

# American Renaissance School

## Discipline & Due Process Policy

It is the objective of the American Renaissance School Board of Directors (Board) to maintain the orderly, efficient, and safe operation of American Renaissance School while respecting the individual rights of students. Students may be suspended, expelled, or excluded from school in accordance with state law and Board policy. All levels of student violations will initiate disciplinary consequences.

The ARS Code of Conduct will be distributed to parent or guardian (*hereafter referred to as parent*) and students at the start of the school year. The policy and its consequences will be discussed with students and parents and reviewed periodically with their teachers.

Parents/Guardians should review the behavior guidelines below and complete the acknowledgement statement found at the back of this handbook or online via MyPaymentsPlus. This statement must be returned to the school and kept on file. General classroom behavior guidelines (PBIS) will be discussed in each class and distributed to parents during the first week of school. All ARS staff members will review these expectations with students and parents/guardians on a regular basis.

Any ARS student who disrupts the learning environment may be referred for behavior assessment. The building level principal will keep a log that will include the student's name, grade, and date of referral, as well as the behavior concern, and name of the teacher. The parent will be notified of inappropriate behavior in person, via email, or by a telephone call.

### **Positive Behavioral Interventions and Supports (PBIS)**

American Renaissance School shall establish a school-wide system of discipline which utilizes positive behavioral supports. American Renaissance School shall establish, post, and provide direct instruction on school-wide behavioral expectations to each student at the beginning of each school year and reinforce expectations throughout the school year. School personnel shall provide yearly training to all school staff on positive behavioral supports and the school-wide discipline plan. American Renaissance School shall establish a school leadership team which meets regularly to review behavioral and related data and guide the positive behavior process.

Role of PBIS – A well-managed classroom and school is the most proactive approach to maintaining appropriate student behavior in any school. Clearly established rules must be taught to students, reinforced frequently, and enforced consistently by all administration, faculty, and staff. Consequences for violations of the rules should be assigned to students quickly, fairly, and consistently to have the greatest impact on changing the behavior of students. Positive

reinforcement of correct behaviors exhibited by students also serves to impact the behaviors of all students.

### **Definitions**

- Appeal – parent request for review by the Board, of action taken at a formal long-term suspension hearing.
- Board – Members of the American Renaissance School Board of Directors.
- Formal Hearing - a process of review conducted at the Board level by the hearing officer and select Board members.
- Hearing Officer - The Board's designee who conducts formal hearings.
- Informal Hearing - The provision for direct communication between the principal and the student to ensure the opportunity for a student to respond to any allegation giving rise to disciplinary action.
- Plagiarism- Presenting the oral, written, or visual work of another individual as your own.
  - Failure to properly cite or give credit to the work of another

### **Interventions**

- Loss of Privileges: revocation of the right to participate in social and/or extracurricular activities
- Time out: a disciplinary action that allows the student time to reflect and refocus. The child is given time to sit quietly, to calm down, and to refocus on the expected behaviors before returning to group instruction. It can be given in the classroom, in the office, or in another classroom. Middle school students may be assigned a consequence that is more age-appropriate.
- Confiscation of cell phones, electronics, toys, etc.: teachers may confiscate items that pose a distraction to the learning environment at their discretion. Items may be returned at the end of the day or sent to the office for pickup by a parent.
- School Specific Interventions: interventions that are used for certain behavior infractions.
- Restitution or Repair: payment or repair for damages to personal or school property.
- After School Detention: held at the school site. A staff member monitors the Detention activities. The child does not miss class time.
- Referral to Student Services or Mental Health Professional: school based counseling aimed at improving student behavior. Students will receive conflict management counseling, self-control tips, effective communication training, and/or anger management counseling.
- Behavior Plan: a student specific plan that is aimed at improving problem behavior. Parents, students and school staff work together to develop and implement this plan.
- Threat Assessment: multidisciplinary assessment used to validate a verbal, nonverbal, or written threat by a student. Student and parent interviews are conducted if necessary.

## **Administrative Interventions**

- Short-Term Suspension: suspension from school, school activities, and school grounds for a period of up to ten (10) school days.
- Long-Term Suspension: suspension from school, school activities, and school grounds for more than ten (10) school days (less than exclusion or expulsion).
- Exclusion: Permanent removal of the student from school, school activities, and school grounds. A charter school student who has been excluded may return to his local educational agency pursuant to North Carolina law.
- Expulsion: Permanent termination of the student-school relationship. This applies only to students whose continued presence constitutes a clear threat to the safety of other students or school staff.

## **Policy**

### **1) Short-Term Suspension**

The principal may invoke a short-term suspension only after investigating the misconduct, confronting the student with the allegations, and giving the student an opportunity to respond. The principal may invoke a short-term suspension only for a violation of Board policy or procedure or as provided in G.S. 115C-391. When a student is issued a short-term suspension, the Principal shall:

- a) Send a written notice to the parent adequately stating the charge against the student and containing sufficient facts to describe the nature of the offense.
- b) Make every effort to hold a conference with the parents before or at the time the student returns to school. A short-term suspension may not be appealed to the Board.
- c) *If the Principal witnesses or is made aware of any serious student misconduct and has reasonable grounds to believe that immediate removal of the student is necessary to restore order or to protect school property or persons on the school grounds, the student may be suspended immediately for not more than three (3) school days. In such cases, the Principal is not required to conduct a full investigation before suspending the student.*

### **2) Sending a Student Home During the School Day**

When a student is suspended, a reasonable attempt shall be made to reach the student's parents to inform them of the school's action and request that they come to the school or make arrangements for the student to leave the school. If the parents are available to receive the student, but unable to make arrangements for pick up, the school may provide transportation. A suspended student may only be released to a parent or to another adult at the request of the parent. If the parents are unreachable, then the student must remain on school property until the close of the school day, unless, in extreme circumstances, immediate removal of the student from school grounds is necessary to restore or maintain order or to protect school property or people on the school grounds.

### **3) Long-Term Suspension**

#### **a) Initiation of Notice and Proceeding**

If the Principal, following the investigation, determines that a long-term suspension is appropriate, a short-term suspension of ten (10) school days shall be invoked and a recommendation to invoke a long-term suspension shall be made, in writing, to the Board. The Principal also shall send a copy of the recommendation by mail to the student's parent. The student and parent shall be informed of the Procedures for Suspensions and Expulsions. The written recommendation to the Board shall state the charges against the student and contain sufficient facts to describe the nature of the offense. The Board shall approve or disapprove the long-term suspension within five (5) school days following receipt of the principal's recommendation if the parent does not ask for a formal hearing. If the Board approves the long-term suspension, it shall identify the information that will be included in the student's official record and describe the procedure for expunging that information.

#### **b) Formal Hearing**

If a formal hearing is desired, the parent must notify the Board in writing within three (3) school days following the notice of impending long-term suspension. If the parent fails to appeal within three (3) school days, they waive the right to a formal hearing. The Board shall appoint one board member to serve as the hearing officer. The hearing officer shall have no vote. Upon receipt of a notice of appeal, the principal shall notify the hearing officer who shall appoint two panel members and a recorder from the Board. The hearing shall be convened and conducted by the hearing officer within five (5) school days following the request. The following rules shall govern all formal hearings:

- i) The hearing shall be private and informal. Rigid rules of evidence need not be observed. The hearing may be attended by the Principal or designee, the student, the student's parents and if desired, the student's representative, the hearing panel and such other persons as the hearing officer deems necessary. If the parent chooses to have legal representation present, notification must be given to the Board and/or hearing officer at least two (2) calendar days prior to the hearing for the Board to engage its own legal representation.
- ii) The hearing panel may consider the testimony of any witness, including hearsay evidence considered reliable by the hearing officer.
- iii) At the hearing, the principal or other representative of the school shall offer competent evidence concerning the student's violation of the Code. The student, parent or the student's representative may then present evidence, including documents and witnesses.
- iv) The Principal or school representative and the student, parent or his or her representative may question the witness presented by the other side.

The hearing officer has the power to limit questioning by any person if such questioning is repetitive, immaterial or irrelevant.

- v) Minutes shall be kept of the hearing. After the evidence has been presented and the hearing adjourned, the hearing panel shall proceed to reach a decision in private. The hearing officer may provide advice on policy or procedural issues but will not vote. The decision will be reached by simple majority and will be based solely on the evidence presented at the hearing. Written notification of the hearing panel's decision will be sent to the Principal by the end of the next school day following the hearing. The notice should include a finding as to whether the student violated the Code, and if so shall make a recommendation as to the severity of the punishment. The notice should explain the findings upon which the decision was based as well as any conditions associated with the decision.
- vi) The hearing panel has the final recommendation and shall send written notification of the decision to the parents.

#### **4) Exclusion**

Procedures for exclusion shall follow the same due process procedures as outlined in section 3.

#### **5) Expulsion for Firearms/ Explosives**

The procedures for long-term suspension in section 3 shall apply in cases involving bomb threats or hoaxes or the possession or use of a firearm or explosive except as follows: The hearing panel shall only decide whether the student committed the violation and not what form of discipline is appropriate. If the hearing panel finds there was a violation, the student or parent/guardian may appeal to the Board as provided in Section (3)(b) above.

#### **6) Suspension of Children with Disabilities**

The administration may suspend a student with disabilities for short-term suspension; suspension from school may not be for more than a total of ten days in a school year. The administration may recommend a student with disabilities for long-term suspension or expulsion (greater than 10 days) by following these procedures:

- a) The administration will follow regular procedures for long-term suspension or expulsion as described above.
- b) Once the administration has made a recommendation for long-term suspension or expulsion of a student with disabilities, he or she will convene members of the Student Support Team who will determine: if the student is eligible for special education services; if the student is appropriately placed in a special education program; and if there is a causal relationship between the student's disabling condition and the conduct for which he or she is to be disciplined.
- c) The parent will be notified in writing of the time and place of the committee meeting and its purpose.

- d) School personnel may also impose additional removals of the child of not more than 10 school days in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- e) **Additional Authority**  
If the behavior that violates the student code of conduct was not a manifestation of the child's disability and the disciplinary change of placement would exceed 10 school days in a row, 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. The child's IEP Team determines the interim alternative educational setting for such services.
- f) **Manifestation Determination**  
Students who have an IEP are provided the protections under that plan as outlined in State and Federal statute. 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 is for 10 school days in a row or less and not a change of placement), the school, parents, and other relevant members of the IEP Team must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided to determine:
  - i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
  - ii) If the conduct in question was the direct result of the school's failure to implement the child's IEP.
    - (1) If the school, you, and other relevant members of the child's IEP Team determine that the conduct in question was the direct result of the school's failure to implement the IEP, the school must take immediate action to remedy those deficiencies.
  - iii) For additional information on procedural safeguards and due process please refer to: Parent Rights and Responsibilities in Special Education Notice of Procedural Safeguards  
at <http://ec.ncpublicschools.gov/parent-resources/ecparenthandbook.pdf>
  - iv) LEGAL REF: G.S. 1115C-112, G.S. 115C-288(e), G.S. 115C-307, G.S. 115C-390, and G.S. 115C-391

**7) Academic Dishonesty**

American Renaissance School's philosophy is to increase a student's ability to work both independently and collaboratively. We realize that valuable social skills and learning come through group projects, collaboration, and cooperation.

Students should do all of their own work, but students should also be willing to assist fellow students when the learning experience can be enhanced. In some situations, assignments or tests are required to be independent of any outside help. Students will be made aware when this is the case and will be expected to act accordingly.

## 8) Plagiarism

Plagiarism is a serious issue in academia. Students should give credit to the appropriate individuals for their research and writing. It is often difficult to distinguish what should be duly noted and what is common knowledge. It is the role of the faculty to bring this issue into a clearer focus so that students will learn proper citation processes. Through their own research and writing, the constitution of plagiarism will become better defined for the student. Students will begin learning the principles and process of research and writing in Elementary School.

## 9) School Bullying Policy

### a) Definitions:

- i) Bullying is a form of harassment
- ii) Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on property of another.
- iii) Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats and exclusion from peer groups.
- iv) Non-retaliation: 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 principal or designee, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state, or local laws, policies, and regulations.

### b) Consequences for Bullying

- i) After documenting a pattern of bullying behavior, the following consequences will be facilitated by the principal or designee.
  - (1) First Strike: the student will serve an after school detention where he/she and a parent will take part in an anti-bullying education program.
  - (2) Second Strike: the student will serve in or out of school suspension. The number of days and place of suspension shall be determined by the principal, based on the severity of the case.
  - (3) Third Strike: the student will be suspended and asked to report to a hearing in front of the Board of Directors to determine his/her future enrollment at the school.



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