

# Howard University Middle School of Mathematics and Science

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## GENERAL POLICY

It is the policy of Howard University Middle School of Mathematics and Science (HUMS) that a safe environment conducive to learning shall be maintained. To build and maintain this environment, HUMS shall provide students, families, and staff with clear expectations and rules for appropriate school behavior. These rules must balance the responsibilities and rights of individuals and the responsibilities and rights of the school community.

These rules must reflect the individual's responsibility for contributing to a safe environment conducive to learning and the need for mutual respect and cooperation among all segments of the school community.

HUMS is committed to helping students learn the expectations and rules for appropriate school behavior and the range of disciplinary responses for inappropriate or disruptive behavior. HUMS will recognize and encourage students who exhibit appropriate, non-disruptive behavior. HUMS will encourage prevention and intervention strategies to prevent inappropriate behavior. To that end all available resources, subject to budgetary limitations, shall be utilized, including preventive and responsive interventions that support students' needs.

When a student's behavior disrupts the school community's safe learning environment, HUMS will use a range of disciplinary responses intended to change and manage inappropriate behavior. In administering disciplinary responses, HUMS will work with students to correct inappropriate behavior. Students will be enabled and encouraged to reflect on their actions, to learn from mistakes, and to restore any relationships that have been negatively impacted.

Whenever possible, prevention, intervention, and remediation strategies shall be used in addition to disciplinary responses at all stages of the disciplinary process, including students transitioning from Suspension or Expulsion.

HUMS reserves the right to maintain the safety of all staff and students in and outside the building. Safety measures include random search of lockers, searching bags or any thing brought into the building, creating Safe Passage zones to and from school.

HUMS shall involve family members in efforts to determine the causes of misbehavior and in efforts to support appropriate school behavior.

Options for prevention, intervention, and remediation shall include, but not be limited to:

- (a) Anger management;
- (b) Attendance intervention plans;
- (c) Behavior intervention plan;
- (d) Behavior log/behavior progress report;
- (e) Behavior redirection;
- (f) Community conference;
- (g) Community service;
- (h) Conflict resolution;
- (i) Crime awareness/prevention programs;
- (j) Diverse instructional strategies;
- (k) In-school program restructuring (schedule change);
- (l) Individual or group counseling;
- (m) Intervention by guidance counselor or mental health professional;
- (n) Mediation, including teacher/student mediation and multi-party dispute resolution;
- (o) Mentoring;

- (p) Parent conference;
- (q) Parent observation of student;
- (r) Positive feedback for appropriate behavior;
- (s) Positive behavior supports
- (t) Problem solving conferences;
- (u) Referral to community-based organizations;
- (v) Referral to substance abuse counseling service;
- (w) Rehabilitative programs;
- (x) Restitution;
- (y) Restorative justice strategies;
- (z) Social skills instruction;
- (aa) Student support team meeting; and
- (bb) Other appropriate intervention strategies.

HUMS decisions regarding student behavior and discipline shall respect individuals, balance the interests of the school community, and minimize disruption of academic instruction.

HUMS shall provide a fair and consistent approach to student discipline within the context of students' rights and responsibilities, as further articulated in these rules.

Disciplinary responses shall be logical, appropriate, and instructive. Disciplinary responses shall consider factors such as:

- (a) The nature of the infraction;
- (b) Circumstances relating to the infraction;
- (c) The student's previous behavioral history;
- (d) Previous participation in counseling or conflict resolution efforts such as peer mediation;
- (e) Whether injury occurred;
- (f) Whether a weapon or controlled substance was involved;
- (g) The safety of other students and staff;
- (h) The educational needs of other students;
- (i) The educational needs of the student to be disciplined (including those enumerated in an IEP or a plan issued pursuant to § 504 of the Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 355; 29 U.S.C. § 794)); and

Disciplinary responses shall be aimed, to the extent practicable under the circumstances, to enable students to continue their instructional program

Disciplinary responses shall include, but not be limited to, the following strategies:

- (a) Verbal redirection/reprimand;
- (b) Teacher/student conference;
- (c) Parental contact (written or by phone);
- (d) Parent conference;
- (e) Temporary Removal of Student from Classroom;
- (f) Behavior contract;
- (g) Grade reduction for Academic Dishonesty only;
- (h) In school Short-Term Suspension (one (1) – five (5) school days
- (i) Out of school Short-Term Suspension

- (j) Out of school Medium-Term Suspension (six (6) – ten (10) school days
- (k) Out of school Long-Term Suspension (eleven (11) days
- (l) Expulsion (Out of school Suspension for one calendar year).

Students shall receive adequate and timely notification of student infractions and disciplinary responses.

A copy of the HUMS policies and rules regarding student discipline shall be distributed or made available to students and parents within thirty (30) days after the start of each school year or upon initial enrollment, whichever occurs later.

A copy of the HUMS policies and rules regarding student discipline shall be distributed or made available to school staff within thirty (30) days after the start of each school year, or upon initial employment, whichever occurs later.

All oral communications, including conferences, appeals, and hearings conducted with any student, parent, or guardian shall be conducted with interpretation services when necessary to ensure effective communication. Interpretation service shall include a qualified interpreter or HUMS staff member who is fluent in the individual's native language. A certified sign language interpreter shall be provided for any student, parent, or guardian who is deaf or hard of hearing upon request

All written documents concerning the disciplinary process shall be considered vital documents and provided to any student, parent, or guardian in a format that he or she can understand. For individuals with Limited or No-English Proficiency, documents shall be provided in the individual's native language. For individuals with vision impairments, reasonable accommodations shall be made to provide documents in a manner accessible to the individual, including but not limited to Braille, large type, audio recording, or some other suitable electronic media.

## APPLICABILITY

The provisions of this policy shall be enforceable by school authorities, as follows:

- (a) When the student is on school grounds;
- (b) When the student is on or off school grounds participating in or attending any function or activity, including field trips, class trips, extracurricular activities, or athletic contests, that are sponsored by or are under the auspices of HUMS;
- (c) When the student is off school grounds and traveling on transportation provided by HUMS and the activity involves any conduct prohibited by this policy;
- (d) When the student commits a prohibited offense that occurs during before- school or after-school programs; and
- (e) When a student has committed a prohibited offense off school grounds or outside regular school hours that results in a **significant disruption to the school environment.**

## GROUPS FOR DISCIPLINARY ACTION

### Tier I Behaviors

Tier I behaviors are those behaviors that are insubordinate or cause minor disruptions to the

academic environment but do not involve damage to school property or harm to self or others. Tier I behaviors result in classroom-level disciplinary responses that may be elevated to administrative response if they are not successfully abated by the teacher or the appropriate school-level committee.

- (a) The following behaviors shall be considered Tier I behaviors:
  - (1) Non-compliance with approved dress code/uniform policy;
  - (2) Off-task behaviors that demonstrate disengagement from classroom learning;
  - (3) Behaviors that disrupt or interfere with classroom teaching and learning;
  - (4) Unexcused lateness for school or class;
  - (5) Inappropriate displays of affection;
  - (6) Excessive noise in the classroom, hall, or school building;
  - (7) Horse playing or running in the classroom, hall, or school building;
  - (8) Communicating with staff and peers in a manner that is not polite, courteous, or respectful;
  - (9) Directing profanity or obscene/offensive gestures toward peers
  - (10) Refusal to comply with staff instructions, or classroom or school rules; and
  - (11) Any behavior or other conduct not specifically enumerated in any other tier in this policy that is insubordinate or causes minor disruption to the academic environment but does not involve damage to school property or harm to self or others.
- (b) Disciplinary responses for Tier I behaviors shall include:
  - (1) Verbal redirection or reprimand;
  - (2) Teacher/student conference;
  - (3) Parental contact in writing or by phone;
  - (4) Teacher/parent conference;
  - (5) Temporary Removal of Student from Classroom
  - (6) Detention after school or lunch detention;
  - (7) In-School Disciplinary Action;
  - (8) Behavior contract; and
  - (9) Other school-based consequences as approved by the school administration

#### Tier II Behaviors

Tier II behaviors are those behaviors not specifically enumerated in any other tier in this policy that cause disruption to the academic environment, involve damage to school property, or may cause minor harm to self or others. Tier II behaviors result in school-based and administrative disciplinary responses.

- (a) The following behaviors shall be considered Tier II behaviors:
  - (1) Using computer/office equipment without permission;
  - (2) Intentional Misuse of School Equipment/Supplies/Facilities;
  - (3) Possession of or unauthorized use of portable electronic devices during school hours (e.g. cell phones, smart watches, etc.);
  - (4) Leaving classroom without permission;
  - (5) Unexcused absence from class;
  - (6) Unauthorized presence in hallway during class time;
  - (7) Inappropriate or disruptive physical contact between students;
  - (8) Directing profanity or obscene/offensive gestures toward staff;

- (9) Throwing objects that may cause injury or damage to property;
  - (10) Any behavior or other conduct not specifically enumerated in any other tier in this policy that causes disruption to the academic environment, involves damage to school property, or may cause minor harm to self or others; and
  - (11) Documented Pattern of Persistent (3 or more instances of) Tier I Behavior.
- (b) Disciplinary responses for Tier II behaviors shall include:
- (1) Verbal redirection or reprimand;
  - (2) Teacher/student or administrator/student conference;
  - (3) Parental contact in writing or by phone;
  - (4) Administrator/parent conference;
  - (5) Temporary Removal of Student from Classroom;
  - (6) In-School Suspension;
  - (7) Behavior contract;
  - (8) Other school-based consequences as approved by school administration

### Tier III Behaviors

**Tier III** behaviors are those behaviors not specifically enumerated in any other tier that cause significant disruption to the academic environment or cause harm to self or others. In addition to lesser consequences, Tier III behaviors will result in either In-school or Out of school Suspension.

- (a) The following behaviors shall be considered Tier III behaviors:
- (1) Inappropriate Use of HUMS Computer or Network (restricted websites, offensive emails);
  - (2) Sale or Distribution of **any item** in the school without authorization;
  - (3) Possession or Distribution of obscene or pornographic material on school premises;
  - (4) Possession or Use of tobacco or incendiary devices (lighters, matches);
  - (5) Use of alcohol;
  - (6) Use of marijuana, controlled dangerous substances, imitation controlled substances, inhalants, other intoxicants, or drug paraphernalia;
  - (7) Unauthorized Possession, Use, or Distribution of over-the-counter medication;
  - (8) Verbal, written, or physical Threat to person or property (including on social media, and including intimidating postures);
  - (9) Obscene, seriously offensive, or abusive language or gestures;
  - (10) Causing disruption on school property or the Howard University campus or at any HUMS-sponsored or supervised activity;
  - (11) Gambling;
  - (12) Communicating slurs based on actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business, including derogatory sexual language;
  - (13) Engaging in Sexual Acts on school premises or at school-related functions;
  - (14) Leaving school without permission;
  - (15) Academic Dishonesty (cheating, plagiarizing, utilizing electronic media to obtain answers to assessments, taking assessments for others);
  - (16) Forgery;

- (17) Lying to or giving misleading information to school staff;
  - (18) On-line Posting or distributing material or literature that is disrespectful, demeaning, humiliating, or damaging to HUMS students and/or staff. This includes posting material on internet or sending material electronically (via email or cell phone);
  - (19) Engaging in behavior that demonstrates Gang/neighborhood crew affiliation (displaying clothing or gestures associated with Gangs);
  - (20) Hazing;
  - (21) Bullying, or using humiliating, or intimidating language or behavior, including Internet Bullying;
  - (22) Possession of tools or instruments which school administrators deem could be used as weapons;
  - (23) Engaging in reckless behavior that may cause harm to self or others;
  - (24) Extortion;
  - (25) Fighting where there is no injury and no weapon;
  - (26) Trespassing including Howard University grounds without HUMS staff supervision;
  - (27) Any behavior or other conduct not specifically enumerated in any other tier in this policy that causes significant disruption to the academic environment or causes harm to self or others;
  - (28) Documented Pattern of Persistent (3 or more incidents) Tier II Behavior
- (b) Disciplinary responses for Tier III behaviors shall include:
- (1) Teacher/student conference or administrator/student conference;
  - (2) Parental contact (written or by phone);
  - (3) Parent conference;
  - (4) Temporary Removal of Student from Classroom;
  - (5) Behavior contract;
  - (6) In-School Disciplinary Action;
  - (7) Grade reduction for Academic Dishonesty;
  - (8) Out of school Short-Term Suspension, except in response to unexcused tardiness or absence; or
  - (9) Out of school Medium-Term Suspension, except in response to unexcused tardiness or absence.

#### Tier IV Behaviors

Tier IV behaviors are those behaviors not specifically enumerated in any other tier in this policy that cause disruption to the school operation, destroy school property, or cause significant harm to self or others. Tier IV behaviors result in Out of school Suspension.

- (a) The following behaviors shall be considered Tier IV behaviors:
- (1) Acts of vandalism, destruction of property, or graffiti (tagging);
  - (2) Documented theft of school or personal property without force;
  - (3) Interfering with school authorities or participating in a major disruption of the school's operation.
  - (4) Tampering with, changing, or altering an official record or document of a school;
  - (5) Persistent Harassment based on actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or



- place of residence or business;
- (6) Lewd or indecent public behavior or sexual misconduct;
- (7) Sexual Harassment;
- (8) Retaliation for reporting Harassment and Sexual Harassment;
- (9) Inciting others to violence or disruption;
- (10) Activating False Alarm;
- (11) Contaminating food;
- (12) Possession of a weapon or replica or imitation of a weapon (including water guns), other than weapons subject to the requirements of the Gun-Free Schools Act;
- (13) Using an article that is not normally considered a weapon to intimidate or threaten another individual;
- (14) Any behavior or other conduct not specifically enumerated in any other tier in this policy that causes disruption to the school operation, destroys school property, or causes significant harm to self or others; and
- (15) Acts of Exceptional Misconduct at other schools;
- (16) Vandalism/destruction of property over \$500;
- (17) Selling or Distribution of marijuana, prescription drugs, controlled dangerous substances, imitation controlled substances, inhalants, other intoxicants, controlled or drug paraphernalia;
- (18) The Possession or Distribution of alcohol;
- (19) The Possession of drug paraphernalia or controlled substance, irrespective of the amount or type, pursuant to the criminal statutes of the District of Columbia, codified at D.C. Official Code § 48-1101 *et seq.* (2001)
- (20) Causing serious disruption or damage to school's computer systems, electronic files, or network;
- (21) Possession of fireworks or explosives;
- (22) Theft or attempted theft using force, coercion, intimidation, or Threat of violence;
- (23) Assault or physical attack on student or staff;
- (24) Fighting which results in a physical injury;
- (25) Participating in group fight which has been planned, causes major disruption to school day or results in substantial bodily injury
- (1) Use, Possession, or bringing to school a loaded or unloaded firearm, as defined in 18 U.S.C. § 921 (2000), including but not limited to pistols, blank pistols, starter pistols, revolvers, rifles, and shotguns.
- (2) Any behavior that violates the Gun-Free Schools Act;
- (3) Deliberate acts that cause severe physical injury to another person (s).
- (b) Assault with a weapon; Weapons include, but are not limited to:
  - Weapons enumerated in D.C. Official Code §22-4514 (2001);
  - Firearms as enumerated in 18 U.S.C. § 921 (2000);
  - Knives (e.g. bowie, dirk, lock-blade, hunting, pen, pocket, switchblade, utility, boxcutter, etc.);
  - Martial arts devices (e.g. Chinese stars, 'nunchucks', etc.);
  - Air gun, bb gun, paintball gun;
  - Other weapons or instruments designed to be or commonly used as weapons (e.g., chains, clubs, knuckles, night stick, pipes, studded bracelets);
  - Mace, pepper spray, tear gas;
  - Explosives;
  - Slingshot;
  - Bullets;



- (2) Commission or attempted commission of any act of sexual assault or sexual aggression;
  - (3) Arson;
  - (4) Biohazard;
  - (5) Bomb threat;
  - (6) Any other intentional use of violence, force, coercion, Threats, intimidation, or other comparable conduct which causes or attempts to cause severe physical injury, substantial disruption, or obstruction of any lawful mission, process, or function of the Howard University Middle School of Mathematics and Science;
  - (26) Documented Patter of persistent (2 or more incidents) Tier III Behavior
- (b) Disciplinary responses for Tier IV behaviors include:
- Out of school Short-Term Suspension or
  - (1) Out of school Medium-Term Suspension or
  - (2) Out of school Long-Term Suspension or
  - (3) Expulsion

## **POLICY FOR DISCIPLINARY ACTIONS**

Deans of Students shall ensure that accurate, appropriate documentation is maintained of all disciplinary actions.

The Principal I, at his or her discretion, may review and modify any proposed disciplinary action.

Disciplinary responses for all tiers of behavior may be assigned only after consideration of the factors involved in the inappropriate behavior as outlined and after consideration of prevention, intervention, and remediation responses.

Disciplinary responses for students with disabilities shall be imposed in compliance of these Rules.

Records of all disciplinary actions taken shall be maintained for each student in a student discipline file that is separate from the student's official record and cumulative file.

Disciplinary records are primarily for the use of the school that the student attends.

Disciplinary records shall be maintained by the school until the student is promoted to the next educational level.

## **POLICY FOR SUSPENSIONS AND EXPULSIONS**

The Principal shall consider all extenuating circumstances before recommending Expulsion.

A student may be suspended prior to a conference if he or she is contributing to a emergency situation in the school. An emergency situation may exist either because of general conditions in the school (e.g., a series of fires or False Alarms; a manifestly high level of student tension; an increasing number of fights or physical attacks; a large number of abuses of property) or because the behavior of an individual student is so disruptive or dangerous that he/she poses a very real and immediate threat to the health and safety of other members of the school community, or to the ability of the school community or the school or portion thereof to continue normal operations.

**A student may be expelled from HUMS only for the commission of Tier IV Infraction.**

Students who have been suspended or expelled shall not be eligible to participate in any school function for the duration of their Suspension or Expulsion. The only exceptions shall be for system-wide testing.

A student who has been suspended or expelled shall have access to an Education Plan as follows:

- (a) If a student is suspended for fewer than eleven (11) days, the dean of students initiating the Suspension shall provide an Education Plan that meets the student's educational needs and allows the student to make up any class and homework assignments and exams without penalty.

Restitution and/or school service may be required in any case involving school property (e.g., arson, vandalism, burglary, robbery). The amount of restitution or type of school service shall be determined by the Principal

If a student's Suspension or Expulsion is for a period exceeding the number of school days remaining in the school year, any remaining part of the term of the Suspension or Expulsion may be applied to the succeeding school year.

Students younger than the age of fourteen (14) who have been suspended or expelled shall not be allowed to leave school grounds during school hours unless accompanied by a parent or guardian, or his or her designee. If the parent or guardian of a suspended student cannot be notified by phone or in person, the student must remain at school until the end of the school day.

If the parent or guardian of a student who has been suspended cannot be contacted by phone or in person before the next school day, and the student arrives at school, he or she must remain in the building until a parent or guardian can be contacted and given a reasonable opportunity to arrange for proper supervision of the student or until the end of the school day. The student may be segregated and must be appropriately supervised during this time. Any such day will count toward fulfilling the term of the student's Suspension.

## PROCEDURES FOR SUSPENSIONS AND EXPULSIONS

Authority to impose Suspensions and Expulsions is as follows:

- (a) In school Short-Term Suspension may only be authorized by the Dean of Students or a person designated by the Principal .
- (b) Out of school Short-Term Suspension may only be authorized by the assistant principal of the Principal .
- (c) Out of school Medium-Term Suspension may only be authorized by the assistant principal of the Principal
- (d) Out of school Long-Term Suspension may only be authorized by the assistant principal of the Principal .
- (e) Expulsion, except Expulsions for violations relating to the Gun-Free Schools Act, may be proposed and may only be authorized by the Principal .

Any student who is to be suspended or expelled shall be given a conference with the school official responsible for proposing the disciplinary action, prior to the Suspension or Expulsion.

The conference shall include a discussion of the following:

- (a) The grounds for disciplinary action as referred to in this policy including a citation of the rule(s) upon which the action is based, and a description, in reasonable detail, of the facts and events upon which the disciplinary action is proposed;
- (b) An explanation of the evidence or facts upon which the school official has determined that the student has committed an infraction, as defined in this policy, including a summary of the recommended disciplinary action;
- (c) An opportunity for the student to present the student's version of the facts or to explain the events or action upon which the alleged infraction is based;
- (d) The decision regarding the infraction and the recommended disciplinary action to be provided after the student has had an opportunity to present his or her version of the facts and/or to explain the events or actions upon which the alleged infraction is based;
- (e) If the principal is recommending Long-Term Suspension or Expulsion, the Principal shall report his or her findings and recommendations from the conference in writing to the student and parent or guardian. The Principal shall also inform the student and parent or guardian in writing of disciplinary hearing procedures, appeal rights, the intervention supports available to the student, and the requirements for readmission where applicable.
- (f) The conference may include the parent or guardian, witnesses, and/or legal representative, but participation by such party(ies) shall not be required.
- (g) Students and parents or guardians shall be provided written notice of all Suspensions and Expulsions as follows:
- (h) No student may be suspended or expelled, including In-school Suspension, without written notice to the adult student or minor student's parent or guardian.
- (i) Following the oral notice provided to parents or guardians pursuant verifiable written notice using contact information provided by the parent or guardian (e.g. email, certified mail, or hand-delivered mail with a signature receipt) of all authorized or proposed Suspensions and Expulsions must be sent to the parent or guardian or to the adult student no later than one (1) school day after the decision by the Principal or a person designated by the Principal to authorize or propose Suspension or Expulsion. The notice must inform the parent or guardian of the identity of the person who has the authority to modify or rescind the proposed Suspension or Expulsion.
- (j) The notice must also include a description of the infraction including a citation of the rule(s) upon which the action is based, a summary of the facts, the length of the proposed Suspension or Expulsion, the Education Plan or Alternative Educational Setting; and a description of the student's right to appeal or to a hearing.
- (k) A student who has been given a notice of proposed Expulsion may be immediately placed on Suspension in accordance with the rules and procedures set forth in this section.

A student who has been suspended for fewer than eleven (11) days may appeal the Suspension as follows:

- (a) All appeals must be made by the student's parent or guardian orally or in writing to the Principal, no later than two (2) school days after receiving the notice of suspension and may be made prior to receiving formal written notice of the Suspension. An appeal made orally shall be put in writing by the person receiving the request.
- (b) All appeals will be heard by the Principal no later than one (1) school day after the appeal is requested. Upon request of the student's parent or guardian, the time for the appeal may be extended up to three (3) school days. The appeal may be held by

telephone upon request of the parent or guardian if necessary due to health, work, or childcare.

- (c) The student and his or her parent or guardian may present evidence and ask witnesses to speak.
- (d) At the conclusion of the conference, the Head of shall render a final decision.
- (e) No more than one (1) school day after the conference, the Principal I, shall give the student and his or her parent or guardian a written summary of the conference proceedings, including the final decision.

A student who has been suspended for eleven (11) days or more or who has been expelled shall have a disciplinary hearing.

Once a hearing is scheduled the student shall be placed on Suspension, or in another appropriate placement until the conclusion of the hearing and appeals processes.

## PROCEDURES FOR DISCIPLINARY HEARINGS

Disciplinary hearings shall be held at a time and place that is reasonably convenient to the student and parent or guardian.

For Long-Term Suspensions and Expulsions, the hearing shall be held not more than four (4) school days after a written notice regarding disciplinary action is provided to the parent or guardian or adult student, except that the hearing may be postponed for not more than five (5) school days upon the request of the adult student, minor student's parent or guardian, or his or her representative, where postponement of the hearing is necessary to prepare for the hearing, provide for the hearing, or provide for the attendance of necessary parties, including interpreters. Written notice shall be provided to the parent or guardian of the date, time, and location of the hearing immediately upon scheduling the hearing.

The hearing shall be closed to the public unless the parent or guardian or adult student requests an open hearing.

The student shall have a right, but shall not be required, to have a representative or legal counsel, selected by the parent or guardian or adult student.

The student, parent or guardian, or representative shall have the right to question any witness or challenge any documentary evidence.

The parent or guardian or adult student shall have the opportunity to present testimony and documentary evidence, including the opportunity to call any witness to present testimony relevant to the disciplinary action or other school system recommendation. The right to call witnesses shall include the right to require the presence of any involved school official.

It shall be the burden of the HUMS to show by a preponderance of the evidence that the student did commit the infraction(s) upon which the disciplinary action is based.

The hearing officer shall ensure that all due process procedures have been followed or waived.

The hearing officer may question any witness or party and shall examine all documentary evidence.

The hearing shall not be conducted according to the rules of evidence. However, the hearing officer may exclude any testimony or evidence that is irrelevant or repetitive.

The hearing officer shall ensure that the hearing is conducted in a fair and orderly manner and shall have the authority to exclude any party or other person from the hearing on the grounds of substantial interference or obstruction of the orderly hearing process.

The hearing officer shall make an official electronic audio recording of the hearing, which shall constitute the official record thereof. Upon request, a copy of the recording shall be

made available to the parent or guardian, and the Principal . This provision shall not preclude a parent or guardian or representative from also recording or transcribing the hearing at his or her expense.

The Principal shall indicate a recommendation of the school for the duration of the Out of school placement.

## HEARING OFFICER RECOMMENDATION

Within one (1) school day of the conclusion of a disciplinary hearing, the hearing officer shall issue a written recommendation which shall include the following:

- (a) A statement of the facts, as determined from the testimony and evidence presented at the hearing;
- (b) A conclusion as to whether the required due process procedures have been properly followed or waived;
- (c) A conclusion as to whether the student committed the infraction(s) upon which the disciplinary action is based; and
- (d) A determination regarding the appropriateness of the proposed disciplinary action or an order for a modification thereof

For Long-Term Suspensions and Expulsions, the Principal shall render a final decision no later than one (1) school day after receiving the hearing officer's recommendation.

If the hearing officer recommends disciplinary action is not warranted, based on the fact that the student did not violate any HUMS rule or policy, the determination shall include an order to destroy all school records regarding the disciplinary action, including any reports that relate to the incident upon which the disciplinary action was proposed, insofar as those reports individually identify the student.

If the hearing officer determines that disciplinary action is not warranted and either: (a) fails to state whether a HUMS rule or policy was violated, or, (b) states that a HUMS rule or policy was violated but nevertheless finds the disciplinary action to be unwarranted, the school may maintain documents

concerning the alleged infraction until the conclusion of the school year immediately following the incident.

## PROPOSED DISCIPLINE OF A STUDENT WITH DISABILITY

Nothing herein shall exempt a student with a disability from disciplinary action.

In initiating disciplinary procedures applicable to all children, HUMS must ensure that the special education and disciplinary records of the child with a disability are transmitted for consideration by the person or persons making the final determination regarding the disciplinary action. Such documentation may include, but not be limited to (with any required permission from parent/guardian): the student's current IEP, discipline file, cumulative file, anecdotal records from teachers or other school personnel, reports or recommendations from health or mental health clinicians.

The removal of a student with a disability from his or her current placement for more than ten (10) school days for disciplinary reasons shall require that a determination be made as to whether the subject behavior is related to or is a manifestation of the student's disability.

If the result of the review is a determination that the behavior of the child with a disability was not a manifestation of the child's disability, the relevant disciplinary procedures applicable to children without disabilities may be applied to the child in the same manner in which they would be applied to children without disabilities

HUMS may order an immediate removal of a student with a disability from his or her current placement:

- (a) To an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline if:
  - (1) The student carries a weapon to school or to a school function;
  - (2) The student knowingly possesses or uses illegal drugs or solicits the sale of a controlled substance while at school or at a school function; or
  - (3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction HUMS.

HUMS must make a free appropriate public education available to all eligible children with disabilities, including children with disabilities who have been suspended or expelled from school. When a student with a disability is removed from his or her current placement for more than ten (10) school days for disciplinary reasons, HUMS must continue to provide the specialized instruction and related services that are specified on the student's IEP.

(a)

#### **Manifestation Determination Process for Students with Disabilities**

Students with disabilities have the same rights and responsibilities as other students and may be disciplined for the same behavioral offenses listed above. If a student commits a behavioral infraction, a multidisciplinary team will hold a manifestation meeting to determine if the incident was a manifestation of the student's disability.

If it is determined that the student's behavior was a manifestation of the student's disability, the student -- absent extenuating circumstances -- will be returned to his/her educational placement. Restorative practices, behavior plans, and behavior interventions will be put in place to support the student.

If it is determined that the student's behavior was not a manifestation of his/her disability, the student's file will be reviewed to determine disciplinary action in accordance with the policies contained in this section.

If the student is approaching their 10th suspension day or shows a pattern of behavior(s), a multidisciplinary team will meet to discuss and implement the appropriate restorative practices, behavior plans and behavior interventions to support the student.

Any interim alternative educational setting in which a child is placed must:

- (a) Be selected so as to enable the child to continue to participate in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP, that will enable the child to meet the goals set out in that IEP; and Include services and modifications

designed to address the behavior infraction so that it does not recur.

- (a) Not later than the date on which the decision to take that action is made, the parents must be notified of that decision and of all procedural safeguards accorded by law; and within ten (10) school days of any disciplinary decision to remove a student with a disability from his or her current placement, HUMS, the parent, and relevant members of the child's IEP Team (as determined by the parent and the HUMS) 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 HUMS's failure to implement the IEP.

If the HUMS, the parent, and relevant members of the child's IEP Team determine the behavioral infraction is a manifestation of the child's disability, the HUMS must take immediate steps to remedy those deficiencies.

## DEFINITIONS

**"Alternative Educational Setting"** - an educational program other than that in which the student was placed prior to disciplinary action.

**"Academic Dishonesty"** - any conduct that unfairly influences academic outcomes including:

- (a) Plagiarism including the adoption or reproduction of ideas, words, or statements of another person or source without giving acknowledgment or credit to the person or source;
- (b) Cheating including any attempt to give or obtain assistance in with a test or examination, without permission or acknowledgment;
- (c) Deception including giving false information to instructional staff—for example, a student giving a false excuse for missing a deadline or making a false claim that assignment was submitted;
- (d) Fabrication including altering data, information, and documents affecting any student's academic records; forging signatures of authorized instructional staff or falsifying information on an official school document, i.e. report card, letter of permission, petition, class schedule, ID card, or any other official school document;
- (e) Sabotage including creating situations to prevent others from completing their work. For example, destroying another student's work, tampering with the experiments of other students; and
- (f) Unauthorized Access including gaining unauthorized access to computer systems, academic or administrative records and information; viewing or altering any records, modifying computer programs or systems, releasing or distributing information gained through unauthorized access.



**“Acts of Exceptional Misconduct”** - any activity that would constitute a felony, gross misdemeanor, or misdemeanor under District or federal law

**“Assault”** - being physically violent, using unwarranted force, or demonstrating a deliberate and immediate intent to be physically violent towards another. Assault does not include: 1) incidental touching unless it is flagrant, purposeful, repeated, or results in the threat of imminent harm; or 2) Self-Defense or the defense of someone else who is being assaulted if the force used in defense is reasonable in response to the Assault.

**“Bullying”**-repeated intentional behavior that occurs in order to intentionally harm others through verbal or non verbal Harassment, physical Assault, or other more subtle methods of coercion. Such behavior may include, but is not limited to, manipulation, teasing, taunting, threatening, hitting, stealing, destroying personal property, sending threatening/abusive emails, text messages, or other electronic communications.

**“Distribution”** - the transfer to any other person, with or without the exchange of money or other valuables.

**“HUMS”** - means the Howard University Middle School.

**“Documented Pattern of Persistent Behavior”** – repeated commission of the same or similar infraction. Behavioral occurrences in a single class period (for Secondary students) are considered a single infraction. To impose disciplinary action using this standard, prior infractions must be documented no later than one school day after the occurrence of each infraction. Only infractions occurring within the current school year shall be considered in the assessment of whether a pattern of behavior exists.

**“Education Plan”** - includes instructional materials and written work sufficient to allow a student the opportunity to earn grades and credits of the same value as those earned by students attending classes. The plan shall also include information regarding accessing support services, such as counseling, mental health services, etc.

**“Expulsion”** - the denial of the right of a student to attend any HUMS School or program, including all classes and school activities

**“Extortion” or “blackmail”** - obtaining, or attempting to obtain, money or property from another person, with or without that person’s consent, induced by wrongful use of force or intimidation, or the Threat thereof.

**“False Alarm”** - triggering a fire alarm or initiating a report of fire or emergency without valid cause, or accessory to this offense.

**“Fighting”** - engaging in or provoking physical contact involving anger or hostility. Fighting includes, but is not limited to, the following:

- (a) Engaging in mutual physical contact involving anger or hostility;
- (b) Teasing, harassing, threatening or intimidating others in a manner that results in physical contact involving anger or hostility;
- (c) Physical retaliation for teasing, harassing, threatening, or intimidating behavior; or
- (d) Verbally inciting or physically supporting a fight through one’s encouragement or presence.

**“Forgery”** - forging notes or letters from parents, guardians, teachers, staff members, or office personnel; or the falsification of travel plans or sign-out designations.

**“Gambling”** - playing cards, dice, or games of chance for money or other things of value.

**“Gang”** - a group of individuals that are involved in illegal, intimidating or harassing conduct.

**“Gun-Free Schools Act”** – Federal law requiring states to have a law in place requiring the Expulsion of a student who is found to have brought a firearm to school, 20 U.S.C. § 7151.

**“Hazing”** - actions taken against a person for the purpose of being initiated into a group that endangers the mental or physical health, well-being or safety of a student, and results in humiliation, embarrassment, ridicule, intimidation or shame.

**“Harassment”** - verbal or physical conduct or communication relating to an individual's actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business, in a manner that denies or limits a student's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive environment for students, employees, or others in the school environment, or interferes with employees' performance of their job duties or the effective performance of the school-related functions of others. Harassment also includes written or verbal

communications that are electronically transmitted with the intention of creating or causing the same harm described above.

**“In-School Disciplinary Action”** –disciplinary actions such as after-school detention, loss of privileges (including recess), exclusion from extracurricular activities, written reflection, conflict resolution, mediation, or similar actions of short duration that do not result in the student's loss of academic instruction time.

**“Inappropriate Use of HUMS Computer or Network”**- any use of HUMS computers or networks in violation of the HUMS Student Internet Safety and Use Policy.

**“IEP”** – an individualized education program as that term is defined in § 602 of the Individuals with Disabilities Education Act, approved June 4, 1997 (111 Stat. 37; 20 U.S.C. § 1401).

**“Intentional Misuse of School Equipment/Supplies/Facilities”** - deliberately misusing school equipment, supplies, or facilities, including failure to follow safety rules.

**“Limited or no-English proficiency”** - the inability to adequately understand or to express oneself in the spoken or written English language

**“Long-Term Suspension”** – Suspension for eleven (11) school days.

**“Medium-Term Suspension”** – Suspension for six (6) to ten (10) school days.

**“Possession”** - knowingly carrying or having an item on one's person, or exercising control over an item, that is prohibited from being on school grounds, that is either in the possession of a third-party or has been intentionally placed in a location on or near school property for the purpose of disposing of the item or retrieving the item at a future time.

**“Secondary”** - grade 6 or higher.

**“Self-Defense”** - defensive behavior that occurs while an Assault is being inflicted on oneself or another, and is not more forceful than absolutely needed to deflect the violence suffered and prevent continuing injury or harm to oneself or the other person. Examples of Self-Defense are deflecting blows without returning them and holding or holding back an attacker to keep him/her from continuing to Assault. Defensive behavior that is considerably more forceful than needed for legitimate Self-Defense may be considered Assault.

**“Sexual act”** - any sexual act committed among two consenting parties.

**“Sexual Harassment”** - deliberately harassing another person for sexual reasons or in a sexualized manner with unwanted attention, touching, or verbal comments such that the person is uncomfortable, intimidated, or threatened by the behavior.

**“Short-Term Suspension”** – In school or Out of school Suspension for one (1) to five (5) school days for Secondary students

**“Suspension”** - the denial of the right of a student to attend any HUMS school or program, including all classes and school activities

**“Temporary Removal of Student from Classroom”** – removal from the student's classroom for less than half a school day, not to extend beyond the time of dismissal on the day of the disciplinary action. During any such removal, the student shall be supervised and provided with instructional materials.

**“Threat”** - the communication of an intention to intimidate, harass or inflict violence, harm or terror on an individual or group of individuals, directly or indirectly, whether by physical,

verbal, written, telephone, or electronic actions, which cause the other person to believe his or her life or safety, or property, is in danger.

**“Trespassing”** - being present on school property without permission of school authorities. This includes entering any Howard University property while serving an Out of school Suspension or Expulsion or attending any school function at any location while serving a Suspension or Expulsion

**“Use”**— when referring to alcohol, marijuana or other illegal drugs, or prescription medication, means a finding, based on reasonable evidence, that a student was found to have consumed such substances without proper authorization, or that a student was found, based on reasonable evidence, to be or have been under the influence of same while under the jurisdiction of HUMS authority.



## Attendance and Truancy Policy

### Mission Statement:

Howard University Math and Science PCS' mission is to provide a sound foundation in all academic subjects, with a concentration in mathematics and science; the intellectual, social and emotional growth of each student will be nurtured, while an appreciation for diversity and sensitivity of all individuals will be encouraged in an enriched educational environment that will prepare students to succeed in high school and beyond.

The Howard University Middle School of Mathematics and Science (MS)<sup>2</sup> is a public charter school committed to academic excellence, focusing on mathematics and science for grades 6 – 8. (MS)<sup>2</sup> is a high-performing charter school, created in partnership with Howard University, designed to deliver programs to help students reach their goals and develop the skills needed to succeed beyond the classroom.

### Key Terms and Definitions

- A. **Absence:** A full or partial school day in which a student is not physically in attendance during scheduled periods of instruction and is not in attendance at a school-approved activity that constitutes part of the approved school program.<sup>2</sup> HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE differentiates between excused and unexcused absences, as explained further in this policy below.
- B. **Absenteeism:** A pattern of not attending school, including the total number of school days within one school year on which a student is marked with an excused or unexcused absence.<sup>3</sup>
- C. **Action Plan:** A written document that is designed to meet the individual and specialized needs of a student and contains the relevant details of the student's attendance record, the school-based or third-party-provided interventions toward addressing the underlying causes of truancy as

<sup>1</sup> Nothing in this policy shall supersede federal, state, or local law.

<sup>2</sup> S-A DCMR § 2109.

<sup>3</sup> Id.

- determined by the school-based student support team, and expected attendance goals.<sup>4</sup>
- D. **Attendance Monitor:** The person(s) designated by the principal or chief school administrator of an educational institution to be responsible for collecting, maintaining, and reporting attendance records that are required pursuant to District of Columbia compulsory education and school attendance laws, regulations, and OSSE policies for each student enrolled in the educational institution.<sup>5</sup>
  - E. **Chronic Absenteeism:** The incidence of students missing more than 10 percent of school days within a single school year, including excused and unexcused absences.<sup>6</sup>
  - F. **Chronically Truant:** A school-aged child with ten (10) or more days of unexcused absences within a single school year.<sup>7</sup>
  - G. **Full School Day:** The entirety of the instructional period regularly provided on a single school day.<sup>8</sup>
  - H. **In-Seat Attendance:** The percent of enrolled days that a student is present.
  - I. **Parent:** A parent, guardian, or other person who resides in the District of Columbia and who has custody or control of a minor five (5) years of age or older.<sup>9</sup>
  - J. **Present:** A full or partial school day in which a student is physically in attendance for at least eighty percent (80 percent) of the scheduled instructional period, including participation in school-sponsored activities that constitute part of the approved school program.<sup>10</sup>
  - K. **Period Absence:** A scheduled period of instruction for which a student is not physically in attendance and is not in attendance at a school-sponsored activity that constitutes part of the approved school program. HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE differentiates between excused and unexcused absences. Period absences are combined to determine daily absences. Students who are absent for more than twenty (20) percent of the scheduled class periods are marked absent for the day.
  - L. **Student Support Team:** A team formed to support the individual student by developing and implementing action plans and intervention strategies that are school-based or community-based and are designed to enhance the student's success.<sup>11</sup>
  - M. **Truant:** A child of compulsory attendance age, as defined by DC Code § 38-202(a), who is absent from school and whose absence is unexcused.<sup>12</sup>
  - N. **Truancy Rate:** The incidence of students of compulsory attendance age enrolled at a school at any point in a given school year, with ten (10) or more days of unexcused absences within a single school year, divided by the total number of students of compulsory attendance age ever enrolled at any time during the corresponding school year.<sup>13</sup>

#### IV. Required Activities

##### A. General Attendance Requirements

All children who reach five (5) years of age on or before September 30th of the current school year are considered school-aged and must attend school on time every day until they meet high school

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> Id.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> See 5-A DCMR § 2103.4.

<sup>12</sup> 5-A DCMR § 2199.

<sup>13</sup> Id.

graduation requirements or reach their 18th birthday.

Our school shall implement a specific protocol for attendance monitoring and absenteeism, including a focus on prevention of unexcused absences and the use of academic and behavioral interventions to address the needs of students. School officials are responsible for taking attendance accurately every day in the student information system (SIS).

**A written note must be provided to the school by the student's parent within five (5) school days after the student's return to school in order for an absence to be excused.** Upon receipt of appropriate documentation within this time period, we will update absences as excused within 48 hours.

#### **B. Excused Absences**

The following absences may be classified as an excused absence:

- Illness of the student (a doctor's note is required for a student absent five or more days in a term)<sup>16</sup>;
- Medical or dental appointments for the student;
- Death in the student's immediate family;
- Exclusion by direction of the authorities of the District of Columbia, due to quarantine, contagious disease, infection, infestation, or other condition requiring separation from other students for medical or health reasons;
- Necessity for a student to attend a judicial proceeding, or court-ordered activity, as a party

<sup>16</sup> Students whose illness requires hospitalization or who are home-bound for more than three weeks may be eligible for the Home and Hospital Instruction Program (HHIP).



- to the action or under subpoena;
- Observance of a religious holiday;
- Absences to allow students to visit their parent who is in the military, immediately before, during, or after deployment;
- School visits for students (one day);
- Absences of expectant or parenting students for a time period specified by their doctor and any accommodations mandated by law;
- Religious event or celebration outside of a religious holiday (up to five cumulative days); and
- An emergency or other circumstance approved by the Principal I of HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE.

The following absences may also be excused without written documentation from the parent, as verified by the school:

- Lawful out of school suspension or exclusion by school authorities;
- Temporary closing of facilities or suspension of classes due to severe weather, official activities, holidays, malfunctioning equipment, unsafe or unsanitary conditions, or other condition(s) or emergency requiring a school closing or suspension of classes;
- Failure of the District of Columbia to provide transportation in cases where the District of Columbia has a legal responsibility for the transportation of the student; and

If a student or parent anticipates an absence not covered by the excused absences listed above, they may submit a request for an excused absence due to a special circumstance to the Principal .

Any absence that does not meet the criteria of an excused absence or fails to satisfy the documentation requirement of an excused absence within the allowable timeframe will be classified as an unexcused absence.

If a student is absent for a total of up to **four (4) consecutive days** in a school quarter, a parent's written excuse is sufficient for explaining the absence. Such absence will be excused if it falls under one of the excused absence reasons noted above.

If a student is absent for **five (5) or more consecutive days** per term, further documentation is required beyond communication by the parent for the absence to be excused. Written explanation of the student's absence must be submitted by a doctor or staff of a relevant agency, on official doctor's office/agency letterhead and signed by a relevant official. Note:

- Medical or dental absences must be submitted on official doctor/dentist office stationery or form; and
- Student's required presence at judicial proceedings must be documented by a document from the court stating the need for the student's presence on all the relevant dates.
- Funeral programs may be accepted as appropriate documentation.

### **C. Absences Due to School-Sponsored Activities**

#### **1. Athletics**



Students participating in HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE-sponsored athletic events during regular school class hours are considered present. Students must adhere to all attendance requirements as dictated by state regulations. In order to participate in any athletic tryout, practice, game or match, a student must be present in school on the day of that event, unless the student has an excused absence.<sup>17</sup>

## 2. Other Activities

Students participating in HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE-sponsored events, field trips, or study abroad travel during the regular school day are considered present.

## 3. IEP or 504 Plan Service Delivery

Students who miss class to receive related services documented on their Individualized Education Programs (IEPs) or 504 plans are considered present.

## 4. Suspensions

Students shall be marked present while serving in-school suspension. Student absences due to out of school suspension shall be classified as excused.

### D. School-Based Attendance Interventions Related to Absences

1 day of unexcused absence	Contact parent on the same day and each time a student has the equivalent of one day of unexcused absence, with daily follow-ups as necessary. Parent contact will be by automated phone call, email, text message. <sup>18</sup>
3 days of unexcused cumulative absences	In addition to the voice phone call, email and text message, the school will send 3-Day Unexcused Absence Letter to parent.
4 days of absences (excused or unexcused)	In addition to the voice phone call, email and text message, the school will request a parent meeting after four absences to discuss the student's attendance.
5 days of unexcused cumulative absences	Send 5-Day Unexcused Absence Letter to parent and refer student to Student Support Team (SST) for an attendance intervention conference to be held within five days of the referral. (Applicable to five unexcused absences within one term.) The SST will develop an action plan in partnership with the student and the student's parent.

<sup>17</sup> 5-A DCMR § 2704.8.

<sup>18</sup> 5-A DCMR § 2103.2(c)(1).

10 days of unexcused cumulative absences <sup>20</sup>	Student is considered chronically truant. The Office of the State Superintendent of Education will be notified. The school will refer the student ages 5 through 13 to the Child and Family Services Agency pursuant to 4-1321.02(a.1) within 2 business days of accrual of 10 unexcused absences with the school year. A student ages 14 - 17 will be referred to the Court of Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section
15 days of unexcused cumulative absences <sup>21</sup>	A student ages 14 - 17 will be referred to the Court of Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section
20 days of unexcused consecutive absences	Notify parent that student is eligible for withdrawal due to 20 consecutive days of unexcused absences.

#### **E. Prohibited Actions Related to Absenteeism**

DC law prohibits specific actions related to student truancy and absenteeism as follows:

- No minor may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.
- No minor may be un-enrolled from HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE due to unexcused absences or due to late arrival to school unless the student has accumulated 20 or more full-school-day consecutive unexcused absences.
- No student will be transferred from their school for absenteeism, including students who are attending an out of boundary school.
- At the beginning of the school year, no student should be withdrawn unless they fail to attend at least one (1) day of school in the first three (3) weeks of school without notification for such absence; or transfers to another educational institution.

#### **F. Attendance, Grading, and Promotion**

Student grading and promotion will be impacted by an accrual of unexcused absences as follows:

- Students with ten (10) unexcused absences in any class shall receive an initial written notice that they are at risk of receiving a grade of "I" (Incomplete) in that subject upon accumulating more than thirty (30) unexcused absences, unless an

exception applies.

- Students with fifteen (15) unexcused absences in any class shall receive an additional written warning that they are at risk of receiving a grade of "I" (Incomplete) in that subject upon accumulating more than thirty (30) unexcused absences.<sup>24</sup>
- Students accumulating more than thirty (30) unexcused absences in a course within a full school year shall receive a failing final grade in that course with a resulting loss of course credit where applicable.<sup>25</sup>
- Students accumulating more than thirty (30) unexcused absences within a school year shall only be promoted if a written justification is submitted by the Principal to the Howard University Middle School Board of directors.

**G. Late Arrival**

- Students will be marked tardy if they arrive in class 5 minutes or more after the official start of the period.
- Students who enter class late should be given clear guidance regarding how to get caught up with the class lesson.
- Students will be allowed to enter their scheduled course regardless of what time they arrive. Teachers should make every effort to make late arriving students feel welcomed.
- At no point in a class period will a tardy convert to an absence. If a student attends a portion of the class, he or she will be considered present and tardy.
- Students must always have access to make-up work.
- Multiple instances of a student being tardy will not be accumulated to count as an absence.
- Responses to student tardiness will be appropriate and logical. A student will never be suspended due to being tardy.

**H. Early Dismissal**

HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE will not recognize early dismissal of students unless that dismissal is related to an excused absence. Parents must notify the school when requesting an early dismissal.

<sup>23</sup> 5-E DCMR § 2103.4.

<sup>24</sup> 5-E DCMR § 2103.5.

<sup>25</sup> 5-E DCMR § 2103.6

<sup>26</sup> DC Code § 38-781.02(c)(2).

<sup>27</sup> DC Code § 38-781.05.

<sup>28</sup> Because pre-K students are not of compulsory age, they are not subject to truancy consequences.

## V. Requirements for Policy Implementation

All HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE employees are required to comply with the requirements set forth in this policy. In order to support its implementation, all staff will be made aware of required activities and timelines on an annual basis.

HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE is committed to serving every student with equity, excellence, transparency, and accountability. For any concerns or violations about this directive, contact the Howard University Middle School of Mathematics and Science attendance coordinator.



## GRIEVANCE POLICY AND PROCEDURE

It is the policy of Howard University Middle School of Mathematics and Science that all employees, students, parents, and visitors have the right to voice their complaints or grievances about matters pertaining to its school.

Howard University Middle School of Mathematics and Science recognizes the meaningful value and importance of full discussion in resolving misunderstandings and in preserving good relations between all (MS)2 stakeholders. Accordingly, the following grievance procedure should be employed to ensure that complaints receive full consideration.

1. WHAT MAY BE GRIEVED

Howard University Middle School of Mathematics and Science's grievance process should be used as follows (1) to deal with complaints and concerns pertaining to the educational environment, employment arrangements, or interpersonal conflicts; and (2) to resolve complaints of discrimination and harassment based upon race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

2. WHO MAY GRIEVE

The procedures set forth below may be used by grievant who is a parent, or visitor.

3. OTHER REMEDIES

The existence of this procedure does not bar grievant from also filing in other forums to the extent permitted by state or federal law.

4. INFORMAL GRIEVANCE

Grievant is encouraged to discuss their concern or harassment complaint promptly and candidly with their immediate supervisor, the Principal I.

5. FORMAL GRIEVANCE

Within sixty (60) days of encountering the harassment, discrimination, or complaint that is the subject of the grievance, a grievant shall file a written notice with the Executive Director. The written notice shall identify the nature of the complaint, the date(s) of occurrence, and the desired result, and shall be signed and dated by the person filing the grievance. In the event the legal guardian or parent of a student is filing a grievance, the student and the legal guardian and/or parent shall sign and date the grievance. The Executive Director can be reached at the contact information provided below.

The Executive Director will immediately initiate an adequate, reliable, and impartial investigation of the grievance. Each formal complaint will be investigated, and depending on the facts involved in each situation, will be decided after receiving information from the appropriate individuals. Each investigation will include interviewing witnesses, obtaining documents, and allowing parties to present evidence.

All documentation related to the investigation and discussions held in this process are considered EXTREMELY CONFIDENTIAL and are not to be revealed to or discussed by any participant with persons not directly involved with the complaint, with its



investigation, or with the decision-making process. This provision does not include discussions with governmental authorities.

Within five (5) business days of receiving the written notice, the Executive Director shall respond in writing to the grievant (the "Response"). The Response shall summarize the course of the investigation; determine the validity of the grievance and the appropriate resolution.

If, because of the investigation, harassment, or a valid grievance is established, appropriate corrective and remedial action will be taken.

#### APPEALS

If the grievant is not satisfied with the Response, the grievant may appeal in writing to the Howard University Middle School of Mathematics and Science Board of Directors (or designee) within thirty (30) days of the date of the Response summarizing the outcome of the investigation. The written appeal must contain all written documentation from the initial grievance and the reasons for not accepting the Response. The appeal, in letter form, may be sent to Howard University Middle School of Mathematics and Science Board of Directors at 2400 Sixth Street, N.W. Room 302 Washington, DC 20059.

Within fifteen (15) days from receiving the written appeal, the Board Chair (or designee) will respond in writing to the appellant as to the action to be taken and the reasons therefore.

#### PROHIBITION AGAINST RETALIATION

Howard University Middle School of Mathematics and Science pledges that it will not retaliate against any person who files a complaint in accordance with this policy, or any person who participates in proceedings related to this policy.

Additionally, Howard University Middle School of Mathematics and Science will not tolerate any form of retaliation against any person who makes a good faith report or complaint about perceived acts of harassment, discrimination, or concern, or who cooperates in an investigation of harassment, discrimination, or a concern. Any person who is found to be engaging in any kind of retaliation will be subject to appropriate disciplinary action.

#### MODIFICATION

Howard University Middle School of Mathematics and Science may approve modification of the foregoing procedures in a case if the modification (a) is for good cause, and (b) does not violate due process rights or policies of Howard University Middle School of Mathematics and Science.



# CONTACT INFORMATION

Executive Director	HUMAN RESOURCES	CHAIRMAN OF THE BOARD OF DIRECTORS
<b>Kathryn Procope</b> Executive Director 405 Howard Place, NW Washington, D.C. 20059 (202) 806-7725	<b>Leslie Boler</b> Director of Human Resources 405 Howard Place, NW Washington, D.C. 20059 (202) 806-7725	<b>Wendell Johns</b> H. U. Middle School of Mathematics and Science 405 Howard Pl NW Washington, D.C. 20059 (202) 806-2530
<b><u>Board of Directors</u></b> Frank Ross – <a href="mailto:frross10130@earthlink.net">frross10130@earthlink.net</a> Wendy P. Lewis – <a href="mailto:wpacc@kpmg.com">wpacc@kpmg.com</a> Larry Smith – <a href="mailto:las_smitty@hotmail.com">las_smitty@hotmail.com</a> Danielle Holley-Walker - <a href="mailto:DHWalker@law.howard.edu">DHWalker@law.howard.edu</a>		







## Non-Discrimination Policy

Pertinent section of DC Code § 2-1402.11:

It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation of any individual. To file a complaint alleging discrimination on one of these bases, please contact the District of Columbia's Office of Human Rights at (202) 727-3545.

## Education of Homeless Children and Youth Program Educational Rights Public Notice

The mission of the Education of Homeless Children and Youth Program is to ensure free, appropriate, public educational opportunities for homeless children and youths; to provide technical assistance to schools, shelters and the community; and to heighten awareness of homeless issues. Homeless children and youth should have equal access to the same educational opportunities and services as non-homeless children and youth. In addition, homeless children and youth should have the opportunity to meet the same challenging academic achievement standards to which all students are held pursuant to Title X of No Child Left Behind; McKinney-Vento Homeless Assistance Act federal law.

### 1. What is the definition of homeless children and youths?

The term "homeless child and youth" means:

- Children and youth who lack a fixed, regular, and adequate nighttime residence; and includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional



shelter (including D.C. transitional housing); are abandoned in hospitals; or are awaiting foster care placement;

- Children and youth who have a primary nighttime residence that is a private or public place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned building, substandard housing, bus or train stations, or similar settings;
- Migratory children who qualify as homeless because they are living in circumstances described above; and
- Unaccompanied youth, including youth who are not in the physical custody of a parent or guardian, who qualify as homeless because they live in circumstances described above.

## **2. Can a homeless child enroll in school?**

Yes. The child may continue enrollment in the school of origin for the duration of homelessness. The school is the one the child attended prior to becoming homeless or the school in which the child was last enrolled. The child may also enroll in the school for the attendance area where he or she is living temporarily. If a dispute arises over school selection or enrollment, the school must immediately enroll the homeless student in the school, pending resolution of the dispute. If the local school cannot resolve the dispute, the school must follow the Dispute Resolution Process, not to exceed fifteen (15) days. The local school must provide the parent, guardian or unaccompanied youth with a written statement of the school placement decision and the appeal rights.

## **3. Who should be contacted if a dispute arises regarding enrolling a homeless child or youth in school or if other assistance is needed?**

The Education of Homeless Children and Youth Program has been designed to assist children and youth who are experiencing homelessness and their families regarding educational issues. If a homeless child or youth is having trouble in enrolling in school, please contact the Education of Homeless Children and Youth Office at (202)741-0470.



**4. What services are provided by the Homeless Children and Youth Program?**

The Homeless Children and Youth Program provides the following services; transportation assistance; dispute resolution; emergency school enrollment assistance; special projects; Homeless Awareness Month; staff development; and interagency collaboration.

In accordance with Federal law and U.S. Department of Agriculture (USDA) policy, this institution is prohibited from discriminating based on race, color, national origin, sex, age, or disability.

To file a complaint alleging discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410 or call, toll free, (866) 632-9992 (Voice). TDD users can contact USDA through local relay or the Federal Relay at (800) 877- 8339 (TDD) or (866) 377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

Also, the District of Columbia Human Rights Act, approved December 13, 1977 (DC Law 2-38; DC Official Code §2-1402.11(2006), as amended) States the following:

Pertinent section of DC Code § 2-1402.11:

It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation of any individual. To file a complaint alleging discrimination on one of these bases, please contact the District of Columbia's Office of Human Rights at (202) 727-3545.





## Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School Executive Director [or appropriate school official] a written request that identifies the record (s) they wish to inspect. The School official will arrange 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 or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School Executive Director [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent 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 school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District*



to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office U.S.  
Department of Education 400 Maryland Avenue,  
SW Washington, DC 20202-5901

### **Notification of Rights Under PPRA**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole, or in part, by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

- Receive notice and an opportunity to opt a student out of–

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise





distribute the information to others.

- Inspect, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS AND SCIENCE will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in



whole or in part by ED.

- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights  
have been violated may file  
a complaint with:  
Family Policy Compliance Office U.S.  
Department of Education 400 Maryland Avenue,  
SW Washington, DC 20202-5901

### **Admission Preference Policy**

Admission preferences for enrollment will be implemented in the following order:

1. Siblings
2. Children of Howard University Middle School Staff

Howard University Middle School of  
Mathematics and Science

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**BOARD POLICY STATEMENT**

**REGARDING:**

**Procedures for  
Board Meetings**

Definitions

"Regular meeting." A meeting scheduled by the Board as part of its regular schedule of public meetings established on an annual basis.

"Special meeting." A meeting scheduled by the Board after its regular schedule of meetings has been established.

Notice of Public Meetings

Regular Meetings

Regular meetings of the Board of School Directors will be held in accordance with the calendar adopted by the Board and shall typically occur on the Wednesdays at 6PM at 405 Howard PL NW Washington, DC 20059.

Special Meetings

Notification procedures for special meetings shall be set forth in the appendix at the end of this policy.

Notice of Public Meetings

Notice of all open public Board meetings, including Committee Meetings, shall be given by publication of the date, place, and time of such meetings on the school website. A calendar of Regular and Special Meetings shall also be posted on the school website.

a. Notice of Regular Meetings shall be given by publication and posting of a schedule showing the date, place and time of all Regular Meetings for the fiscal year at least three (3) days prior to the time of the first regular meeting.

b. Notice of all Special Meetings shall be given by publication of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a Special Meeting is called to deal with an actual emergency involving a clear and present danger to life or property. In addition, there shall be posted, not later than the date of the publishing, a written copy of such notice in a prominent place in the Administration offices.

c. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.

d. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of meeting and sending copies of such notice to any interested parties.

e. Notice of all public meetings shall be given to any newspaper(s) circulating in Montgomery County, any radio or television station and any individual, provided such newspaper, radio or television station or individual submits a written request to the Board Secretary and provides a stamped, addressed envelope if the request is to receive such notification by United States mail.

f. The Secretary or Board President shall give Board members written notice of executive sessions, if not previously announced, at least twenty-four (24) hours prior to the executive session. Such notice may be delivered electronically. A majority of the full Board may waive this notice requirement.



