or pervasive; and
- That have the effect of doing any of the following:
  - Substantially interfering with a student’s education;
  - Creating a threatening environment; or
  - Substantially disrupting the orderly operation of the school.

**School Setting Definition:** A “school setting” shall mean in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student whose out of school conduct materially and substantially interferes with the educational process in the school is also subject to this policy.

**Anti-Bullying Policy:** Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors. The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Since bystander support of bullying can bolster these behaviors, the school prohibits both active and passive support for acts of bullying. The staff should encourage all students to walk away from these acts when they see them and to report them to the Principal.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying may range from positive behavioral interventions up to and including in school or out of school suspension from RBCS or expulsion or other disciplinary removal from RBCS, in the case of a student, or suspension or termination in the case of an employee, as set forth in the RBCS approved Code of Conduct or employee handbook. Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student’s history of problem behaviors and performance, and must be consistent with the school’s approved code of student conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act.

The Board requires the Head of School to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the Head of School. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report. The Board requires the Head of School to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Head of

School shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made known to the Head of School.

The Board prohibits reprisal or retaliation against any person who reports an act of bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act. The Board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a *student* found to have falsely accused another of bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another of bullying shall be disciplined in accordance with school policies, procedures, and agreements. The Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student's out of school conduct that materially and substantially interferes with the educational process in the school is also subject to this policy. RBCS will comply with applicable federal and state laws relating to bullying, including but not limited to those requirements delineated in RBCS Law, Title 22 of Chapter 12 of the Pennsylvania Code and the applicable House Bill 1067 amendments relating to bullying. RBCS will comply with applicable federal and state laws, including Chapter 711 of Title 22 of the Pennsylvania Code and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

RBCS will further comply with applicable federal and state laws; including Chapter 15 of Title 22 of the Pennsylvania Code regarding Protected handicapped students and applicable sections of Section 504 of the Rehabilitation Act and its applicable implementing regulations.

## **ANTI-SEXUAL HARASSMENT, ASSAULT AND/OR BATTERY OF STUDENTS POLICY**

**Overview:** This is to reaffirm the policy of RBCS that sexual harassment, assault and/or battery of a student is prohibited. As an employer and as an educational institution, RBCS is committed to eradicating sexual violations against students. Sexual harassment in any context is reprehensible and is a matter of particular concern to an academic community in which students, teachers, and staff must rely on strong bonds of intellectual trust and dependence.

RBCS regards sexual harassment as defined below, whether verbal or physical, as a violation of the standards of conduct required of all persons associated with RBCS. Accordingly, those inflicting such behavior on others are subject to the full range of disciplinary actions, including termination of employment and expulsion. Acts of retaliation will be subject to the same range of disciplinary actions.

**Definition:** This policy covers student on student as well as employee on student sexual harassment/violations or harassment because of one's gender. Sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature constitute sexual harassment when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of a student's success in school,
- (2) Submission to or rejection of such conduct by a student is used as the basis for school decisions affecting such student, or
- (3) Such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or offensive school environment.
- (4) Such conduct is directed at a student because of gender.

Sexual harassment is a violation of federal and state laws and may expose not only RBCS, but individuals to significant liability under the law. Any student who feels he or she is being subjected to sexually harassing behavior of any kind is encouraged to object to the behavior and report the behavior to Head of School or other appropriate officials as defined in the "Procedures for Processing.

It is a violation of this policy to retaliate or engage in any form of reprisal because a student has raised a concern, filed a complaint of, or been a witness to sexual harassment. An individual who receives a sexual harassment complaint or who has reason to believe sexual harassment is occurring shall refer to the procedures for processing sexual harassment complaints. It shall be the policy of RBCS that the basic rights of all concerned must be respected at all times.

**Prohibited Conduct:** The following are examples of acts that violate our Anti-Sexual Harassment Policy. These examples are not to be construed as an all-inclusive list of prohibited acts under the policy:

- A. Physical assaults of a sexual nature, such as:
  - (1) Rape, sexual battery, molestation or attempts to commit those offenses, or committing an act with intent to cause fear in another of immediate bodily harm or death; and
  - (2) Intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking a student's body, or touching of the clothing covering the immediate area of the student's intimate body parts.
- B. Unwelcome sexual advances, propositions or other sexual comments such as:
  - (1) Sexually-oriented gestures, sounds, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any student;
  - (2) Preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any student to engage in sexual activity for compensation or reward;
  - (3) Subjecting, or threatening to subject, a student to unwelcome sexual attention or conduct or intentionally making success in school more difficult because of the student's gender.
- C. Display of publications anywhere within the RBCS's control such as:
  - (1) Displaying pictures, posters, cartoons, calendars, graffiti, objects, promotional materials, reading materials, music or other materials that are sexually suggestive, sexually demeaning, or pornographic.

Exceptions will be considered in situations where nudity or sexually explicit language is necessary to convey a message important to public health and/or safety or pedagogically appropriate.

Subject to the foregoing exceptions, visual material will be presumed to be sexually suggestive if it depicts a person of either sex who is nude or seminude and/or who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.

- (2) Displaying or publicizing, in the classroom environment, materials that are sexually revealing, sexually suggestive, sexually demeaning or pornographic;
  - (3) Displaying signs or other materials purporting to segregate a student by gender in any area of the school (other than rest rooms and similar semi-private lockers/changing rooms); or
  - (4) Possession of such material in a manner that it is reasonably foreseeable that they might be seen by others.
- D. Sexual Favoritism - Impact on other students: The granting or withholding of school opportunities and benefits including, but not limited to, assignments, discipline, and evaluation constitutes sexual harassment when it is based on sexual favoritism is prohibited.
- E. Other Forms of Prohibited Sexual Harassment: Other conduct that has the purpose or effect of unreasonably interfering with a student's work performance or learning conditions on the basis of gender may also constitute sexual harassment, and therefore, is prohibited. Examples of conduct which, when based upon gender constitutes prohibited sexual harassment include:
- (1) Assigning disagreeable or unsafe tasks/duties; or not making comparable assignments that would tend to disadvantage a student's development;
  - (2) Withholding information, materials, equipment or supplies, which are necessary for the efficient performance of an assignment;
  - (3) Unreasonably failing to cooperate or assist students with school-related matters;
  - (4) Interfering with a student's efforts to satisfactorily complete an assignment;
  - (5) Maintaining unequal standards of performance;
  - (6) Ostracizing students, or otherwise making it known to students that they are not welcome because of their gender; or
  - (7) Referring to students by sexually denigrating or insulting names because of their gender.
- F. Retaliation for sexual harassment complaints. Examples of retaliation may include:
- (1) Arbitrary discipline, threats, unwarranted change of assignments, providing inaccurate information, or failing to cooperate or discuss school-related matters with any student because that student has complained about, been a witness to or resisted harassment, discrimination or retaliation; and
  - (2) Intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in any item above.

**Procedures for Making Complaints:** RBCS is committed to resolving these complaints as quickly, efficiently and fairly as possible. Every employee of RBCS who has knowledge or has personally observed sexual harassment is required to report such sexual harassment to the Head of School. Should the Head of School be the person accused of sexual harassment or should the employee feel that the Head of School are in some way responsible for the sexual harassment, the employee may bring his/her concerns directly to the attention of the Board Chair who will follow the procedures in this policy. If a student or parent/guardian believes that a student has been

sexually harassed or have knowledge that other(s) students have been sexually harassed, they are encouraged to contact the Head of School.

Should the Head of School be the person accused of the sexual harassment or should the complainant feel that the Head of School is in some way responsible for the sexual harassment, the complainant may bring his/her concerns directly to the attention of the Board President who will follow the procedures outlined in this policy. The student or parent/guardian may seek either an informal or formal resolution of his/her complaint:

- A. Informal: The student or his/her parent/guardian may request the Head of School to intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated. In such case the Head of School must discuss the matter with the alleged offender, and, if warranted require that he/she participate in non-disciplinary counseling. The Head of School shall document actions taken in writing. Copies will also be forwarded to the Board Chair. The accused, if he/she is a student shall have the right to have his or her parent/guardian present during the interview.
- B. Formal: The student or his/her parent/guardian who believes that a student has been sexually harassed can file a complaint requesting an investigation into the allegation. Formal complaints shall be taken in writing and signed by the complainant. A thorough and complete investigation shall be conducted by the Head of School.

To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. All parties will be treated with dignity and due process.

### **Procedures for Investigating and Resolving Complaints**

- A. Complaint and Investigation Officer: The Head of School shall be the Complaint and Investigation Officer capable of conducting a thorough and complete investigation. The Head of School shall seek advice and assistance from the Board of Trustees if the Head of School believes that he/she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the Head of School is the alleged harasser or is alleged to have been responsible for the harassment, the Board Chair will conduct the investigation.
- B. Conducting Investigations: The Head of School or Board Chair receiving a complaint of sexual harassment shall take the details of the complaint in writing and have the complainant sign it. Copies of this document will be forwarded to the Board of Trustees. All complaints of sexual harassment against an employee or student shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy, and complainants shall be notified of the final disposition/action taken.

If the complaint involves sexual assault, rape or conduct of a criminal nature, the Philadelphia Police Department shall be contacted and a report of the incident made. If there is any question of whether the conduct complained of constituted criminal activity, RBCS's solicitor should be contacted and consulted.

The Head of School or Board Chair shall attempt to secure statements from all participants in, and witnesses to the alleged incident. The accused, if he/she is a student, shall have the right to

have his/her parent(s)/guardian(s) present. All complaints shall be investigated as promptly as possible, but no later than three (3) school days after the reporting of the incident. If the charge is substantiated, the Head of School or Board Chair shall determine the appropriate level of discipline consistent with the RBCS's strong policy against sexual harassment. Such discipline as is deemed appropriate will be initiated in accordance with RBSC's disciplinary procedures for students and employees. Documents regarding substantiated charges of sexual harassment shall be placed in the accused employee's personnel file or student's file. Documents regarding unsubstantiated charges shall not be placed in employee or students files, but shall be maintained by the Board of Trustees in a confidential file established expressly for retaining complaints of sexual harassment against students.

**Enforcement:** If any section of this procedure is declared invalid, the remaining sections shall remain valid and unaffected.

### **ANTI-DISCRIMINATION POLICY**

The Russell Byers Charter School ("Russell Byers") shall not discriminate against any person on the basis of race, sex, color, religion, sexual orientation, national origin, disability, genetic information or any other classification otherwise protected by applicable state and/or federal laws. Russell Byers' Board of Trustees recognizes school administrators' and employees' obligations to comply with all applicable federal, state and local laws in providing equal opportunity to all Russell Byers students. Pursuant to 22 Pa. Code §12.4 and consistent with the Pennsylvania Human Relations Act (43 P.S. §§ 951 - 963), Russell Byers does not discriminate on the basis of race, sex, color, religion, sexual orientation, national origin, disability, or any other classification otherwise protected by law in the administration of its educational policies, admission policies, hiring policies, and other school administered programs and operations. A student will not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin, genetic information or disability.

### **ANTI-CORPORAL PUNISHMENT POLICY**

In accordance with Title 22 Pa Code Chapter 12.5, Corporal punishment is defined as physically punishing a student for an infraction of the discipline policy. Use of corporal punishment is prohibited at RBCS. Teachers and school administrators may only use reasonable force under the following circumstances and to the extent consistent with applicable state and federal laws and regulations: (1) to quell a disturbance, (2) to obtain possession of weapons or other dangerous objects; (3) for the purpose of self-defense; (4) for the protection of persons or property.

### **STUDENT EXPRESSION POLICY**

In accordance with Chapter 12.9 of Title 22 of the Pennsylvania Code the right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Constitution of the Commonwealth.

Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, encourages unlawful activity or interferes with another individual's rights.

Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.

- Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.
- Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials. School officials may require students to submit for prior approval a copy of materials to be displayed, posted or distributed on school property.

Bulletin boards must conform to the following:

- School authorities may restrict the use of certain bulletin boards.
- Bulletin board space should be provided for the use of students and student organizations.
- School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

School newspapers and publications must conform to the following:

- Students have a right and are as free as editors of other newspapers to report the news and to editorialize within the provisions in paragraphs (4) and (5).
- School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.
- School officials may not censor or restrict material simply because it is critical of the school or its administration.
- Prior approval procedures regarding copy for school newspapers must identify the individual to whom the material is to be submitted and establish a limitation on the time required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered authorized for distribution.
- Students who are not members of the newspaper staff shall have access to its pages. Written criteria for submission of material by nonstaff members shall be developed and distributed to all students.

The wearing of buttons, badges or armbands shall be permitted as another form of expression within the restrictions listed in subsection (c).

School officials may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

- A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.
- The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

To the extent that anything in this policy could be construed to conflict with the RBCS Charter or applicable state and/or federal laws, the applicable state and/or federal laws and/or RBCS Charter control.

## **COOPERATION WITH LEGAL AUTHORITIES**

RBCS will cooperate as required with any local, state, or federal investigators or law enforcement officers who may contact the school in the course of any criminal investigation. All investigators and law enforcement officers must present proper identification prior to obtaining any information from the school. All investigators or law enforcement officials must identify themselves to the Head of School or Head of School's designee upon contact with the school. Whenever an investigator or law enforcement officer comes on school property with the appropriate legal authority to request records and information, that person will be provided with access to these records to the extent consistent with FERPA.

Except in cases involving abuse at home, the Head of School will contact the parent(s)/guardian(s) of a child with whom the law enforcement person wishes to speak. In the former case, the Head of School will request permission to call the parent(s)/guardian(s), but will follow the decision of the investigative officer. The Head of School or designee shall select a Charter School administrator or appropriate staff person to be present at any meeting between a student and an investigator or law enforcement officer that occurs on school grounds. In cases involving abuse at home, the Head of School will request permission for a school representative to be present at the meeting or within the line of sight of such a meeting, but will follow the decision of the investigative officer.

## SCHOOL UNIFORM POLICY

**Expectation:** Children are expected to wear the RBCS uniform to school every day. There is a formal dress uniform for special occasions and for fieldwork trips and an everyday uniform. Both are described below. Families are asked to contact the school’s registrar, if they have any questions or concerns about obtaining the uniform. Uniforms may be purchased at Cramer’s.

<b>BOYS</b>	<b>GIRLS</b>
<p><b>EVERYDAY UNIFORM FOR 4K-4<sup>TH</sup> GRADE:</b>                      Navy pants with white shirt OR                      Khaki pants with white or Navy-blue shirt                      Dark/White socks                      Black dress shoes, non-marking soles – closed toe, closed back and <b>no sneakers* or sneakers shoes</b>                      White shirt: long or short sleeved polo, turtle-neck or button-down shirt</p>	<p><b>EVERYDAY UNIFORM FOR 4K-4<sup>TH</sup> GRADE:</b>                      Navy pants with white shirt OR                      Khaki pants with white or Navy-blue shirt                      Dark/White socks                      Black dress shoes, non-marking soles – closed toe, closed back and <b>no sneakers* or sneakers shoes</b>                      White shirt: short or long-sleeved polo, turtle-neck, or button-down shirt</p>
<p><b>DRESS UNIFORM FOR 4K-4<sup>TH</sup> GRADE:</b>                      White Oxford button down shirt                      Khaki dress pants                      RBCS school sweater                      Black shoes, non-marking soles                      Dark belt</p>	<p><b>DRESS UNIFORM FOR 4K-4<sup>TH</sup> GRADE:</b>                      White blouse w/Peter Pan collar                      Navy jumper, pleated                      White socks                      RBCS School sweater                      Black shoes, non-marking soles</p>
<p><b>EVERYDAY UNIFORM FOR 5<sup>TH</sup> GRADE:</b>                      Navy pants with white shirt OR                      Khaki pants with white or Navy-blue shirt                      Dark socks                      Black shoes, non-marking soles – closed toe, closed back and no sneakers,                      White shirt – long or short sleeved polo, turtle-neck or button-down shirt</p>	<p><b>EVERYDAY UNIFORM FOR 5<sup>TH</sup> GRADE:</b>                      Navy pants with white shirt OR                      Khaki pants with white or Navy-blue shirt                      Dark socks                      Black shoes, non-marking soles – closed toe, closed back and no sneakers,                      White shirt: short or long sleeve polo, turtle-neck, or button-down shirt</p>
<p><b>DRESS UNIFORM FOR 5<sup>TH</sup> GRADE:</b>                      RBCS school sweater                      White Oxford button down shirt                      Khaki dress pants                      Dark socks                      Black shoes, non-marking soles                      Black belt with a simple buckle</p>	<p><b>DRESS UNIFORM FOR 5<sup>TH</sup> GRADE:</b>                      Khaki skirt, double pleated                      White Oxford button down shirt                      RBCS school sweater                      White opaque tights                      Black shoes, non-marking soles</p>
<p><b>UNACCEPTABLE ATTIRE FOR BOYS AND GIRLS:</b>                      Cargo pants, long skirts, skirts w/splits, miniskirts, shorts                      Hoodies, sweatshirts, pullovers, or sweaters (only RBCS sweaters)                      Khaki jumpers, shorts or skirts for students in grade 4K- 4<sup>th</sup>                      Stained, torn or overly worn uniforms                      Striped, designed, decorated or brightly colored socks and undershirts</p>	
<p><b>JEWELRY:</b> Girls may wear small post earrings only (one in each ear). Hoops and dangling earrings of any kind are not permitted. Boys may not wear earrings.</p>	

**Gym Uniform:**

Students are required to wear their RBCS gym uniform on their designated gym day. Students are also required to wear sneakers for gym class. Students that do not wear their uniform on gym days will receive a uniform infraction.

\*\*\*Students that are not in dress uniform; will not be allowed to participate in activities or field trips on days when dress uniform is required.

**Disciplinary Actions for Uniform Infractions:** The first time a child comes to school out of uniform, the child’s teacher will remind the student and will send home a copy of the school’s uniform policy noting the infraction. For each infraction thereafter, students will be disciplined in accordance with the Code of Conduct (Level 1). If a student accumulates (5) or more uniform infraction a meeting will scheduled with the parent/guardian to discuss to discuss the infractions and possible consequences moving forward. Students inappropriately dressed for fieldwork, fieldwork or special events will be excluded from the experience.

**UPPER SCHOOL DIVISON UNIFORM POLICY**

**Expectation:** Children are expected to wear the RBCS uniform to school every day. There is a formal dress uniform for special occasions and for fieldwork trips and an everyday uniform. Both are described below. Families are asked to contact the school’s registrar, if they have any questions or concerns about obtaining the uniform. Uniforms may be purchased at Cramer’s.

<b>BOYS</b>	<b>GIRLS</b>
<p><b>EVERYDAY UNIFORM FOR UPPER DIVISION(6<sup>TH</sup>-8<sup>TH</sup>)</b></p> <p>Grey pants            Black dress shoes, non-marking soles – closed toe, closed back and <b>no sneakers* or sneakers shoes</b>            White/Burgundy Shirt: long or short sleeved polo, turtle-neck or button-down shirt            Dark/White socks</p>	<p><b>EVERYDAY UNIFORM FOR UPPER DIVISION(6<sup>TH</sup>-8<sup>TH</sup>)</b></p> <p>Grey pants /skirt            Black dress shoes, non-marking soles – closed toe, closed back and <b>no sneakers* or sneakers shoes</b>            White or Burgundy Shirt: short or long-sleeved polo, turtle-neck, or button-down shirt            Dark/White socks</p>
<p><b>DRESS UNIFORM FOR UPPER DIVISION(6<sup>TH</sup>-8<sup>TH</sup>)</b></p> <p>White Oxford button down shirt            Grey dress pants            RBCS Burgundy Blazer            RBCS Tie            White socks            Black shoes, non-marking soles            Dark belt</p>	<p><b>DRESS UNIFORM FOR UPPER DIVISION (6<sup>TH</sup>-8<sup>TH</sup> )</b></p> <p>White Oxford button down shirt            Grey pleated skirt            White socks            RBCS Burgundy Blazer            RBCS Tie            Black shoes, non-marking soles</p>

**UNACCEPTABLE ATTIRE FOR BOYS AND GIRLS:**

Cargo pants, long skirts, skirts w/splits, miniskirts, shorts  
Hoodies, sweatshirts, pullovers, or sweaters (only RBCS sweaters)  
Khaki jumpers, shorts or skirts for students in grade 4K- 4<sup>th</sup>  
Stained, torn or overly worn uniforms  
Striped, designed, decorated or brightly colored socks and undershirts

**JEWELRY:** Girls may wear small post earrings only (one in each ear). Hoops and dangling earrings of any kind are not permitted. Boys may not wear earrings.

**Gym Uniform:**

Students are required to wear their RBCS gym uniform on their designated gym day. Students are also required to wear sneakers for gym class. Students that do not wear their uniform on gym days will receive a uniform infraction.

\*\*\*Students that are not in dress uniform; will not be allowed to participate in activities or field trips on days when dress uniform is required.

**Disciplinary Actions for Uniform Infractions:** Upper Division students that do not follow the uniform policy will receive a demerit on their demerit card.

## **HOMEWORK POLICY**

Regular Education Teachers and Special Education Teachers are to assign and check a reasonable amount of nightly homework to all students.

- Parents may be asked to sign-off on homework to ensure that it is complete and the directions are followed.
- Parents are asked to communicate with teachers through notes, emails, and phone calls if your student is struggling with any part of the homework. This will be taken into consideration when homework is being checked.
- Students are responsible for completing their homework to the best of their ability.
- Any homework assignment that is incomplete, done poorly, or missing will be considered a “Missed Homework Assignment”.

**1<sup>st</sup> Grade Homework Expectations:**

- Reading Log filled out and signed by a parent/ guardian
  - Assigned nightly and checked daily
  - 10 -15 minutes
- All other assignments to be completed nightly and turned in daily

**2<sup>nd</sup> Grade Homework Expectations:**

- Reading Log filled out and signed by a parent/ guardian
  - Assigned nightly and checked daily
  - 15-20 minutes
- All other assignments to be completed nightly and turned in daily

### **3<sup>rd</sup> - 6<sup>th</sup> Grade Homework Expectations:**

- Reading Log filled out
  - 20+ minutes
  - Written response assignment
- All other assignments to be completed nightly and turned in daily

### **Upper Division Expectations**

- All assignments to be completed nightly and turned in daily
- Assignments must be turned in by 8:25am

### **Incomplete or Missed Homework Consequences**

- 4th write up= detention (Parent meeting in grades 5K and 1<sup>st</sup>)
  - 6th write up= detention (Parent meeting in grades 5K and 1<sup>st</sup>)
  - 8<sup>th</sup>= Enrollment in Homework Zone
- \*\*If parents choose to not participate in Homework Zone then additional write ups result in the following consequences:**
- 10th= Saturday detention
  - 12th= Saturday detention
  - 14th= In school suspension or loss of privilege (ex field trip, exclusion from clubs or sports)
  - 16th= Out of School Suspension
  - 18th= Saturday detention
  - 20th= Out of School Suspension

## **LUNCH POLICY**

We provide a free lunch program for all students daily. If students decide to bring lunch we require that the lunch is a nutritious lunch. We ask that parent(s)/guardian(s) **NOT** send **sodas, candy, gum or glass bottles** with your child. In our effort to become more health and environmentally conscious, we ask that families refrain from sending Lunchables as an option for lunch. We do not have the capability to refrigerate or heat up lunches, nor will students be excused to leave the building to buy lunch. If a student forgets his/her lunch, we will make every effort to contact the parent(s)/guardian(s) at home or work to bring in a lunch.

## **RECESS POLICY**

Recess occurs every day at Russell Byers Charter School. Students that do not follow the rules during the school day or during recess will have to write a recess reflection that will be sent home to be signed by the parent and returned to school the next day. Once a student has received (3) recess reflections he/she will lose recess for a time period decided by the Principal or the Administrator of Students and Families.

## **FLAG SALUTE AND THE PLEDGE OF ALLEGIANCE POLICY**

In accordance with Chapter 12.10 of Title 22 of the Pennsylvania Code, it is the responsibility of every citizen to show proper respect for his country and its flag. Students may decline to recite

the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

## SEARCH POLICY

The Board of Trustees acknowledges the need for safe in-school storage of books, clothing, school materials and other personal property. Lockers, shelves or cabinets may be provided. Prior to a search, students shall be notified and given an opportunity to be present. However, when school authorities have a reasonable suspicion that materials that pose a threat to the health, welfare or safety of students in the school, searches may be conducted without prior warning and in accordance with Administrative procedures.

The Board of Trustees specifically reserves the right to authorize the Head of School or his/her designee to inspect a student's storage space when such has a reasonable suspicion to believe that the storage space is improperly used for the storage of contraband, a substance or object the possession of which is illegal or any material which poses a hazard to the safety, sanitation and good order of the school.

A student's person and possessions may be searched by the Head of School and his representative provided that the individual has reasonable grounds to suspect that the search will turn up evidence that the student had violated or is violating either the law or the rules of the school.

Any illegal or prohibited materials seized during a student search may be used as evidence against the student in a school disciplinary hearing or proceeding and may be turned over to law enforcement authorities.

To the extent that anything in this policy could be construed to conflict with the RBCS Charter or applicable state and/or federal laws, the applicable state and/or federal laws and/or RBCS Charter control.

## Visitor Policy

Russell Byers welcomes visits to the school by parents/guardians and other visitors at times that do not interrupt instructional time of the students. All visitors must check in at the front desk and receive a visitor's badge before moving throughout the building. The term "visitor" shall include all who are not employees or students of the school.

**Any visitor whose's conduct, including speech or other expressive activity presents a danger or threat to staff or students and/or disrupts the learning environment will be banned from the building by the Principal.**

Any visitor that is banned from the building may appeal the ban to the Board of Trustees. The appeal must be put in writing and sent to the Board of Trustees.

## PARENT (S)/GUARDIAN (S) COMMUNICATION

Communication between home and school is a vital part of the educational process. Teachers share with parents the privilege and obligation of educating their children. Therefore, every effort should be made by parent(s)/guardian(s) to keep informed of the programs of the school.

Faculty members are always eager to discuss pupil progress with parent(s)/guardian(s). Dismissal or arrival time is not an appropriate time for parent(s)/guardian(s) to discuss their child with teachers since the teachers must be attentive to other students in their class.

**Parent(s)/guardian(s) are not permitted to interrupt a teacher during class time. If a problem should arise concerning your child and a classroom situation, please contact the individual teacher first, either by e-mail, voicemail or a written note, before referring it to the Principal. An appointment with a teacher can be arranged by following the same procedure.**

All visitors or parent(s)/guardian(s) upon entering the school are asked to sign in at the School Check-In computer located at the front desk. They will be issued a Visitor's badge, which should be worn while on school grounds.

Communication from the school to the home will be sent out periodically and will include among other notices a monthly calendar that will be sent at the beginning of each month and a weekly update sent at the beginning of each week.

## HOME AND SCHOOL ASSOCIATION

Each family is encouraged to be a member in the Home and School Association. This association gives parent(s)/guardian(s) many opportunities for involvement in the education of their children. It also provides social and educational opportunities for members. To promote a strong sense of community and to provide important information for parents and students, the Home and School Association runs a Google group page. This moderated page is a place to ask questions, share good news, and learn more about the students and families at Russell Byers Charter School. All parent(s)/guardian(s) are expected to actively support all functions sponsored by the Home and School Association.

## PARENT (S)/GUARDIAN (S) VOLUNTEERING

All families are expected to provide 30 hours of volunteer service to the school each year. A list of volunteer options is sent home at the beginning of the school year. The Home and School Association keeps a record of hours served by each family. **ALL volunteers are required to sign in and secure a name tag at the school check-in computer, located at the front desk, upon arrival and sign out when leaving the school. Volunteers are required to have criminal history, child abuse and FBI clearances to the extent required by the Public-School Code.**

## **VOLUNTEER PROCEDURE**

Volunteers, parent(s)/guardian(s), and other visitors must first sign in at the school check-in computer located at the front desk and receive a printed pass. This is for the safety of all our children and staff. All volunteers must pass the background checks and other conditions required by the State of Pennsylvania. Requirements, forms and instructions are available at the front desk or can obtain the forms from the Department of Child Welfare at the following site: <http://www.dpw.state.pa.us/PartnersProviders/ChildWelfare/003671038.htm>.

## **CUSTODY ISSUES**

RBCS abides by the provisions of the Family Education Rights Privacy Act (Buckley Amendment) with respect to the rights of non-custodial RBCS school will provide the non-custodial parent with access to the academic records and to other school-related information regarding the child. A current address must be provided by the non-custodial parent.

- If there is a court order specifying that there is to be no information given, it is the responsibility of the custodial parent to provide RBCS with an official copy of the court order.
- It is also the parent(s)/guardian(s)' responsibility to inform RBCS of the addresses where the students' records should be sent.
- Divorced parents must provide RBCS with a court certified copy of the custody section of the divorce decree. If no such copy is on file, RBCS will assume that both parents have custodial rights.
- RBCS will make all reasonable efforts to ensure that children are released only to the appropriate parent(s)/guardian(s) at the appropriate time according to the court-mandated custody arrangements. However, the parent(s)/guardian(s) must accept primary responsibility for such arrangements and should instruct their children as to which parent should have physical custody of them on any given day.

## **EMERGENCY CLOSING INFORMATION**

If Philadelphia School District schools are closed, for a weather related or another emergency, RBCS will also be closed. There are also instances when RBCS is closed but the school district is open. We will make every effort to provide advanced notice when possible and use multiple means of communicating any changes.

- Please check the RBCS schedule for pre-arranged early closings.
- In case of a snow or emergency closing, our **KYW broadcast number is 196** in Philadelphia County.
- We also post school closings on FOX 29 and Channel Six Action News. We will also update the school website and send an email message to the parent listserv to indicate closings.
- Buses will run as normal if there is an early school closing.
- If your child does not take the bus, please arrange an emergency plan for early dismissal prior to the start of the school year. If you are a parent who is unable to pick your student up for early dismissals, please indicate additional transportation means on your student's RBCS transportation form – **please note that no student(s) will be sent home with**

**any person(s) who is not identified on that student's transportation form except as described under the "Arrival and Dismissal Procedure".**

## **ACCIDENT AND ILLNESS**

Parent(s)/guardian(s) will be notified immediately in case of sudden illness or accidents of a serious nature. Please be certain that the office has the correct information for emergency contact, and be sure that your contact knows that they are your emergency contact. Emergency information sheets are sent home the first week of school. These are to be filled out completely and returned to the teacher. Please notify the office of any changes during the year. **It is imperative that the office has emergency numbers to contact parents during the day.** *Cellular phone numbers and email addresses should be included with your information.*

RBCS is not permitted to send a child to a doctor for medical treatment without the expressed written permission of a parent or guardian. In the event of an emergency, all reasonable efforts will be taken to contact the parent(s)/guardian(s). RBCS is not permitted to dispense over the counter medicine (including Tylenol) or prescription medicine without the written permission of a Doctor. These notes are kept on record in the nurse's office and must be **renewed annually**.

## **MEDICATION PROCEDURES**

The administering of medicine to a child outside the doctor's office or a health institution is a parental responsibility and should not be delegated to school personnel except under unusual circumstances. Parent(s)/guardian(s) should ask their physicians if it is possible to prescribe medication so that it can be administered at home. Only when absolutely necessary is the school willing to accept responsibility for administering medications and then under the following guidelines:

- If your child has a specific medical problem, it must be known to the nurse and should be made known to the Head of School each year. If your child has been prescribed medication to be taken during the school day, your child's doctor must complete a form that specifies the medicine to be taken and the dosage. This form has to be on file at RBCS before any medication can be administered to a student. The form is available at RBCS. All medication must be delivered in the pharmacy's original container to the school nurse. All medications will remain in a secure location. By exception, students who are asthmatic may carry a prescribed inhaler with them during the school day. A written log will be kept of the dispensed medication.
- RBCS will not administer/dispense non-prescription medicines including "over the counter" drugs to students without specific authorization by both a licensed physician and the parent(s)/guardian(s) of the student. An "Authorization for Medication" form must be completed and submitted by a parent(s)/guardian(s). The name of the medication, reason for use, proper dosage and time to be taken must be indicated on the form.

**Note:** No child may carry prescription or over-the-counter medications on his/her person unless it is a medical emergency and the medication is in the form of a prescribed inhaler for which a doctor's note is on file, parental permission to allow self-administration and a Medical Management Plan and Emergency Care Plan have been developed and are in the Student's Health file. For more information, please access the medical policies available at RBCS.

## IMMUNIZATION REQUIREMENTS

A child may not be admitted or permitted to attend RBCS unless the immunization, exemption or provisional admission requirements of the Pennsylvania Department of Health have been met or the child has received from the Head of School a medical or religious exemption from immunization.

**Diphtheria, Pertussis and Tetanus:** Four (4) or more properly spaced doses of DTP, DTaP, Td or DT, with one (1) dose administered on or after the fourth birthday.

**Polio:** Three (3) or more properly spaced doses of polio vaccine (IPV or OPV).

**MMR (Measles, Mumps and Rubella):**

- **Measles:** Two (2) doses of vaccine with the first dose administered after the first birthday
- **Mumps:** One (1) dose after the first birthday
- **Rubella (German Measles):** One (1) dose after the first birthday

**Hepatitis B:** Three (3) properly spaced doses of Hepatitis B vaccine, or a history of Hepatitis B immunity proved by laboratory testing.

**Varicella (Chicken Pox):** One (1) dose of varicella vaccine administered at 12 months of age or older, or a written statement from the parent, guardian or doctor stating the date when the child had the chicken pox disease.

**Tuberculosis Screening:** All children need to be tested upon their entry to RBCS. If your child has been screened for TB upon entry to another school, RBCS will need the date of the TB screening, and the results of the screening. Your child will not be enrolled in the RBCS unless documentation and results of the screening and proof of proper immunization are on file or unless valid excusal/objection in accordance with the Public-School Code is obtained.

## SCHOOL SAFETY POLICY

**Evacuation Drills:** For the protection of all occupants of the building, it is important that everyone is informed and understands what to do in the event of a fire or other type of disaster that would require the evacuation of the building. The purpose of an evacuation drill is to be able to evacuate the building in case of a fire or other emergencies.

**Evacuation Procedure**

- All visitors must leave the building immediately following a fire alarm signal.
- Every classroom teacher must follow the evacuation routes that are posted on the inside of each classroom door.
- All windows and doors must be closed prior to leaving the classroom.
- All students are to be in line and silent.
- All teachers, including cultural arts teachers, are to bring their roll book with them as they depart the school.

- Everyone will re-enter the building promptly and orderly when the all-clear signal is given.
- Our evacuation shelters in case of an event which poses a danger to our building are:

<b>Evacuation Shelter # 1</b> 20 <sup>th</sup> Street & Ben Franklin Pkwy Academy of Natural Science (215) 299-1000	<b>Evacuation Shelter # 2</b> 1900 Ben Franklin Pkwy Moore College of Art (215) 568-4515
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**Shelter-In-Place:** Shelter-In-Place can be used when there is a release of a chemical substance into the air, via man made or natural disaster. In such an event, RBCS may call for a “Shelter-In-Place” procedure to protect the safety and welfare of our students and staff. The main objective is to move students to designated safe locations that will protect them until the disaster is deemed to be over. The staff has been trained in the procedure for Shelter-in-Place. Parents are encouraged to contact the assistant to the principal for more detailed information about the procedure. No one is permitted to leave or enter the building during such a drill.

**Fire Drills:** Fire drills are held once a month. Students, staff and any volunteers are expected to exit the building immediately. All teachers will take attendance after arrival at the safe zone. Silence is required during any fire drill or other emergency.

### **FIELDWORK AND FIELD TRIPS**

Permission slips to be signed by a student’s parent(s)/guardian(s) will be required to be received by the school before the date of each trip in order for the child to attend. The Code of Conduct applies to student behavior while on a field trip or traveling on school or public transportation.

**\*\*\*Students will not be allowed to participate in activities or field trips on days when dress uniform is required**

### **LOST AND FOUND**

All articles belonging to a student **must** be properly identified with the child’s name. Many items are brought to the front desk or the teacher daily, but they cannot be sent back to the student because they are not marked. Please encourage your child to take good care of all of his/her school clothes and supplies.

### **CELL PHONES AND ELECTRONIC DEVICES**

The use of cell phones and electronic devices are not permitted at RBCS. Upon entering the school building students must turn off all electronic devices and keep them stored in their backpack. If the electronic device is seen or heard by a RBCS Staff member, the device will be confiscated. Confiscated phones will be turned in to the Dean of Climate and Culture and must be picked up by an adult. Confiscated phones will not be given back to the child. RBCS will not assume responsibility for the lost or theft of any electronic device. **Smart Watches are prohibited from being worn in the building.** RBCS reserves the right to reasonably search and/or confiscate any and all electronic devices to the extent allowed by applicable state and/or federal laws and regulations.

## ADMISSION AND RE-ENROLLMENT

**Admission and Eligibility:** Admission to RBCS is open to all appropriately aged children living in Philadelphia. Parent(s)/guardian(s) must complete an application of intent to enroll, a parent/guardian statement, and provide all required documentation for each of their eligible children in order to be qualified for enrollment or included in the lottery process. The following documentation is required:

1. A copy of the child's Birth Certificate
2. A copy of one of the following documents to use for residency verification:
  - Utility bill (electric or gas), or
  - PA Department of Transportation identification or drivers license, or
  - PA Department of Transportation vehicle registration, or
  - Copy of State/Federal program enrollment
  - Copy of paycheck stub with name and address of employee and employer, or
  - Residency affidavit, or
  - Government agency identification card, or
  - Deed, or
  - Agreement of Sale.

**The Lottery:** If the number of children applying for enrollment at RBCS exceeds the number of available spaces, students will be selected for admission by lottery. Spaces will be offered in the order of the names drawn with the names creating the waiting list. If the number of applicants for a given grade does not exceed the number of available spaces, all applicants will be offered admission to the school in that grade. Specific dates and deadlines will be set each year for the admissions process. Please check at the beginning of each school year for that specific school year's enrollment and lottery dates.

**The Re-enrollment Process:** Students attending RBCS must submit a letter of intent to return before the end of each school year. The student's parent(s)/guardian(s) must complete a re-enrollment form with current proof of residency and submit it to the Registrar by the deadline stated on the re-enrollment form. If any student does not have a completed re-enrollment form by the specified deadline it is *assumed that he/she will not be returning* for the following year and his/her *space shall be forfeited*. It is mandatory that all parents provide contact information that includes address, telephone numbers, email addresses and emergency contacts.

## PARENT (S)/GUARDIAN (S) COMPLAINT/CONCERN POLICY AND PROCEDURE

It is the intent of the Board of Trustees and the school staff that complaints/concerns should be resolved as quickly and amicably as possible with the best interests of the students held firmly in mind. These procedures shall be made known to staff and parent(s)/guardian(s) so that communications about the complaint/concern may be carried out in an open and convenient way. If the complaint/concern relates to something that has occurred in the classroom, the steps outlined below should be followed:

- The parent(s)/guardian(s) should contact the child's teacher and discuss the complaint/concern on the telephone or in person within five (5) school days of the occurrence of the issue. Every effort should be made to resolve the complaint/concern at

the teacher level. Since parent(s)/guardian(s) are considered to be essential partners in the educational process, teachers are expected to interact with parent(s)/guardian(s) both regularly and on an as needed basis.

- If the complaint/concern remains unresolved, then the parent(s)/guardian(s) should meet with the Principal or designee within five (5) school days of the meeting/discussion with the teacher to seek a mutual resolution to the complaint/concern.
- If the complaint/concern has not been resolved to the satisfaction of the parent(s)/guardian(s) within five (5) school days of the meeting with the Principal or designee, the parent(s)/guardian(s) may write to the Head of School to seek a mutual resolution to the complaint/concern.
- If the complaint/concern has not been resolved to the satisfaction of the parent(s)/guardian(s) within five (5) school days of the meeting with the Head of School, the parent(s)/guardian(s) may write to the Chair of the Board of Trustees (“Chair”) about the complaint/concern and ask that a Committee of the Board (“Committee”) hear the complaint/concern and make a recommendation to the Head of School.
- The Chair shall submit the parent(s)/guardian(s) complaint/concern to a Committee chosen by the Chair. In considering the complaint/concern, the Committee may meet with the parent(s)/guardian(s), the Head of School and/or such other persons as determined by the Committee.

If the complaint/concerns are an issue not directly related to a particular child, but reflects a concern about a classroom practice, school rule, procedure or practice, the following steps should be taken:

- The parent(s)/guardian should request an informal discussion regarding the complaint/concern with the classroom teacher, school nurse, special education coordinator, Head of School or other individual depending on the type of issue. A classroom issue is best addressed to the teacher, while a school-wide concern should be addressed to the Principal.
- If the informal discussion does not resolve the concern within five (5) school days, the parent(s)/guardian(s) should file a formal written complaint/concern with the Head of School who will commence an investigation into the matter within five (5) school days of the receipt of the written complaint/concern.
- If the findings of the Head of School do not result in a satisfactory conclusion of the matter for the parent(s)/guardian(s), the parent(s)/guardian(s) should address the matter in writing to the Chair.

The Chair will assign the matter to a Committee appointed by the Chair to investigate and prepare a recommendation for the full Board’s consideration.

## **STUDENT COMPLAINT/CONCERN POLICY AND PROCEDURE**

Student complaints/concerns are handled in a developmentally appropriate way. Students are encouraged to talk with their teachers and/or the Head of School. They, too, may make a formal request for resolution to the Head of school or the Chair if the teacher and/or Head of School are unable to resolve the matter. If a student wishes to contact the Board for such a resolution, he or she may do so by having a parent contact the Chair. The Board either resolves the issue or refers it back to the school Head of School.

## **FULL DISCLOSURE POLICIES**

The following policies are available in their entirety for review upon request. Several of these policies as noted are attached as exhibits to the Handbook. They are located at the school in the student records office. Please see Debbie Sperbeck for additional information.

- Search and Seizure
- Discipline of Special Education Students Policy
- Asthma Medication and Equipment Policy
- Epinephrine Auto Injector Policy
- Diabetes Awareness and Management Policy
- Self-Monitoring & Treatment for Diabetes and Asthma Policy
- Emergency Care Plan Template
- School-Family Conference and Truancy Elimination Plan (TEP)
- Annual Notification of Rights under Family Educational Rights and Privacy Act (FERPA) for the 2010-2011 School Year /Notice to Parents and Guardians Regarding the Disclosure of Student "Directory Information" (Exhibit?)
- Internet Safety Policy Pursuant To The Children's Internet Protection Act (Exhibit?)
- RBCS Computer Network Acceptable Use Policy (Exhibit?)
- Child Find Policy & Public Outreach Awareness System (Exhibit?)
- Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities (Exhibit?)
- Notification of Rights under the Family Educational Rights and Privacy Act (Exhibit?)
- Home Bound Instruction Policy (Exhibit?)

## **BOARD RIGHT TO AMEND**

The Board retains the right to amend the handbook for just cause. Parent(s)/Guardian(s) will be notified in writing if changes are made through the bi-monthly communication folder.



## PARENT (S)/GUARDIAN (S) AND STUDENT (S) AGREEMENT

Parents/guardians are required to read this Handbook carefully and to discuss its contents with their child (ren). Having read it, you are required to sign this agreement where indicated and return it to your child's teacher by, **Monday, September 11, 2017.**

### AGREEMENT

We/I have read and understand the 2017-18 Russell Byers Charter School Parent/Guardian and Student Handbook. My family promises to make every effort to follow the policies and procedures in the Handbook. We/I also understand that failure to do so will result in the Russell Byers Charter School taking action(s) as described in the Handbook.

\_\_\_\_\_  
Parent/Guardian #1 Name (Please Print)

\_\_\_\_\_  
Parent/Guardian #1 Signature      Date

\_\_\_\_\_  
Parent/Guardian #2 Name (Please Print)

\_\_\_\_\_  
Parent/Guardian #2 Signature      Date

\_\_\_\_\_  
Student #1 Name and Grade (Please Print)

\_\_\_\_\_  
Student #1 Signature      Date

\_\_\_\_\_  
Student #2 Name and Grade (Please Print)

\_\_\_\_\_  
Student #2 Signature      Date

\_\_\_\_\_  
Student #3 Name and Grade (Please Print)

\_\_\_\_\_  
Student #3 Signature      Date

\_\_\_\_\_  
Student #4 Name and Grade (Please Print)

\_\_\_\_\_  
Student #4 Signature      Date

# **EXHIBITS**

# EXHIBIT A



## KEY CONTACT LIST

<b>Russell Byers Charter School:</b>	<b>215-972-1700</b>
<b>Fax Number:</b>	<b>215-971-1701</b>
<b>Kareem Goodwin</b> <b>Principal</b>	<b>215-972-1700, ext. 316</b>
<b>Teron Ivery</b> <b>Dean of Curriculum and Instruction</b>	<b>215 972-1700 ext.311</b>
<b>La'Keidra McDougal</b> <b>Special Education Coordinator</b>	<b>215-972-1700, ext. 231</b>
<b>Myron Hargrow</b> <b>Dean of Climate and Cultural</b>	<b>215-972-1700, ext. 301</b>
<b>Debbie Sperbeck</b> <b>Director of Operations</b>	<b>215-972-1700, ext. 223</b>
<b>Meg Howley</b> <b>School Nurse</b>	<b>215-972-1700, ext. 228</b>

## BYERSCHOOL FOUNDATION

<b>Claire Robertson- Kraft</b> <b>Chair</b>	<b>215-772-1777</b>
<b>Fax:</b>	<b>215-772-3045</b>

# **EXHIBIT C**

## **ANNUAL NOTIFICATION OF RIGHTS UNDER FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) FOR THE 2017-2018 SCHOOL YEAR /NOTICE TO PARENTS AND GUARDIANS REGARDING THE DISCLOSURE OF STUDENT “DIRECTORY INFORMATION”**

**Overview:** The Family Educational Rights and Privacy Act (FERPA), a federal law, affords parents, legally emancipated students, and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are briefly summarized below and are explained more fully in the Board’s Student Records Policy which is on file at the school and is available upon request:

1. The right to inspect and review the student’s education records within 45 days of the day RBCS receives a request for access. Parent(s)/guardian(s) or eligible students should submit to the Head of School a written request that identifies the record(s) they wish to inspect. The Head of School will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent(s)/guardian(s) or eligible student believes are inaccurate or misleading. Parent(s)/guardian(s) or eligible students may ask RBCS to amend a record that they believe is inaccurate or misleading. They should write the Head of School, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If RBCS decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, RBCS will notify the parent(s)/guardian(s) or eligible student of the decision and advise him/ her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to RBCS officials with legitimate educational interests. A RBCS official may include a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law unit personnel); a person serving on the Board; a person or company with whom RBCS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); contractors, consultants, volunteers, and other outside service providers used by the school; or a parent or student serving on official committee, such as a disciplinary or grievance committee, or assisting another RBCS official in performing his/her tasks. A RBCS official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. Upon request, RBCS discloses education records without consent to officials of another school, school district, school system, or institution of higher learning in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by RBCS to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605

**Directory Information:** Directory information includes information contained in the educational record of a student, which is not considered harmful or an invasion of privacy if disclosed, so that it may be disclosed without prior parental consent, unless you have advised RBCS to the contrary in accordance with RBCS procedures. The primary purpose of directory information is to allow RBCS to include this type of information from your child's education records in certain school-related publications or notices.

As part of RBCS' annual notification under FERPA, we designate for the school year 2010-2011 the following types or categories of information as "directory information":

- Student Name
- Participation in officially recognized activities, clubs and sports
- Naming of Student to the Honor Roll, National Honor Society or as Valedictorian
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic Mail Address
- Photograph
- Video, Audio, or Film Images or Recordings
- Degrees, honors, awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

Examples of how and where RBCS may disclose directory information include disclosing the directory information in the following, by way of example:

- Newsletters
- A playbill, showing student's role in a drama production
- The annual yearbook
- Honor Roll or other recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling, showing weight and height of team members
- Companies or outside organizations that manufacture class rings or yearbooks
- Newspapers or other news sources
- Class Lists
- Staff and/or Student Directories and/or listings
- School Website
- School Bulletin Boards
- Organizations conducting studies
- Institutions of Higher Learning requesting directory information

These examples are for illustration only and are not an exclusive list of the manner in which directory information may be disclosed. This notice provides you as a parent(s)/guardian(s) or eligible student with an opportunity to object in writing to any or all of those types of information that RBCS has designated as directory information. You have the right to refuse to permit the release by notifying RBCS in writing that you do not want any or all of those types of information to be designated as directory information for your child or yourself.

Please submit any refusal with the types of information you wish removed from the list of directory information and mail your written objections on or before **September 30, 2017** to the Head of School at: Russell Byers Charter School, 1911 Arch Street, Philadelphia, PA 19103-1403

Please note that an opt out of directory information disclosures does not prevent RBCS from identifying a student by name or from disclosing a student's electronic identifier or institutional e-mail address in class. The right to opt out of directory information disclosures does not include a right to remain anonymous in class, and may not be used to impede routine classroom communications and interactions, whether class is held in a specified physical location or on-line through electronic communications.

If you have any questions regarding this notice, please call or write Head of School at: Russell Byers Charter School, 1911 Arch Street, Philadelphia, PA 19103-1403 (215) 972-1700. **If you do not submit a written refusal on or before September 30, 2017 then the School may disclose directory information without your prior consent.**

**Notice:** The content of this notice has been written in straightforward, simple language. If a person does not understand any of this notice, he/she should ask the Head of School for an explanation. RBCS will arrange for an interpreter for parent(s)/guardian(s) with limited English proficiency. If a parent/guardian is deaf or blind or has no written language, RBCS will arrange for communications of this notice in the mode normally used by the parent/guardian (i.e. sign language, Braille, or oral communication). If a student has a disability, additional information is available in RBCS' Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities.

# EXHIBIT D

## **INTERNET SAFETY POLICY PURSUANT TO THE CHILDREN'S INTERNET PROTECTION ACT (CIPA)**

**Background:** According to the Pennsylvania Department of Education (“PDE”), the Federal Children’s Internet Protection Act (“CIPA”), Pub. L. No. 106-554 and 47 USC 254(h), mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to “visual depictions” that are determined to be “obscene”, “child pornography”, or “harmful to minors” as defined herein. PDE has further stated that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children’s Internet Protection Act (N-CIPA) to adopt and enforce an Internet Safety Policy (ISP) that addresses harmful or inappropriate online activities. N-CIPA was passed as part of CIPA. The Board has adopted this Policy in order to establish specific standards to comply with CIPA and N-CIPA requirements.

This Policy is to be read in conjunction with the Acceptable Use of Computer Resources Policy and shall supplement, not supplant, the Acceptable Use of Computer Resources Policy. Failure to comply with this Policy and/or Internet safety requirements of RBCS shall result in consequences as set forth in the school’s Parent and Student Handbook, Code of Conduct, Employee Handbook, and/or as allowed by applicable law. Consequences may include, but are not limited to: denial of or restriction to access to technology, suspension, expulsion, notification of authorities, termination, commencement of civil and/or criminal proceedings and/or other consequences available under school policy and/or applicable state and/or federal laws.

**Purpose:** RBCS uses computer resources to facilitate the education of students and to aid in matters related to the operations of RBCS. RBCS further places student Internet safety as a primary concern. It is every computer user’s duty to use computer resources, including the Internet, responsibly, professionally, ethically and lawfully. Access to these resources shall be designated a privilege, not a right. This policy applies to aspects of both adult and student compliance with Internet safety at RBCS.

**CIPA/N-CIPA Compliance/Internet Safety:** It is the policy of RBCS to:

- Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, and all other forms of direct electronic communications;
- Prevent unauthorized access and other unlawful online activity;
- Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
- Comply with the Children’s Internet Protection Act, Pub. L. No. 106-554 and 47 USC 254(h).

To the extent consistent with applicable state and federal laws and reasonably practical, technology protection measures (or “Internet filters”) shall be used at RBCS to block or filter Internet, and other forms of electronic communications, and access to inappropriate information. The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

- Obscene, as that term is defined in section 1460 of title 18, United States Code;
- Child Pornography, as that term is defined in section 2256 of Title 18, United States Code;

- Harmful to minors. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
  - Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
  - Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  - Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

As required by the Children’s Internet Protection Act (CIPA), blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Technology protection measures shall only be disabled pursuant to the direction of the Head of School or his designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the Head of School or his designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the Head of School or his designee. The Head of School or his designee shall take reasonable steps to promote the safety and security of users of the online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

As required by the Children’s Internet Protection Act, prevention of inappropriate network usage at RBCS shall include: 1) Unauthorized access, including so-called ‘hacking,’ and other unlawful activities and 2) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

It shall be the responsibility of all members of the RBCS staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and applicable laws, including the Children’s Internet Protection Act as well as in accordance with any administrative procedures developed by the Head of School in furtherance of this Policy.

In accordance with the “Protecting Children in the 21st Century Act” and its requirement to certify to the Schools and Library Division (“SLD”) that the school’s Internet Safety Policy includes educating minors about appropriate online behavior, students shall be educated about appropriate online behavior, including cyber-bullying awareness and response and interacting with other individuals on social networking sites and in chat rooms.

With regard to educating minors about appropriate online behavior, the Head of School or his designee is directed to:

- Make such educational opportunities available to students during the school year;
- Notify students and their parents about these educational opportunities in advance; and
- Maintain documentation of:
  - Educational programs offered;
  - The dates and locations of such opportunities;
  - How online safety was taught and what was covered in the programs offered;
  - Those in attendance at the programs offered.

The Head of School or his designee is directed to file and/or provide the appropriate certifications evidencing compliance with CIPA and N-CIPA as required by applicable state and/or federal laws and regulations. The Head of School or his designee is directed to maintain documentation of compliance with CIPA and N-CIPA certification requirements including the annual filing of FCC Form 486. The Head of School or his designee is directed to ensure that RBCS employs necessary technology protection measures in accordance with this Policy and shall report to the Board when modifications are needed to technology protection measures at RBCS.

The online activities of students shall be monitored and minors' access to harmful materials shall be restricted to the extent required by applicable laws and regulations. To the extent not inconsistent with applicable laws and regulations, the following disclaimers apply:

- There shall be no expectation of privacy by users of RBCS computer resources;
- RBCS does not guarantee the effectiveness of technology protection measures or internet filtering; and
- RBCS does not guarantee network functionality or accuracy of online information.

The Head of School is directed to implement any procedures that may be necessary to implement this policy as well as to timely submit any forms and paperwork as required by CIPA and N-CIPA and/or applicable state and federal Internet safety laws and regulations.

# **EXHIBIT E**

## **RBCS COMPUTER NETWORK ACCEPTABLE USE POLICY**

RBCS maintains guidelines for the behavior of students. These are common sense, truthfulness, respect for others, and respect for the school and its place in the community. Students using any school's computer network are expected to follow these guidelines.

The purpose of the RBCS Network ("Network") is to provide students with access to educational and research resources to promote excellence in education, to encourage lifelong learning, and to offer the opportunity to be competent users of technology to communicate and build knowledge. While RBCS desires to provide a reasonable level of privacy, users of RBCS' computer and other equipment should be aware that the data they create on the systems remains the property of RBCS. For security and network maintenance purposes, authorized RBCS individuals may monitor and search equipment, systems and network traffic at any time to the extent consistent with applicable state and/or federal laws and regulations. RBCS reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

All use of the Network must be consistent with each network user's role and responsibility as a member of the community and with the educational objectives and mission of RBCS.

The acceptable use policy governs student conduct while using computer technology, both at school and away from school to the extent consistent with applicable federal and state laws and regulations regarding out of school activities. Students represent RBCS at all times, including vacations, nights and weekends. Any inappropriate behavior that is harmful or negatively affects the educational environment of RBCS, the reputation of RBCS, or potentially impacts the safety or privacy of individual students or employees, including postings on social networking sites, will subject the violator to discipline by RBCS in accordance with the Code of Conduct. The use of the Network is a privilege and not a right. Inappropriate, illegal use or attempts to bypass network security may result in cancellation of the privilege and further disciplinary action.

Students should use the network and their email account for approved educational activities only. Students with email accounts must manage their accounts within the assignment.

The following sets forth some, but not all examples of unacceptable uses of the Network:

- Communicating with other students or adults in a disrespectful, threatening or harmful manner, in a manner that violates RBCS' harassment or bullying policies
- For political fund-raising or lobbying not authorized by applicable federal or state laws or regulations, or for commercial activities or advertising
- Using the account of any other member of the school community or using the network in any way that interferes with others' use
- Downloading, installing or storing non-school related material to the network
- Accessing and disseminating inappropriate or potentially offensive material
- Using third-party email accounts or instant messaging software while on campus

- Unauthorized copying of copyrighted material including, but not limited to digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the school or the end user does not have an active license
- Introduction of unauthorized programs into the network or server (e.g. viruses, worms, Trojan Horses, email bombs, etc.
- Revealing your account password to others or allowing use of your account by others, including family, and other household members when work is being done at home

Laws and ethics require that students properly acknowledge the use of intellectual property. Using information from any Internet source without properly attributing the source to the author will be regarded as plagiarism.

RBCS faculty will do their best to guide students to useful educational resources and to filter unwanted material. Minimal filtering or blocking software is installed on the Network. RBCS faculty as well as the technology staff may monitor student use of network resources including the Internet through various means including viewing files and electronic monitoring of screen content as well as in personal observation. However, no filtering system or observation method is foolproof. Therefore, we expect users to act responsibly in their searches and to immediately disengage from any materials that are inappropriate.

Any student, who receives harassing, threatening, or inappropriate materials via e-mail or on the Internet, should report the concern to a faculty member or school administrator immediately so that the situation can be investigated and addressed appropriately in accordance with the Code of Conduct.

Every effort is made by the school to keep our system virus-free. Even with the best techniques, however, computer viruses can be transmitted to and from any computer. The school is not responsible for the transmission of any virus or for damage suffered from a virus.

# EXHIBIT F

## **CHILD FIND POLICY & PUBLIC OUTREACH AWARENESS SYSTEM**

**Overview:** The Head of School or designee shall ensure that children 1) with disabilities, regardless of the severity of the disabilities and 2) who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. Child Find includes children who are suspected of having a disability under Section 300.8 of the federal regulations that implement IDEA 2004 and in need of special education even though they are advancing from grade to grade; and highly mobile children, including migrant children, homeless youth and parentally placed private students.

**Public Awareness:** The Head of School or designee shall ensure public awareness activities occur concerning programs and services for children with disabilities who are applying for enrollment at RBCS or who attend RBCS. RBCS shall publish annually a written notice accessible regarding these activities to RBCS families in the Parent(s)/Guardian(s) and Student Handbook. The Notice will also be made available to the public at the RBCS website.

**Outreach Activities:** The Head of School or designee shall ensure that the following outreach activities occur concerning programs and services for children with disabilities who attend RBCS:

- Offer parents and family (including foster and surrogate parents) information regarding training activities and publicize the availability of such activities to all parents (trainings in the areas of behavior support, response to intervention, inclusive practices, transition, assistive technology, autism, and interagency coordination are important and parents may also be directed to PaTTAN training opportunities). Parent input is to be sought to determine what parent trainings are needed/desired;
- Provide to interested health and mental health professionals, daycare providers, county agency personnel and other interested professionals, including: professionals and agencies who work with homeless and migrant or other highly mobile youth, wards of the state, as well as to students attending private schools (where applicable), information concerning the types of special education programs and services available in and through RBCS and information regarding the manner in which parents can request and access those services.
- Provide or obtain periodic training for RBCS' regular education staff and special education staff concerning the identification and evaluation of, and provision of special education programs and services to students with disabilities.
- The public outreach awareness system utilized by RBCS shall include methods for reaching homeless children, wards of the state, children with disabilities attending private schools, and highly mobile children, including migrant children.
- RBCS shall conduct child find activities to inform the public of its special education services and programs and the manner in which to request them.
- RBCS child find effort will include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.
- RBCS will identify applicants and enrolled students who have a native language other than English and ensure that notices and other outreach efforts are available to them in

their native language as required by law and unless it is clearly and absolutely not feasible to do so.

**Screening:** The Head of School or designee shall establish a system of screening in order to:

- Identify and provide screening for students prior to referral for an initial special education multidisciplinary team evaluation;
- Provide peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum;
- Conduct hearing and vision screening in accordance with the Public-School Code of 1949 for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education if necessary;
- Identify students who may need special education services and programs.
- Maintain the confidentiality of information in accordance with applicable state and federal regulations.

**Pre-Evaluation Screening:** The pre-evaluation screening process shall include:

- For students with academic concerns, an assessment of the student's functioning in the curriculum including curriculum-based or performance-based assessments;
- For students with behavioral concerns, a systematic observation of the student's behavior in the classroom or area in which the student is displaying difficulty ("FBA" or functional behavior assessment);
- An intervention based on the results of the assessments conducted;
- An assessment of the student's response to the intervention, if applicable;
- A determination of whether or not the assessed difficulties of the student are the result of a lack of instruction or limited English proficiency;
- A determination of whether or not the student's needs exceed the functional capacity of the regular education program, without special education programs and services, to maintain the student at an instructional level appropriate to the level and pace of instruction provided in that program;
- Activities designed to gain the participation of parents;
- Controls to ensure that if screening activities have produced little or no improvement within the specified timeframe after initiation, the student shall be referred for a multidisciplinary team evaluation.

The screening activities shall not serve as a bar to the right of a parent to request a multidisciplinary team evaluation at any time. When the completion of screening activities prior to referral for a multidisciplinary team evaluation will result in serious mental or physical harm, or significant educational regression, to the student or others, RBCS may initiate a multidisciplinary team reevaluation without completion of the screening process in accordance with Chapter 711. Whenever an evaluation is conducted without a pre-evaluation screening, the activities described shall be completed as part of that evaluation whenever possible.

# EXHIBIT G

## **Russell Byers Charter School 2017-18 School Year Public Notice of Special Education Services and Programs and Rights for Students with Disabilities And Notification of Rights under the Family Educational Rights and Privacy Act**

All children with disabilities residing in the Commonwealth, regardless of the severity of their disabilities, and who are in need of special education and related services, are to be located, identified and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1200 *et. seq.* (“IDEA 2004”). Chapter 711 of Title 22 of the Pennsylvania Code requires the publication of a notice to parents regarding public awareness activities sufficient to inform parents of children applying to or enrolled in RBCS of available special education services and programs and how to request those services and programs and of systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in RBCS. In addition, the federal Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their confidentiality rights.

RBCS fulfills its duties with this annual notice and has incorporated several sections of the PaTTAN Procedural Safeguards Notice and other applicable guidelines from the Pennsylvania Department of Education into the Board-approved Child Find Notice, and Policies and Procedures described below. **RBCS also directs parents to the procedural safeguards notice from PaTTAN available at the school’s main office for additional information regarding rights and services.** Parents may contact RBCS’ **Head of School at 1911 Arch Street, Philadelphia, PA 19103, (215) 972-1700** at any time to request a copy of the procedural safeguards notice or with any other questions about special education, services, screenings, policies or procedures. The Procedural Safeguards Notice is provided to parents by RBCS once per year or: (1) upon initial referral or parent request for evaluation; (2) upon filing by parents of their first State complaint under 34 CFR §§300.151 through 300.153 and upon filing by parents of their first due process complaint under §300.507 in a school year; (3) when a decision is made to take a disciplinary action that constitutes a change of placement; and (4) upon parent request.

The purpose of this annual notice is to comply with RBCS’ obligations under Chapter 711 of Title 22 of the Pennsylvania Code and to describe: (1) the types of disabilities that might qualify the child for special education, (2) the special education programs and related services that are available, (3) the process by which RBCS screens and evaluates such students to determine eligibility, (4) the special rights that pertain to such children and their parents or legal guardians and (5) the confidentiality rights that pertain to student information. A copy of this Annual Notice is also available on the RBCS website at: [[www.byersschool.org](http://www.byersschool.org)]

**Qualifying for special education and related services:** Under the federal Individuals with Disabilities Education Improvement Act of 2004, or “IDEA 2004,” children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need special education and related services: mental retardation; hearing impairment, including deafness; speech or language impairment; visual impairment, including blindness;

serious emotional disturbance; orthopedic impairment; autism; traumatic brain injury; other health impairment; specific learning disability; deaf-blindness; or multiple disabilities. IDEA 2004 provides legal definitions of the disabilities that qualify a student for special education, which may differ from those terms used in medical or clinical practice or common usage.

**Section 504 Services:** Under Section 504 of the federal Rehabilitation Act of 1973, some school age children with disabilities who do not meet the eligibility criteria outlined above might be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code and Section 504.

RBCS will ensure that qualified handicapped students have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, RBCS provides to each qualifying protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

These services and protections for "protected handicapped students" may be distinct from those applicable to eligible or thought-to-be eligible students. RBCS or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services to protected handicapped students, parents should contact the school **Head of School at 1911 Arch Street, Philadelphia, PA 19103, (215) 972-1700.**

**Children Below Mandatory School Age:** If RBCS admits children below school age; early intervention services may be available to eligible children with special needs. Any questions about services available to children under school age should be directed to the **Head of School at 1911 Arch Street, Philadelphia, PA 19103, (215) 972-1700.**

**Least Restrictive Environment "LRE":** RBCS will ensure that children with disabilities are educated to the maximum extent possible in the regular education environment or "least restrictive environment". To the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. Programs and services available to students with disabilities, might include: (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, RBCS may provide special education programs and services as determined by the IEP team, in locations such as: (1) the classroom/building the child would attend if not disabled, (2) an alternative regular class either in or outside the school, (3) a special education center operated by an IU, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home.

Special education services are provided according to the educational needs of the child, not the category of disability. Types of service that may be available, depending upon the child's disability and needs include, but are not limited to: (1) learning support; (2) life skills support; (3) emotional support; (4) deaf or hearing-impaired support; (5) blind or visually impaired support; (6) physical support; (7) autistic support; (8) multiple disabilities support; (9) speech and language support; (10) extended school year support; and (11) vision support.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services that a child may require include but are not limited to: speech and language therapy, transportation, occupational therapy, physical therapy, school nursing services, audiology counseling services, parent counseling, or training, certain medical services for diagnostic or evaluation purposes, social work, recreation, and transition. Some students may also be eligible for extended school year services if determined needed by their IEP teams in accordance with Chapter 711 regulations.

RBCS, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team. The participants in the IEP team are dictated by IDEA 2004. The parents of the child have the right to be notified of and to be offered participation in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational benefit to the student. In accordance with IDEA 2004, there may be situations in which a Charter School may hold an IEP team meeting if the parents refuse or fail to attend the IEP team meeting. IEPs generally contain: (1) a statement of the student's present levels; (2) a statement of measurable annual goals established for the child; (3) a statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be provided; (4) a statement of the special education and related services and supplementary aids and services and a statement of the program modifications or supports for school personnel that will be provided, if any; (5) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in activities; (6) a statement of any individual appropriate accommodations that are necessary to measure the performance of the child on State and school assessments; and (7) the projected date for the beginning of the services and modifications and the anticipated frequency, location and duration of those services or modifications.

Beginning not later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include appropriate measurable postsecondary goals and transition services needed to assist in reaching those goals. RBCS must invite the child to the IEP team meeting at which the transition plan is developed. Beginning not later than one year before the child reaches the age

of majority under State law, the IEP must include a statement that the child has been informed of the child's rights, if any, that will transfer to the child on reaching the age of majority.

### **Screening and Evaluation Procedures for Children to Determine Eligibility**

**Screening:** RBCS has established a system of screening, which may include pre-referral intervention services to accomplish the following:

- (1) Identification and provision of initial screening for students prior to referral for a special education evaluation.
- (2) Provision of peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum.
- (3) Identification of students who may need special education services and programs.

The screening process includes hearing and vision screening in accordance with Section 1402 of the Public-School Code of 1949 (24 P. S. § 14-1402) for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education. Screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

RBCS has established and implemented procedures to locate, identify and evaluate children suspected of being eligible for special education. These procedures involve screening activities that may include but are not limited to review of data and student records; motor screening; and speech and language screening. RBCS assesses the current achievement and performance of the child, designs school-based interventions, and assesses the effectiveness of interventions. If the concern can be addressed without special education services, or is the result of limited English proficiency or appropriate instruction, a recommendation may be made for interventions other than a multidisciplinary team evaluation. Parents have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

In accordance with Chapter 711, in the event that RBCS would meet the criteria in 34 CFR 300.646(b)(2) (relating to disproportionality), as established by the State Department of Education, the services that would be required would then include:

- (1) A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act (ESEA) (20 U.S.C.A. § 6368(3)), and appropriate instruction in math.
- (2) For students with academic concerns, an assessment of the student's performance in relation to State-approved grade level standards.
- (3) For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.
- (4) A research-based intervention to increase the student's rate of learning or behavior change based on the results of the assessments under paragraph (2) or (3), or both.
- (5) Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.
- (6) A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.
- (7) A determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.

(8) Documentation that information about the student's progress as identified in paragraph (5) was periodically provided to the student's parents.

Except as indicated above or otherwise announced publicly, screening activities take place at on-going periods throughout the school year. Screening is conducted at RBCS, unless other arrangements are necessary or arranged.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not to be considered an evaluation for eligibility for special education and related services.

If parents need additional information regarding the purpose, time, and location of screening activities, they should call or write the Head of School of Charter School at: Russell Byers Charter School, 1911 Arch Street, Philadelphia, PA 19103 (215) 972-1700. Screening or pre-referral intervention activities may not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of screening or prereferral intervention activities.

**Evaluation:** An evaluation under IDEA 2004 involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining whether the child is a child with a disability and the content of the child's IEP. RBCS does not use any single measure or assessment as a sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. Technically sound instruments are used to assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

Parental consent must be obtained by RBCS prior to conducting an initial evaluation to determine if the child qualifies as a child with a disability, and before providing special education and related services to the child. Parental consent for an evaluation shall not be construed as consent for their child to receive special education and related services. The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services; therefore, parental consent is not required in this instance.

The law contains additional provisions and due process protections regarding situations in which parental consent for an initial evaluation is absent or refused discussed more fully below and in the PaTTAN Procedural Safeguards Notice. If you have any questions about where to obtain a copy of the PaTTAN Procedural Safeguards Notice, kindly contact the Head of School of RBCS at 1911 Arch Street, Philadelphia, PA 19103.

The evaluation process is conducted by a Multi-Disciplinary Team (MDT) which includes a teacher, other qualified professionals who work with the child, the parents and other members as required by law. The MDE process must be conducted in accordance with specific timelines and must include protective procedures. For example, tests and procedures used as part of the Multi-Disciplinary Evaluation may not be racially or culturally biased. The MDE process culminates with a written report called an Evaluation Report (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Parents who think their child is eligible for special education may request, at any time, that RBCS conduct a Multi-Disciplinary Evaluation. Requests for a Multi-Disciplinary Evaluation must be made in writing to the Head of School of RBCS at 1911 Arch Street, Philadelphia, PA 19103.

If a parent makes an oral request for a Multi-Disciplinary Evaluation, RBCS shall provide the parent with a form(s) for that purpose. If RBCS denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as mediation.

Reevaluations are conducted if RBCS determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or if the child's parent or teacher requests a reevaluation. A reevaluation may occur not more than once a year, unless the parent and RBCS agree; and must occur once every 3 years, unless the parent and RBCS agree that a reevaluation is unnecessary. Students with mental retardation must be reevaluated every two years under State law.

**Educational Placement:** The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. The IEP team includes: the parents of a child with a disability; not less than one regular education teacher, if the child is, or may be, participating in the regular education environment; not less than one special education teacher, or when appropriate, not less than one special education provider; a representative of the school who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of resources of RBCS; an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above; other individuals, at the discretion of the parent or the agency, who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, a child with a disability. IEP team participation is directly addressed by the regulations. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based in part on the results of the Multi-Disciplinary Evaluation. When the IEP team decides that a student is not eligible for special education, recommendations for educational programming in regular education may be developed from the ER. Placement must be made in the "least restrictive environment", as described more fully above, in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

**Parents and Surrogate Parents:** For purposes of this Notice, RBCS considers parents to be biological or adoptive parents of a child; a foster parent; a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child; an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent. A surrogate parent must be appointed when no parent can be identified; a public agency, after reasonable efforts, cannot locate a parent; the child is a ward of the State under the laws of Pennsylvania, or the child in an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434a (6). A person selected as a surrogate parent must not be an employee of the SEA, RBCS or any other agency

that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and has knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. Reasonable efforts must be made to ensure the assignment of a surrogate parent not more than 30 days after it is determined that the child needs a surrogate parent.

**Prior Written Notice:** RBCS will notify the parent whenever RBCS:

- Proposes to initiate or to change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education (FAPE) to the child; or
- Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to the child.
- Change of placement for disciplinary reasons.
- Due process hearing, or an expedited due process hearing, initiated by RBCS.
- Refusal of RBCS to agree to an independent educational evaluation (IEE) at public expense.

In Pennsylvania, prior written notice is provided by means of a Prior Written Notice Form/Notice of Recommended Educational Placement (NOREP). You should be given reasonable notice of this proposal or refusal so that if you do not agree with RBCS you may take appropriate action. Reasonable Notice means ten days. The prior written notice must describe the action that RBCS proposes or refuses to take;

- Explain why RBCS is proposing or refusing to take the action;
- Describe each evaluation procedure, assessment, record, or report RBCS used in deciding to propose or refuse the action;
- Include a statement that you have protections under the procedural safeguards provisions in Part B of IDEA;
- Tell how you can obtain a description of the procedural safeguards if the action that RBCS is proposing or refusing is not an initial referral for evaluation;
- Include resources for you to contact for help in understanding Part B of the IDEA;
- Describe any other choices that your child's IEP Team considered and the reasons why those choices were rejected; and
- Provide a description of other reasons why RBCS proposed or refused the action.

The notice must be:

- Written in language understandable to the general public; **and**
- Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.
- If your native language or other mode of communication is not a written language, RBCS will ensure that:
  - a. The notice is translated for you orally or by other means in your native language or other mode of communication;
  - b. You understand the content of the notice; **and**
  - c. There is written evidence that 1 and 2 have been met.

*Native language*, when used with an individual who has limited English proficiency, means the following:

- The language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
- In all direct contact with a child (including evaluation of a child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

**Parental Consent:** *Consent* means:

- You have been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which consent is sought;
- You understand and agree in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
- You understand that the consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it.

### **Need for Parental Consent**

- **Initial Evaluations (34 CFR §300.300)**

- a. General Rule: Consent for initial evaluation

RBCS cannot conduct an initial evaluation of your child to determine whether your child is eligible under Part B of the IDEA to receive special education and related services without first providing you with prior written notice of the proposed action and without obtaining your consent. RBCS must make reasonable efforts to obtain your informed consent for an initial evaluation to decide whether your child is a child with a disability. Your consent for initial evaluation does not mean that you have also given your consent for RBCS to start providing special education and related services to your child. If your child is enrolled in public school or you are seeking to enroll your child in a public school and you have refused to provide consent or failed to respond to a request to provide consent for an initial evaluation, RBCS may, but is not required to, seek to conduct an initial evaluation of your child by utilizing the Act's mediation or due process complaint, resolution meeting, and impartial due process hearing procedures. RBCS will not violate its obligations to locate, identify and evaluate your child if it does not pursue an evaluation of your child in these circumstances.

- b. Special rules for initial evaluation of wards of the State

Under Pennsylvania law, if a child is designated a ward of the state, the whereabouts of the parent are not known or the rights of the parent have been terminated in accordance with State law. Therefore, someone other than the parent has been designated to make educational decisions for the child. Consent for an initial evaluation should, therefore, be obtained from the individual so designated.

*Ward of the State*, as used in the IDEA, encompasses two other categories, so as to include a child who is:

1. A foster child who does not have a foster parent;
2. Considered a ward of the State under State law; **or**
3. In the custody of a public child welfare agency.

- **Consent for Initial Placement in Special Education (34 CFR §300.300):** Definitions of Parental Consent:
  1. Consent Means:
    - a. You have been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which consent is sought;
    - b. You understand and agree in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
    - c. You understand that the consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it.
  2. Can the Parent Revoke Consent?
    - a. Yes. You must submit written documentation to the staff revoking consent for special education and related services;
    - b. When you revoke consent for special education and related services, RBCS must provide you with Prior Written Notice;
    - c. Special education and related services cannot cease until RBCS provides you with Prior Written Notice;
    - d. Prior notice is defined as ten calendar days;
    - e. Charter School staff cannot use mediation or due process to override your revocation of consent;
    - f. RBCS will not be considered in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services;
    - g. RBCS is not required to amend the child's educational records to remove any references to the child's receipt of special education and related services because of the revocation of consent; and
    - h. RBCS is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.

**Parental consent for services:** RBCS must obtain your informed consent before providing special education and related services to your child for the first time. RBCS must make reasonable efforts to obtain your informed consent before providing special education and related services to your child for the first time. If you do not respond to a request to provide your consent for your child to receive special education and related services for the first time, or if you refuse to give such consent, RBCS may not use the procedural safeguards (i.e. mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services as recommended by your child's IEP Team may be provided to your child without your consent.

If you refuse to give your consent for your child to start receiving special education and related services, or if you do not respond to a request to provide such consent and RBCS does not provide your child with the special education and related services for which it sought your consent, RBCS:

- Is not in violation of the requirement to make FAPE available to your child for its failure to provide those services to your child; **and**

- Is not required to have an IEP meeting or develop an IEP for your child for the special education and related services for which your consent was requested.

**Consent for Reevaluations (34 CFR §300.300):** *RBCS must obtain your informed consent before it reevaluates your child, unless RBCS can demonstrate that:*

- It took reasonable steps to obtain your consent for your child’s reevaluation; **and**
- You did not respond.

**Documentation of Reasonable Efforts to Obtain Parental Consent (34 CFR §300.300):**

RBCS must maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, to reevaluate and to locate parents of wards of the State for initial evaluations. The documentation must include a record of RBCS’s attempts in these areas, such as:

- Detailed records of telephone calls made or attempted and the results of those calls;
- Copies of correspondence sent to the parents and any responses received; **and**
- Detailed records of visits made to the parent’s home or place of employment and the results of those visits.

**Consent Not Required Related to Evaluation: Your consent is not required before RBCS may:**

- Review existing data as part of your child’s evaluation or a reevaluation; **or**
- Give your child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parents of all children.

**Refused Consent to a Reevaluation:** If a parent(s)/guardian(s) refuse to consent to your child’s reevaluation, RBCS may, but is not required to, pursue your child’s reevaluation by using the mediation, due process complaint, resolution meeting, and impartial due process hearing procedures to seek to override your refusal to consent to your child’s reevaluation. As with initial evaluations, RBCS does not violate its obligations under Part B of the IDEA if it declines to pursue the reevaluation in this manner. RBCS may not use your refusal to consent to one service or activity to deny you or your child any other service, benefit, or activity.

**Disagreements with an Evaluation**

- **Independent Educational Evaluations (34 CFR §300.502) - General:** As described below, you have the right to obtain an independent educational evaluation (IEE) of your child if you disagree with the evaluation of your child that was obtained by RBCS. If you request an IEE, RBCS must provide you with information about where you may obtain an IEE and about RBCS’s criteria that apply to IEEs.
- **Definitions**
  - *Independent educational evaluation* means an evaluation conducted by a qualified examiner who is not employed by RBCS responsible for the education of your child.
  - *Public expense* means that RBCS either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you, consistent with the provisions of Part B of the IDEA, which allow each State to use whatever State, local, Federal and private sources of support are available in the State to meet the requirements of Part B of the Act.

- **Parent right to evaluation at public expense:** You have the right to an IEE of your child at public expense if you disagree with an evaluation of your child obtained by RBCS, subject to the following conditions:
  - If you request an IEE of your child at public expense, RBCS must, without unnecessary delay, either: (a) File a due process complaint to request a hearing to show that its evaluation of your child is appropriate; or (b) Provide an IEE at public expense, unless RBCS demonstrates in a hearing that the evaluation of your child that you obtained did not meet RBCS's criteria.
  - If RBCS requests a hearing and the final decision is that RBCS's evaluation of your child is appropriate, you still have the right to an IEE, but not at public expense.
  - If you request an IEE of your child, RBCS may ask why you object to the evaluation of your child obtained by RBCS. However, RBCS may not require an explanation and may not unreasonably delay either providing the IEE of your child at public expense or filing a due process complaint to request a due process hearing to defend RBCS's evaluation of your child.
  - You are entitled to only one IEE of your child at public expense each time RBCS conducts an evaluation of your child with which you disagree.
  - Charter School criteria: If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that RBCS uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an IEE). Except for the criteria described above, a Charter School may not impose conditions or timelines related to obtaining an IEE at public expense.
- **Parent-initiated evaluations:** If you obtain an IEE of your child at public expense or you share with RBCS an evaluation of your child that you obtained at private expense:
  - RBCS must consider the results of the evaluation of your child, if it meets RBCS's criteria for IEEs, in any decision made with respect to the provision of FAPE to your child; **and**
  - You or RBCS may present the evaluation as evidence at a due process hearing regarding your child.
- **Requests for evaluations by hearing officers:** If a hearing officer requests an IEE of your child as part of a due process hearing, the cost of the evaluation must be at public expense.

**ANNUAL NOTICE OF RIGHTS REGARDING STUDENT RECORDS:**

**CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION**

**(34 CFR §300.622):** Unless the information is contained in education records, and the disclosure is authorized without parental consent under FERPA, your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of Part B of the IDEA. Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

**ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34 CFR §300.611)**

1. **Related to the confidentiality of information, the following definitions apply:**
  - a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
  - b. *Education records* means the type of records covered under the definition of “education records” in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).
  - c. *Participating agency* means any Charter School, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.
  - d. **Personally identifiable (34 CFR §300.32)** means information that has:
    - 1) Your child’s name, your name as the parent, or the name of another family member;
    - 2) Your child’s address;
    - 3) A personal identifier, such as your child’s social security number or student number; **or**
    - 4) A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.
2. **Access Rights (34 CFR §300.613)**
  - a. **Parent Access:** RBCS must permit you to inspect and review any education records relating to your child that are collected, maintained, or used by RBCS under Part B of the IDEA. RBCS must comply with your request to inspect and review any education records on your child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after you have made a request.
    - 1) Your right to inspect and review education records includes:
    - 2) Your right to a response from RBCS to your reasonable requests for explanations and interpretations of the records;
    - 3) Your right to request that RBCS provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; **and**
    - 4) Your right to have your representative inspect and review the records.
      - a) RBCS may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
      - b) If any education **record includes information on more than one child**, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
      - c) On request, each Charter School must provide you with a **list of the types and locations of education records** collected, maintained, or used by RBCS.
  - b. **Other Authorized Access (34 CFR §300.614):** RBCS must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the

participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

2. **Fees:** RBCS may charge a fee or copies of records (34 CFR §300.617) that are made for you under Part B of the IDEA, if the fee does not effectively prevent you from exercising your right to inspect and review those records. RBCS may not charge a fee to search for or to retrieve information under Part B of the IDEA.
3. **Amendment of Records at Parent's Request (34 CFR §300.618):** If you believe that information in the education records regarding your child collected, maintained, or used under Part B of the IDEA is inaccurate, misleading, or violates the privacy or other rights of your child, you may request RBCS that maintains the information to change the information. RBCS must decide whether to change the information in accordance with your request within a reasonable period of time of receipt of your request. If RBCS refuses to change the information in accordance with your request, it must inform you of the refusal and advise you of the right to a hearing for this purpose.
4. **Opportunity for a Records Hearing (34 CFR §300.619):** RBCS must, on request, provide you an opportunity for a hearing to challenge information in education records regarding your child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child.
  - a. **Hearing Procedures (34 CFR §300.621):** A hearing to challenge information in education records must be conducted according to the following procedures for such hearings under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1233g (FERPA):
    - 1) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
    - 2) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonable in advance of the hearing.
    - 3) The hearing may be conducted by any individual, including an official of the educational agency or institution who does not have a direct interest in the outcome of the hearing.
    - 4) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
    - 5) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.
    - 6) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.
  - b. **Result of Hearing (34 CFR §300.620):** If, as a result of the hearing, RBCS decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform you in writing. If, as a result of the hearing, RBCS decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child, you may place in the records that it maintains on your

child a statement commenting on the information or providing any reasons you disagree with the decision of the participating agency. Such an explanation placed in the records of your child must:

1. Be maintained by RBCS as part of the records of your child as long as the record or contested portion is maintained by the participating agency; **and**
  2. If RBCS discloses the records of your child or the challenged portion to any party, the explanation must also be disclosed to that party.
- c. Safeguards (34 CFR §300.623):** Each Charter School must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each Charter School must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding your State's policies and procedures regarding confidentiality under Part B of the IDEA and FERPA. Each Charter School must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.
5. **Destruction of Information (34 CFR §300.624):** RBCS must inform you when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child, and the information must be destroyed at your request. However, a permanent record of your child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

### **PROCEDURES FOR DISCIPLINARY EXCLUSION OF CHILDREN WITH**

**DISABILITIES:** There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons.

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### **AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)**

1. **Case-by-case determination:** School personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.
2. **General:** To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 consecutive school days, remove a child with a disability (other than a child with mental retardation) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see *Change of Placement Because of Disciplinary Removals* for the definition, below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, RBCS must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading *Services*.
3. **Additional authority:** If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see *Manifestation determination*, below) and the

disciplinary change of placement would exceed 10 consecutive school days, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under *Services*. The child's IEP Team determines the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under Change of Placement Because of Disciplinary Removals). RBCS is required to issue a NOREP/Prior Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

4. **Services:** The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided to an interim alternative educational setting. A Charter School is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by their Charter School.

A child with a disability who is removed from the child's current placement for more than 10 consecutive school days must:

- a. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
- b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for 10 school days during one school year, or if current removal is for 10 consecutive school days or less, and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. **Manifestation determination:** Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for 10 consecutive school days or less and not a change of placement), RBCS, the parent, and relevant members of the IEP Team (as determined by the parent and RBCS) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:
  - a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

- b. If the conduct in question was the direct result of RBCS's failure to implement the child's IEP.

If RBCS, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability. If RBCS, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of RBCS's failure to implement the IEP, RBCS must take immediate action to remedy those deficiencies.

6. **Determination that behavior was a manifestation of the child's disability:** If RBCS, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:
  - a. Conduct a functional behavioral assessment, unless RBCS had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; **or**
  - b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading Special circumstances, RBCS must return the child to the placement from which the child was removed, unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan.

7. **Special circumstances:** Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:
  - a. Carries a weapon (see the Definitions below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of RBCS;
  - b. Knowingly has or uses illegal drugs (see the Definitions below), or sells or solicits the sale of a controlled substance, (see the Definitions below), while at school, on school premises, or at a school function under the jurisdiction of RBCS; **or**
  - c. Has inflicted serious bodily injury (see the Definitions below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or a Charter School.

## 8. Definitions

- a. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c)).
  - b. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
  - c. *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.
  - d. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.
9. **Notification:** On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, RBCS must notify the parents of the decision and provide the parents with a procedural safeguards notice.

**Change Of Placement Because Of Disciplinary Removals (34 CFR §300.536):** A removal of a child with a disability from the child's current educational placement is a change of placement requiring a NOREP/prior written notice if:

1. The removal is for more than 10 consecutive school days; or
2. The removal is for 15 cumulative school days total in any one school year;
3. The child has been subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than 10 school days in a school year;
  - b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;
  - c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; and

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by RBCS and, if challenged, is subject to review through due process and judicial proceedings.

**Determination of Setting (34 CFR §300.531):** The IEP must determine the interim alternative educational setting for removals that are changes of placement, and removals under the headings *Additional authority* and *Special circumstances*, above.

1. **General:** The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:
  - a. Any decision regarding placement made under these discipline provisions; or
  - b. The manifestation determination described above.RBCS may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.
2. **Authority of hearing officer:** A hearing officer that meets the requirements described under the sub-heading *Impartial Hearing Officer* must conduct the due process hearing and make a decision. The hearing officer may:
  - a. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading Authority of School Personnel, or that the child's behavior was a manifestation of the child's disability; or
  - b. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if RBCS believes that returning the child to the original placement is substantially likely to result in injury to the child or to others. Whenever a parent or a Charter School files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings *Due Process Complaint Procedures*, *Hearings on Due Process Complaints*, except as follows:

1. The SEA must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.
2. Unless the parents and RBCS agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving

notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings. When, as described above, the parent or Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading *Authority of School Personnel*, whichever occurs first.

**Special Rules for Students with Mental Retardation:** The disciplinary removal of a child with mental retardation attending either a Charter School for any amount of time is considered a change in placement and requires NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with mental retardation when the disciplinary event involves weapons, drugs, and/or serious bodily injury. According to certain assurances the Commonwealth entered into related to the PARC consent decree, a Charter School may suspend on a limited basis a student with mental retardation who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than mental retardation could be suspended.

### **Protections For Children Not Yet Eligible For Special Education and Related Services (34 Cfr §300.534)**

1. **General:** If a child has not been determined eligible for special education and related services and violates a code of student conduct, but RBCS had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.
2. **Basis of knowledge for disciplinary matters:** A Charter School must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:
  - a. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel of appropriate educational agency, or a teacher of the child;
  - b. The parent requests an evaluation related to eligibility for special education and related services under Part B of the IDEA; **or**
  - c. The child's teacher, or other Charter School personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to RBCS's director of special education or to other supervisory personnel of RBCS.
3. **Exception:** A Charter School would not be deemed to have such knowledge if:
  - a. The child's parent has not allowed an evaluation of the child or refused special education services; or
  - b. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.
4. **Conditions that apply if there is no basis of knowledge:** If prior to taking disciplinary measures against the child, a Charter School does not have knowledge that a

child is a child with a disability, as described above under the sub-headings *Basis of knowledge for disciplinary matters* and *Exception*, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors. However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by RBCS, and information provided by the parents, RBCS must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

**B. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR §300.535)**

**1. The state and federal regulations do not:**

- a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; **or**
- b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

- 2. Transmittal of records:** If a Charter School reports a crime committed by a child with a disability, RBCS: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and May transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

THIS ANNUAL NOTICE AND STATEMENT OF POLICY AND PROCEDURES HAS BEEN WRITTEN IN ACCORDANCE WITH CHAPTER 711 OF TITLE 22 OF THE PA CODE AND INCORPORATED INFORMATION FROM APPLICABLE PDE AND STATE FORMS AND SOURCES.

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO OF RBCS FOR AN EXPLANATION. RBCS WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE DISABLED, AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION.

FOR MORE INFORMATION OR TO REQUEST EVALUATION OR SCREENING OF A CHARTER SCHOOL STUDENT CONTACT THE CEO OF RBCS AT 1911 ARCH STREET, PHILADELPHIA PA 19103.

NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT THE INFORMATION CONTAINED IN THE PENNSYLVANIA DEPARTMENT OF EDUCATION'S CURRENT "PROCEDURAL SAFEGUARDS NOTICE" WHICH IS AVAILABLE THROUGH THE SCHOOL FOR YOUR REVIEW OR WITH APPLICABLE STATE AND/OR FEDERAL LAWS.

# **EXHIBIT H**

## **HOMEBOUND INSTRUCTION POLICY**

In accordance with Title 22 Pa. Code Chapter 11.25: The Head of School or teacher may, upon receipt of satisfactory evidence of mental, physical or other urgent reasons, excuse a student for nonattendance during a temporary period, but the term “urgent reasons” shall be strictly construed and does not permit irregular attendance. The Head of School shall adopt rules and procedures governing temporary excusals that may be granted by the Head of School and teachers under this section. Temporary excusals shall not exceed 3 months.

RBCS may provide students temporarily excused under this section with homebound instruction for a period not to exceed 3 months. RBCS shall not extend the provision of homebound instruction beyond 3 months without requesting approval from the Department of Education to extend the provision of homebound instruction, which shall be reevaluated every 3 months.

When a student receives homebound instruction, the student may be counted for attendance purposes as if in school.

The Head of School shall develop procedures that describe the instructional services that are available to students who have been excused under this section and the requirements that must be met by the student in order to qualify for homebound instruction. The Head of School is directed to complete any forms or paperwork as required by the Department of Education and to obtain any medical or other documentation required by the Department of Education and/or applicable state or federal laws or regulations.

To the extent that anything in this policy could be construed to conflict with the RBCS Charter or applicable state and/or federal laws, the applicable state and/or federal laws and/or RBCS Charter control.