



**District Wide School Safety Plan
Building Level
2022-2023**

Revised 07.20/2022

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Mount Vernon, NY 10550
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Introduction

Emergencies in schools must be treated in an efficient and effective manner. Schools are at risk of acts of violence, natural, and manmade disasters. To address these threats, the State of New York has enacted the Safe Schools Against Violence in Education (SAVE) law. Project SAVE is a comprehensive planning effort that addresses prevention, response, and recovery with respect to a variety of emergencies in schools.

Amani Public Charter School supports the SAVE legislation and will facilitate the planning process in order to be prepared, protect its students and staff and disseminate information quickly to parents and guardians.

Section I: GENERAL CONSIDERATIONS AND PLANNING GUIDELINES

A. Purpose

Amani Public Charter School's Safety Plan was developed pursuant to Education Law 2801-a and Commissioner's Regulation 155.17 to properly plan for and address appropriate responses to a variety of emergency situations.

B. Vital Educational Agency Information

Amani Public Charter School opened its doors in 2011. Amani Public Charter School, located at 60 S. Third Ave, Mount Vernon, NY serves 355 students, 5th through 8th grades with a staff of 55. The mission of the Amani Public Charter School ("APCS" or the "School") is to provide 100% of Mount Vernon students who attend the school from the 5th through 8th grade with the academic and critical thinking skills necessary to succeed in competitive high school programs, college and the career of their choice.

As a public, charter school, Amani is free to all residents of Mount Vernon and admits students via a public lottery and waitlist. Students are brought to school and picked up by their parents each day, walk, or take public transportation.

C. Identification and Designation of School Teams

Amani Public Charter School has developed three emergency teams with their respective functions described below:

District Wide School Safety Planning Team: Responsible for helping to identify and assess possible risks, assist with the planning process, and assist with subsequent revisions of the School Safety Plan. The following positions comprise the School Safety Team:

- Director of Operations (Chief Emergency Officer)
- Executive Director
- Principal
- Parent Teacher Organization
- School Safety Personnel
- School Nurse

The Building Level School Safety Planning Team will assign two teams for the purpose of responding to emergencies.

- **Building Level Response Team- Emergency Response Team -**
- **Post Incident Response Team**

D. Concept of Operations

- a. The initial response to all emergencies at Amani Public Charter School will be by the Building Level Emergency Response Team.
- b. Upon activation of the Emergency Response Team, the Director of Operations (or Incident Commander) will be notified, and, where appropriate, local emergency officials.
- c. Efforts may be supplanted by county and state resources through existing protocols.

E. Plan Creation, Review and Comment

Building Level specific plans for each type of hazard/risk are created by the School Safety Team, reviewed by First Responders and Stakeholders.

The subsequent required annual review will be completed on or before July 1 of each year prior to approval by the Board of Trustees. Local officials, including police and fire responders, will be consulted for advice and assistance in revising the Safety Plan on an annual basis.

Pursuant to Commissioner’s Regulation, Section 155.17 (e) (3), a summary of this plan will be made available for public comment at least 30 days prior to its adoption. The plan is to be adopted by the Board of Trustees of Amani Public Charter School.

This building-level plan shall be confidential and shall not be subject to disclosure under Article 6 of the Public Officers Law or any other provision of law, in accordance with Education Law Section 2801-a.

Full copies of this building-level plan will be provided to both local and state police within 30 days of adoption.

Section II: RISK REDUCTION/PREVENTION AND INTERVENTION

A. Purpose

Amani believes that building a strong school culture built on high expectations and respect promotes the safe learning environment necessary for students to learn, and to prevent violent behaviors from occurring. To build this culture, Amani dedicates staff and resources towards: 1) a range of programs that promote high student involvement and individual growth as well as facilitate the development of highly-effective channels of communication between students and staff concerning potentially violent behaviors and conditions; 2) trainings and acculturation to assure that staff can identify, intervene early, and respond quickly to violent behaviors; and 3) ensuring preparedness of frontline and administrative staff in emergency situations.

B. Prevention and Intervention Strategies

Amani has both explicit and implicit strategies designed to prevent violence in its school.

1. Community Building

Amani Public Charter School consciously works to foster a strong sense of community amongst students, staff and parents/guardians and to create a positive, safe learning environment. All members of the school community are expected to uphold the standards set forth by the school and included in the Family Handbook. (found at www.amanicharter.org)

Amani is a 5th through 8th grade school which features small class sizes no larger than 30 students a class, individual focus on student achievement, and a longer school day and year. Amani's design reinforces its belief that students best achieve when we work with families over a long period of time. Additionally, it allows Amani to develop deep relationships with families to help prevent and address potentially violent behaviors. With longstanding relationships with families, Amani can recommend interventions to support a student's academic, behavioral and emotional growth, as well as leverage parent relationships to promote community. With monthly community-building family events, three parent-teacher conferences annually, and the requirement that families meet with staff before and after a student suspension, Amani has ample opportunities to address individual behaviors and build Amani community.

To maintain and further build this community, students are acculturated at the beginning of the school year with Amani's expectations. School-wide, there are universal routines, communication systems, and behavioral expectations. All students, for example, know that level 0 means silence, a level that is expected and enforced in hallways and stairwells.

Further discussion of these principles and how they are expressed and exhibited are outlined in the Family Covenant, which is provided to every family at the beginning of the school year, and is required to be read and signed by the student, teacher and parent/guardian. These principles are further discussed and interwoven into classroom discussions by individual teachers.

By building a strong sense of community, Amani facilitates improved communication between students and staff. Our teachers are trained each year before the launch of the school year to immediately disseminate any pertinent information to administrators and the school counselor to intervene as necessary.

2. Improving Communication with Students:

Amani's promotion of a safe learning culture allows it to have consistent success in fostering communication with students. Amani has reinforced – through common expectations, an acculturation program, and configuration of its physical space – a culture that builds lasting relationships with its students and families.

3. **Prevention and Intervention Program Initiatives**

In addition to an immediate response to violent incidents, Amani has designed and implemented a host of prevention and intervention programs for its students. In addition to providing students with viable, constructive outlets and resources for growth, these programs also help promote Amani's safe learning environment.

a. **Institutionalized Programs**

Advisory Groups

The purpose of advisory groups is to provide students an outlet, in a safe, confidential setting to talk about issues, concerns, and realities affecting them outside of school. In the presence of an Amani staff member and a cohort of peers, Amani's students acquire critical skills to prepare them for the challenges of school and inputs that may create emotional situations that trigger violence – bullying and toxic relationships are two examples – through a curriculum designed by Amani staff trained in adolescent development. In addition to preparing students for the years ahead, the advisory group creates a support group of peers for students to work out issues confronting them now. It also facilitates the development of a personal, non-academic relationship with an Amani staff member, and provides Amani an opportunity to identify and address emerging adolescent issues that might necessitate a larger, school-wide intervention.

Parent Teachers Association

The Parent Teacher Association is chartered through the New York State PTA (NYSPTA). NYS PTA is prepared to assist charter schools in meeting the academic, social, physical, and emotional needs of students through the creation of new PTA units. PTAs promote active parent and family involvement and provide access to PTA programs, services, and leadership. This will be only one of many actions we will take to involve parents and the community.

b. **Intervention Programs**

In addition to the above group-based programs, Amani utilizes targeted interventions to address the needs of individual students and students with common issues.

Active Needs Assessment

The programs implemented by Amani do not replace continued, smart monitoring by staff of potential issues. If a matter such as bullying or student aggression arises as a school wide concern, the school administration will take appropriate action including bringing in outside facilitators as needed, addressing the issue at school-wide community meetings that occur weekly, and creating

opportunities for students concerned with bullying or violence to receive assistance or mentoring from a staff member or other students in the school.

Amani also implements regular professional development for staff on early detection and response to potentially violent behaviors, including topics such as bullying and mandated reporting of child abuse.

C. Risk Reduction

1. Use of Monitors and Safety Personnel:

Amani utilizes the services of R&R Security Services, Inc. to secure the building. All security officers are screened by R&R Security Services including a background check of all employees. They are trained according to state requirements for security personnel working in schools. Additional training is given for evacuation and emergency response particular to the school.

School Security

- Access control: verify and log the identity of all school visitors and late students; prevent entry of individuals restricted from building entry, etc. Notify main office of any intruders.
- Limit the release of students during non-dismissal hours to those with an exit pass and accompanied by an approved guardian as determined by school records and policy
- Alert faculty and staff members of visitors upon their arrival.
- Maintain integrity and cleanliness of front area post.
- Uphold and maintain all aspects of Amani's school safety plan, including but not limited to fire, shelter and intruder drills
- Reinforce student expectations at all times.
- Ensure that all school's entrances are either closed or monitored by a staff member at all times.
- Distribute hall passes as per the request of a faculty or administrative staff member

Dismissal

- Assist student pick-up by identifying incoming visitors..
- Assist with street crossing and traffic control

The school's in-house safety team has ready access to administrative and facilities staff via walkie-talkie and land phone to alert them of any emergencies associated with our physical plant or security breaches.

Amani utilizes its administrative staff to act as monitors when conducting any tests of its emergency response plan.

2. Leverage of Physical Space

The physical layout of Amani makes it conducive for an immediate response to any potentially violent or unsafe situation. Amani occupies 4 floors of a stand-alone building. Amani has administrative offices on the 4th floor with classrooms, gymnasium and cafeteria on all other floors.

3. Early Detection of Potentially Violent Behaviors:

Incidents and the potential for violence, aggression, bullying, and vandalism are taken with the utmost seriousness at Amani Public Charter School. Any and all incidents of violence are reported first to the Director of School Culture. Serious consequences, up to expulsion, are recommended for violent infractions. See Code of Conduct (found at www.amanicharter.org)__

When a student does not meet behavioral expectations and an infraction of the school's Code of Conduct has occurred, clear and consistent disciplinary action will ensue. Students will have an initial meeting with the Dean when a student's behavior is a disruption to the learning process. After the level of severity is determined, a meeting with the parents of the child may be necessary to develop a plan or contract between the student, parents, and school. Severe infractions will call for severe consequences.

D. Training, Drills and Exercises

1. Drills and Tests of Emergency Response Plan

Drills will be conducted according to regulation, at least 12 times per school year, with 8 prior to December 31st. Of the 12 drills, 8 must be evacuation and 4, a combination of lockdown, lockout and shelter-in-place. Amani varies its drills to ensure preparedness of its students and staff. Drills will be unannounced, take place during lunch times and assembly times of students, and passageways are blocked by staff so that staff and students are prepared to safely look for alternate exits. A log of drills is kept with the director of operations.

During summer professional development the entire staff are trained/retrained on 3 key safety areas required by New York State Department of Education. Training is to be completed by September 15th of each year.

- Building-level Emergency Response Plan
- Violence Prevention
- Components of Mental Health

2. Multi-Hazard Drills and Training

Staff members will receive training and information on how to respond to a variety of hazards, including bomb threats, severe natural disasters and weather emergencies at the beginning of each school year.. One exercise will be completed during the first month of each school year to outline local evacuation procedures, roles, and responsibilities. Local emergency responders and preparedness officials will be consulted and invited to participate in our emergency response training including quarterly tabletop exercises.

CPR and Emergency response training will be provided annually to ensure there is the requisite number of trained staff. Members of the Emergency Response Team will be required to attend as necessary to maintain their certifications, and all staff will be encouraged to attend at no expense to them.

Students will be instructed in basic emergency response to hazards such as fire, weather, and electric emergencies. This training will be age appropriate and provided by the local authorities through their outreach programs. Teachers will also provide instruction in the classroom with various curriculum packages provided by the Red Cross, local fire, and power authorities.

3. Coordination with Emergency Responders and Preparedness Officials

a. Obtaining Emergency Assistance from Local Government

As Incident Commander, the Director of Operations or his/her designee, will contact three entities to obtain Emergency Assistance:

- **Local Authorities:** Amani will call 911 to secure Emergency Services, as well as the local Mount Vernon Police Department for guidance.
- **New York State Education Department:** As Amani Public Charter School authorizer, NYSED can provide immediate guidance on available resources
- **New York State Police**

b. Obtaining Advice and Assistance from Local Government Officials and Other Resources

Amani does not work in a vacuum when conducting tests of its emergency response plan. Professionals related to their field of expertise perform annual inspections of the Fire Detection systems, all life safety apparatus, boiler inspection and elevator inspection. In the case of any deficiencies, these professionals contacts the Director of Operations.

Amani Public Charter School also periodically consults with R&R Security, an outside security agency to assess its safety plan and perform a security analysis of Amani's facility.

Section III: RESPONSE

A. Assignment of Responsibilities

In the event of an emergency or perceived emergency, the members of the Emergency Response Team and the Chief Emergency Office will determine the correct action to take and will divide responsibilities according to the nature of the emergency.

1. Emergency Response Procedures:

Amani employs 5 main types of response procedures:

Shelter-in-Place: Used to shelter students and staff inside the building

Hold-in-Place: Used to minimize movement of students and staff while dealing with short term emergencies

Evacuation: Used to evacuate students and staff from the building

Lockout: Used to secure the building during incidents that pose an imminent concern outside the school

Lockdown: Used to secure the building during incidents that pose an imminent threat of violence in or around the school.

2. Accounting for all students, staff, and visitors.

During a crisis there are staff members and alternates responsible for sweeping all areas of the building to ensure complete compliance with crisis plan regulations. Any students found during a sweep will be reunited with their class if possible. If it is not possible to reunite the student with their class, their name and location will be reported to a dean.

During all crises teachers will be responsible for accounting for all children under their care. All crisis plans are equipped with homeroom rosters for all grades. After ensuring students' safety, teachers should immediately take attendance. The names and grades of any missing students should be reported to a dean who will either locate the student or initiate a search for the student.

All staff members will be accounted for by their direct supervisors. All visitors to the building will sign-in in the main office. Visitors will be accounted for by the staff member that they are visiting.

B. Notification and Activation

1. Notification of Other Schools/Agencies: Amani Public Charter School is considered a one school district, and as such is not required to notify any other schools. Nevertheless, in the event of an emergency, the Executive Director may contact the Mount Vernon City School District main office and local after-school programs that are used by our children in the event of a disruption to normal operations.

2. Notification of Families: In the event of an evacuation, violent incident, (or other emergencies) the Chief Emergency Officer a designated school official will notify families of the situation and the proper action required from them. Emergency contact information is kept electronically in our student database, in addition to hard copies kept by each classroom teacher.

3. Available Equipment: Equipment on hand that can be used in the event of an emergency include: telephones, cell phones, bull horns, public portable radios, and local media communications.

In the event of an emergency, the following steps will be taken:

- An incident or hazard's development will be reported to the Executive Director, her designee, or other member of the Emergency Response Team as soon as possible following its detection.
- In the event of an emergency, the Chief Emergency Officer or his designee, or other member of the Emergency Response team will notify all building occupants to take the appropriate protective action.
- Portable radios are not to be used in the event of a bomb threat.

C. Situational Responses

1. Hazard Guidelines: This section provides specific actions to be taken in the event of various hazards.

a. Fire: When a smoke or fire emergency occurs the fire alarm and flashing and chirping strobes will be activated. This is the signal to exit the building. Should a fire emergency arise, the fire department will be automatically notified via our fire protection system.

b. Medical Emergencies:

Asthma: Where possible, our school nurse will administer the students' prescribed medication. Should a child not carry appropriate medication, either the child's parent, guardian, or emergency contact will be notified, OR should time be of the essence, an ambulance called to assist the child. In all cases, we will err on the side of caution and call emergency services to care for a child who needs assistance.

Cardiovascular Failure: As per state law, we are required to have on site and at all events an Automatic External Defibrillator. We will have designated and trained staff members capable of using this equipment should the need arise, with one in attendance at any school function where children are present. A current list of staff certified in CPR and AED is available in the School Crisis Plan and a copy of their certifications is available in the main office.

The AED should only be used on children older than 1 year of age AND when the child or adult displays ALL of the signs of cardiac arrest. Only the current charging pads should be used according to American Heart Association guidelines. AEDs are located in the main office, the nurse's office, and in the PE office. The AED will only be placed on the victim after the following symptoms are confirmed:

- Victim is unconscious.
- Victim is not breathing.
- Victim has no pulse and/or shows no signs of circulation such as normal breathing, coughing, or movement.

In any medical emergency, Amani will call emergency services as soon as practicable.

c. Natural/Weather Related: In situations where the school is made aware of an imminent or possible severe weather related or natural emergency, an early dismissal will be called. Wherever possible, the school will remain open until all children are picked up. If the school appears to be unsafe, we will relocate to our evacuation site.

Parents and guardians will be contacted immediately and notified whether to pick their children up at the school or our evacuation site.

In sudden emergencies, such as severe sudden storms, students will remain in the building until parents and guardians are able to pick them up.

d. School Bus Accident: In the case of a school bus accident during a class trip, all families of students will be contacted and updated on the situation. They will be informed of the nature of the accident, and whether there were any injuries. If so, parents/guardians will be directed to the hospital where students have been brought for treatment.

e. Gas Leak/Hazardous Material: In the event of a gas leak in the building, emergency services will be called, and all students will be evacuated to our evacuation site to await pickup.

2. Criminal Activity

Threats of Violence: All threats are taken seriously at Amani. Threats of violence, intruders, kidnappings, bomb threats, fire, and civil disturbance to cover a few are part of the safety planning process at Amani.

F. COVID-19

Extensive detailed information as to how Amani will respond to any outbreak of COVID-19 in the school can be found under [Return to In Person Instruction](#) and on the school's website.

Section IV: RECOVERY

The school's Post-Incident Response Team has enacted the following protocols post-incident recovery:

A. Short-Term

- 1. Mental Health Counseling Resources for students and staff:** Amani Public Charter School will work with its Director of School Culture to coordinate counseling services for students. In the event that the school's needs outstrip the counseling services available in-house, Amani will seek additional services from trusted partners.
- 2. Building Security:** Amani Public Charter School will work with R&R Security Services, Inc., its current security service provider, to support our short-term building security needs.

3. **Facility Restoration:** Amani Public Charter School will work with community service officers from the Mount Vernon Police Department and with officials from the New York State Education Department to support our short-term facility restoration needs.

4. **Post-Incident Response Reflection and Critique:** Amani Public Charter School will work with its Response Teams, its Board of Trustees, and the Parent Teacher Association to reflect and critique our incident response.

B. **Long-Term**

1. **Mental Health Counseling Resources for students and staff:** Amani Public Charter School will contract with trusted service providers to address any long-term counseling needs.

2. **Building Security:** Amani Public Charter School will work with R&R Security Services, Inc., its current security service provider, to support our short-term building security needs.

3. **Mitigation:** Amani Public Charter School will implement suggestions discussed and approved by our Board of Trustees and Parent Teacher Association upon reflection and critique of our incident response.

V. **School Cancellation or Changes – Snow or other Emergency**

A. **Cancellation due to inclement weather**

Amani follows the lead of the Mount Vernon City School District in making decisions about school cancellations or other school opening or closing changes. Specifically, if other Mount Vernon public schools are cancelled for weather or any other emergency, we will cancel school. This information is generally broadcast on News12, published on the News12 website or the Mount Vernon City Schools website.

B. **Cancellation due to public health emergency**

1. In the event the governor of New York declares a public health emergency and decrees all schools must be closed, only essential workers (*as listed below*) shall be allowed in the school building. Information about remote learning plans and the continuity of operations can be found in [Return to In Person Instruction](#)
- 2.
3. Essential shall refer to a designation made that an employee is required to be physically present at the work site to perform his or her job.
 - a. Bruce Tanner (Director of Operations)
 - b. Phil Salmon (Director of Finance)
 - c. Rebecca Wise (bookkeeper)
 - d. Ashley Davenport (office manager)
 - e. Brittany Woodley (office assistant to rotate with office manager)
 - f. Antonio Scott, Andrew Irizzary, Ben Williams, Jerry Barnres (facility staff)
3. Non Essential shall refer to a designation made that an employee is not required to be physically present to perform his or her job. Non essential employees shall include but not be limited to all

instructional staff, deans, Principal, Executive Director, additional administrative staff not listed above.

4. For continuity of remote learning Amani has set up a network of remote learning platforms which can be found in [Reignite*Reopen*Reimagine](#).
5. Early on during the pandemic Amani took measures to secure adequate PPE supplies. The supplies include hand sanitizer, masks, gowns, gloves, face shields, structural barriers. Additionally, the school has purchased equipment for deep sanitizing and disinfection.
6. All essential employees are required to log in and out via a time clock, fill out a health screen survey and temperature checks daily. All information is kept in the schools Human Resources system. In the event an essential employee's temperature is above the allowable limit or shows any signs of illness they will be required to immediately be tested for COVID19 and be examined by a qualified physician. The employee will also be required to complete a form detailing who they have been in contact with and what areas of the school they visited.

Included with this District-Wide Safety Plan

- DASA
- Code of Conduct

HARASSMENT, INTIMIDATION OR BULLYING
PREVENTION AND INTERVENTION POLICY
DASA

Introduction

Amani Public Charter School is committed to providing an educational and working environment that promotes respect, dignity and equality. Amani recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to scholar learning and achievement. These behaviors interfere with the mission of the school to educate its scholars and disrupt the operation of the school. Such behavior affects not only the scholars who are its targets but also those individuals who participate and witness such acts.

To this end, Amani condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other scholars are prohibited, and may be subject to disciplinary consequences.

Definitions

Harassment

Harassment has been defined in various ways in federal and state law and regulation. Amani recognizes that these definitions are important standards, but the school's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The **Dignity for All Scholars Act** (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a scholar's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a scholar to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race;
- color;
- weight;
- national origin;
- ethnic group;
- religion;
- religious practice;
- disability;
- sex;

- sexual orientation; or
- gender (including gender identity and expression).

Intimidation

Intimidation is intentional behavior that would cause a person of ordinary sensibilities fear of harm or injury. It is not necessary to prove that the behavior caused the victim to actually be frightened.

Bullying

Bullying is a form of harassment that consists of inappropriate persistent behavior including threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, face to face or remotely through electronic communication.

Types of bullying include:

- **Verbal-** involves taunting, teasing, name calling, and threats;
- **Physical-** the most common form; including hitting, kicking, pushing and taking personal belongings;
- **Emotional-** includes spreading rumors, manipulating social relationships, and engaging in social exclusion, extortion, or intimidation;
- **Cyber-** including the use of cell phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass, threaten or intimidate someone.

Cyberbullying

The law defines “cyber bullying” as the above conduct through any form of electronic communication, where it be through electronic text, photos, or videos. Examples of this behavior include, but are not limited to:

- *Sending false, cruel, or vicious messages.*
- *Creating websites that have stories, cartoons, pictures, or jokes ridiculing others.*
- *Breaking into an email account and sending vicious or embarrassing materials to others.*
- *Engaging someone in electronic communication, tricking that person into revealing sensitive personal information, and forwarding that information to others.*
- *Posting of a student picture without his/her permission.*

The online activities and technologies often used by students engaged in cyberbullying include, but are not limited to: social networking sites, chat rooms and discussion groups, instant messaging, text messaging, computers, cell phones and personal digital devices, digital cameras, cell phone cameras, and webcams. As new technologies emerge, they too may be included with the above forms of electronic communication.

Reporting and Prevention of Bullying and Cyberbullying

The school is committed to promptly addressing and preventing incidents of bullying to the maximum extent possible.

Reporting Bullying and Cyberbullying (together, "Bullying")

1. If a student feels that he/she is a victim of bullying, or witnesses a student being bullied, the student should report the incident to a trusted adult in the building. Students may report bullying situations anonymously via written note or email so long as the information is securely and privately delivered to the Social Emotional Learning ("SEL") team.
2. If a parent or guardian suspects bullying, they may report it via written note or e-mail to the SEL.
3. Any staff member who witnesses or receives any report of bullying must notify a member of the SEL department as soon as possible, and in any event within one school day after the staff member witnesses or receives a report of bullying.
4. All reports will be documented and maintained for the duration of the student's tenure at the school.
5. The school will maintain a list of the number of confirmed acts of bullying, without specific names. The school will make the list available upon request and will provide the number of confirmed acts of cyberbullying as required to the State Department of Education.

Investigation

1. As with any situation involving a serious breach of school culture and the Code of Conduct, the SEL department will take action to investigate the report of bullying. As bullying is prohibited by the Code of Conduct, it is important to note that this applies to activity on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the school, or through the use of an electronic device owned, leased or used by the school, or outside of the school setting if the bullying creates a hostile environment at school for the scholar against whom the bullying was directed, infringes on the rights of that scholar, or substantially disrupts the education process or the orderly operation of the school.
2. The SEL department will investigate, in a timely fashion, parents' reports and will review students reports, anonymous or otherwise, to determine the proper action.
3. The SEL department will question the reporting student or parent about specific details, which may include date of incident, time, location, and what was said or done to the student being bullied. If the reporter is anonymous, the dean of students will question those who are listed in the report. No disciplinary action will be taken solely based on an anonymous report.
4. A member of the SEL department will then meet with and question the student(s) accused of bullying, as well as the student(s) being bullied.
5. A member of SEL department or his/her designee will call the parents or guardians of the students involved in verified incidents of bullying and inform them of the incident(s), the school's response, and any consequences that may result from further acts of bullying within 48 hours after the completion of the investigation. Parents or guardians of scholars against whom the bullying was directed will be invited to a meeting to discuss the measures being taken by the school to ensure the safety of their scholar and policies and procedures in place to prevent further acts of bullying. Parents or guardians of scholars who committed the bullying will be

invited to a separate meeting to discuss specific interventions undertaken by the school to prevent further acts of bullying.

6. At the discretion of the SEL Department or his/her designee, the parents of both parties may be requested to come in and meet with the dean of students and Social Worker for mediation.

Intervention and Prevention

A. Intervention

1. The school will promote the use of interventions that are least intrusive and most effective and will develop case-by-case interventions for addressing repeated acts of bullying against a single individual or recurring bullying incidents perpetrated by the same individual. Intervention may include, but not limited to the following:
 - As the situation may warrant, the school may provide counseling or refer students to outside counseling to address the needs of the victim(s) of the bullying.
 - As the situation may warrant, the school may provide or refer out for counseling and support to address the behavior of the students who bully (*e.g.*, empathy training, anger management, and social skills), and will take other disciplinary measures as appropriate.
 - The school will monitor each individual situation to ensure that the bullying ceases for individual victims and on a school-wide basis.
 - Disciplinary sanctions and consequences will be commensurate with the situation.
 - The school will notify the appropriate law enforcement agency if principal or designee believes the acts of bullying constitute criminal conduct.

B. Prevention

The school will send consistent messages to students throughout the school year that bullying is not part of our school's culture and will not be tolerated. Prevention may include, but it not limited to, the following:

1. The school will maintain rules prohibiting bullying, harassment and intimidation and will establish appropriate consequences for those who bully other students.
2. The school prohibits discrimination and retaliation against any individual who reports or assists in the investigation of an act of bullying.
3. As part of our regular character education program - ACHIEVE, the school will provide advisory time and age-appropriate curricula for all classes to discuss bullying in school and the effects of it.
4. The school will implement an ongoing cyber safety curriculum to ensure that students are knowledgeable about how to safely interact online.
5. The school will work to protect the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
6. The school will discuss values with parents during orientations.
7. The school's PD program will contain a time to discuss promoting positive school culture including character development and bullying prevention training.
8. The school will use common time with students to discuss cyber safety and cyber bullying issues with students.

9. The school will host tech sessions to teach parents how to monitor their children's behavior on the Internet and their phones.

AMANI CODE OF CONDUCT

Our school will use a point system of merits and demerits to reward and correct behavior. Merits will be given for each positive behavior displayed and for demonstration of each core value. Demerits will be given for any Level 1 infraction (see Appendix A) consisting of noncompliance with rules, policies, and procedures set by the school, disregard of the core values, and any un-Scholarly behavior. Each merit/demerit is valued at 1 point. Amani achievers will begin every week with 25 automatic “A-Merits” for coming to school on time (none for days of unexcused absences) and can gain or lose points when displaying proper or improper behavior. All staff members at Amani will be able to reward/correct behavior as it is witnessed and points will be totaled on a weekly basis. Parents¹ will receive a weekly progress report, which will include information about their child’s “A-Merits.”

When a student does not meet behavioral expectations and an infraction of the school’s Code of Conduct has occurred, clear and consistent disciplinary action will ensue. Below is an overview of the Amani Code of Conduct, outlining the dimensions of our approach to student discipline.

Detention

Students who have committed a Level 2 infraction will serve a next day detention with the Dean of Scholars and Families. Once the detention has been assigned by the staff member, parents will be notified via telephone and email that their child will serve a detention that next day. It will be served from 4:30 pm - 5:30 pm and will consist of reflection, a writing assignment, and other appropriate tasks. Students are not allowed to complete any homework or reading assignments during detention.

In-School Suspension

Students who have committed a Level 3 infraction will serve an In-School Suspension (ISS) ranging from one to three days. The Dean will notify parents of an ISS by telephone and in writing. Students serving an ISS are expected to attend school in full uniform and comply with school procedures. During the days of ISS, the student will spend the day receiving instruction outside of his/her regular classroom. The student will eat lunch with the Dean of Scholars and will not participate in any non-instructional activities. A parent meeting is requested before the student is reintroduced into the classroom. After all days are served, the student can return to class.

Out-of-School Suspension and Expulsion

Students who have committed a Level 4 or Level 5 infraction may serve an Out-of-School Suspension (OSS) or may be expelled from Amani, depending on the severity of the infraction and the student’s disciplinary history. A short-term suspension refers to the removal of a student from school for disciplinary reasons for a period of one to five days. A long-term suspension refers to the removal of a student from school for disciplinary reasons for a period of six days or more. Expulsion refers to the permanent removal of a student from school.

¹ Whenever we use the term “Parents” in this Code of Conduct, we are referring not only to the parents of our students, but also to their guardians or whoever has permanent or temporary responsibility for their care.

A **Discipline Code** listing infractions that may be punishable by Demerits, Detention, In-school Suspension (ISS), Out of School Suspension (OSS) or Expulsion is included in **APPENDIX A** of this Code of Conduct. This **Discipline Code**, which is part of the Code of Conduct, applies in school during school hours, before and after school while on school property, while traveling on school buses, at school-sponsored events, and anywhere in the community when the behavior of a student violates Amani core values and negatively affects Amani students or teachers.

Procedures and Due Process

In-School Suspension (Up to 3 Days)

A teacher may report to the Dean that a student violated Amani's Code of Conduct by committing a Level 3 infraction (See Appendix A). The Dean will discuss the report with the student and give him/her an opportunity to respond. After hearing the student's side of the story, the Dean may decide that In-School Suspension is warranted. The Dean will inform parents by telephone and written note and will invite parents to come to school for an informal conference. It is expected that the conference will take place before the student returns to regular classes.

Short Term Suspension (Up to Five Days)

A short-term out-of-school suspension may be imposed for a Level 4 or Level 5 infraction. Before imposing a short term suspension, the Dean shall inform the student of the charges, and shall provide an explanation of the evidence. The Dean will also offer the student a chance to present his/her version of events. These procedures follow the due process requirements for short-term suspension set forth in the decision of the US Supreme Court in *Goss v. Lopez* (419 U.S. 565).

Before imposing a short-term suspension, the school shall immediately notify parents by telephone that the student may be suspended from school. Written notice of the decision to impose suspension shall also be provided within 24 hours by personal delivery or express mail delivery. Such notice shall provide a description of the student's conduct which led to the suspension and shall inform parents of the right to request an immediate informal conference with the Executive Director or the Director of School Culture. To the extent possible, such notice will be in the parent's dominant language or mode of communication.

The informal conference will take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If School Leadership believes the suspension must be immediate, parents will be notified and asked to make prompt arrangements to pick up the student. If no one is available to pick up the child, s/he will remain with the Dean until dismissal.

If suspension is effective immediately, the informal conference will take place as soon as possible after the suspension.

Parents will be asked to meet with the Dean of Director of School Culture before the student returns to the building. Upon return, the student will be seated at a desk in front of the class for the first day back in the classroom.

The school's decision to impose a short-term suspension may be challenged by the parents in accordance with the charter school's complaint process.

Long Term Suspension (Six Days or More) or Expulsion

The school may impose a long-term suspension or may expel a student, if the Student is found guilty of a Level 5 Infraction at a suspension hearing before an impartial hearing officer. The hearing officer may be the Executive Director or her designee. The hearing will take place within five days of the initial suspension. If the family needs more time for any reason, the parent may request to reschedule the hearing, but the student will continue to receive alternative instruction until the hearing is completed.

Written notice of the scheduled hearing will provide parents with the details of the incident that gave rise to the suspension, the date and time of the suspension hearing, information about the student's right to have an attorney or advocate participate at the hearing, and information about the student's right to question witnesses and present evidence. The written notice will also include information about the alternative instruction the student will receive while suspended. To the extent possible, the notification shall be in the dominant language used by the parents.

At the hearing, the School will present evidence and witnesses to support the charges that are being reviewed and will also make a recommendation with respect to consequences. The student will also have an opportunity to present evidence and witnesses, to question the School's witnesses, and to provide a personal statement. The student's family may request a transcript or tape of the hearing record.

The hearing officer will first determine, based on the evidence presented, whether or not the student is guilty of a Level 4 or Level 5 violation of the Discipline Code. If the student is found guilty, the hearing officer will review the student's academic and disciplinary record, and parents and student will have an opportunity to present additional information relevant to the penalty. The hearing officer will make a recommendation regarding the penalty which may include long-term suspension or expulsion.

If the hearing is conducted by a designee of the Executive Director, the hearing officer's report shall be advisory only and the Executive Director may accept or reject all or part of it. The school's decision to impose a long-term suspension or expulsion may be challenged by parents in accordance with the charter school's complaint process

If the determination is appealed in accordance with the complaint process to the Board of Trustees, the Board will notify Parents of its final in writing. Such notice will include instructions regarding enrollment of the student in the City School District.

Appeal

If the Decision of the Trustees with respect to short-term suspension, long-term suspension or expulsion is not satisfactory to the family, Parents may appeal to the school's authorizer, NYSED, by emailing CharterSchools@nysed.gov or calling 518-474-1762.

Provision of Instruction during Removal

Amani will ensure that alternative educational services are provided to a child who has been suspended or removed. For a student who has been expelled, alternative instruction will be provided for up to ten days until the student enrolls in another school.

Alternative instruction will be provided to students suspended or expelled in a way that best suits the needs of the student. Instruction for such students shall be sufficient to enable the student to make adequate academic progress, and shall provide them the opportunity to complete the assignments, learn the curriculum and participate in assessments. Instruction will take place in one of the following locations: the child's home, a contracted facility, or a room at the school other than the regular classroom. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring. Instruction will be provided by the student's teacher(s), a substitute teacher, an assistant teacher or a tutor hired for this purpose.

Additional services will be provided to students with disabilities, as described below.

Student Records

Amani will maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Disciplinary Policy for Students with Disabilities

Students with disabilities have the same responsibilities as all other Amani students but they also have special protections in disciplinary matters. In order to assure these special protections, the school works closely with the Committee on Special Education (CSE) and the Section 504 Team of the Mount Vernon City School District.

If a student with an IEP or a Section 504 Plan is charged with a Level 5 infraction punishable by an OSS of more than ten days or a short-term suspension is considered which would bring the total number of suspension days to more than ten days during the school year, the School will refer the student to the CSE or the 504 Team for a Manifestation Determination Review (MDR). The MDR will take place after the suspension hearing (if the student is found responsible for the conduct which is the subject of the hearing) or before the tenth suspension day in a series of short term suspensions.

In order to ensure that a student with a disability is not removed from school on a series of short term suspensions for more than ten days during a school year, Amani will ask the CSE to review the IEP of

any student who has had a series of short term suspensions totaling eight days over the school year. The CSE will be asked to conduct an MDR and, if the conduct is found to be a manifestation of the student's disability, to consider revising the student's behavior intervention plan or evaluating the student for a change of placement. In considering change of placement for a student referred because of disciplinary problems, the CSE will follow its ordinary policies with respect to parental notification and involvement

Consequences of the Manifestation Determination Review

If the MDR Team of the CSE or the Section 504 Team finds that there is a connection is between the student's disability and the behavior that is the subject of the disciplinary proceeding, the School and the CSE or Section 504 Team will help Amani develop a plan to address the behavior, and the student will return to class.

If, however, the hearing officer who conducted the suspension hearing finds that the student violated the Discipline Code by bringing drugs or a weapon to school or by inflicting serious bodily injury on another person, the student may be removed from school for up to forty-five days, whether or not the conduct was related to the student's disability. The student will be provided with educational services in an interim (temporary) alternative educational setting (IAES) that is arranged by Amani in cooperation with the CSE.

If, the MDR team or the 504 Team determines that the student's conduct was not a result of his/her disability, the student may be disciplined in the same manner as a student without a disability.

Parents may request a hearing to challenge the manifestation determination or the IAES. The hearing will be conducted by an Impartial Hearing Officer appointed by the Mt. Vernon City School District. The student will remain in the current educational placement pending the determination of the hearing. If the student has been placed in an IAES for an offense relating to a weapon, drugs or a serious bodily injury, the child will stay in that setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent and Amani agree otherwise.

The special protections, described in this section, may, under certain circumstances, be available for students who do not yet have an IEP or Section 504 Plan. Parents may ask for these protections if they or teachers at Amani requested a CSE evaluation or expressed concerns about a possibility of a disability before the misbehavior that resulted in the disciplinary action occurred. The protections will also be provided if an evaluation has been scheduled or a CSE review meeting is pending.

Students with disabilities have the following additional protections:

- If the student's IEP includes a Behavior Intervention Plan (BIP), the student will be disciplined in accordance with the BIP. If the BIP appears not to be effective, the School will refer the Student to the CSE for an updated functional behavioral assessment.

- If the CSE finds that behavior that is the subject of the disciplinary is a manifestation of the student's disability the School will work with the CSE to develop a plan for the student's immediate return to school and will conduct a new functional behavioral assessment for the purpose of revising the behavioral intervention plan;
- The School will also provide the parent of the student with a copy of the procedural safeguards notice and a notice of IDEA rights to students whose parents have expressed concern about possible disability.
- The School will work with the CSE to expedite evaluations of students who are suspected of having a disability.
- Alternative education provided during any suspension of a student with a disability will include any special services required by the Individualized Education Program (IEP) prepared by the Committee on Special Education (CSE).
- Alternative educational services during suspension will address the behaviors that led to the suspension and will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and to achieve the goals of his or her IEP.

AMANI CODE OF CONDUCT

Our school will use a point system of merits and demerits to reward and correct behavior. Merits will be given for each positive behavior displayed and demonstration of each core value. Demerits will be given for any Level 1 infraction (see Appendix B) consisting of noncompliance to rules, policies, and procedures set by the school, negative display of the core values, and any un-Scholarly behavior. Each merit/demerit is valued at 1 point which totals the amount of 'A-Merits'. Amani achievers will begin every week with 25 automatic points just for coming to school (none for days of unexcused absences) and can gain or lose points when displaying proper or improper behavior. All staff members at Amani will be able to reward/correct behavior as it is witnessed and points will be totaled on a weekly basis. Parents will receive a weekly progress report, which will include information about their child's 'A-Merits'.

When a student does not meet behavioral expectations and an infraction of the school's Code of Conduct has occurred, clear and consistent disciplinary action will ensue. Below is an overview of the Amani Code of Conduct, outlining the dimensions of our approach to student discipline.

Detention

Students who have committed a Level 2 infraction will serve a next day detention with the Dean of Scholars and Families. Once the detention has been assigned by the staff member, parents will be notified via telephone and email that their child will serve a detention that next day. It will be served from 4:30pm-5:30pm and will consist of reflection, a writing assignment, and other appropriate tasks. Students are not allowed to complete any homework or reading assignments during detention.

In-School Suspension

Students who have committed a Level 3 infraction will serve an In-School Suspension (ISS) ranging from one to three days. Once the ISS has been determined by the Dean, parents will be notified via phone and certified mail. Students are still expected to attend school in full uniform and comply with school procedures. During the days of ISS, that student will spend the day receiving instruction inside of a different classroom for the duration of the days. The student will eat lunch with the Dean of Scholars and will not participate in any non-instructional activities. A parent meeting is required in order for the student to be reintroduced into the classroom and this should take place on or before the final day of ISS. After all days are served, the student can go back to class as normal.

Out-of-School Suspension and Expulsion

Students who have committed a Level 4 or Level 5 infraction will serve an Out-of-School Suspension (OSS) or expulsion, depending on the severity of the infraction. A short-term suspension refers to the removal of a student from school for disciplinary reasons for a period of one to four days. A long-term suspension refers to the removal of a student from school for disciplinary reasons for a period of five or more days. Expulsion refers to the permanent removal of a student from school for disciplinary reasons. Once the OSS or Expulsion has been determined by the Administration, parents will be notified via telephone and are expected to make arrangements for their child to be picked up immediately. If no one is available to pick up the child, s/he will remain with the Dean until dismissal. An official suspension letter will also be sent home via certified mail. If serving an OSS, a parent meeting is required before student is able to return back into the building. Upon return, the student will spend the first day back seated at a desk in the front of the classroom, as they reintegrate with the class.

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long-term suspension or expulsion, unless the Administration determines that an exception should be made based on the circumstance of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document including a referral to the appropriate law enforcement authorities.

- Possess, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student in school;
- Commit, or attempt to commit arson on school property;
- Assault any other student or staff member;
- Intentionally cause physical injury to another person, except when student's actions are reasonably necessary to protect him or herself from injury;
- Vandalize school property causing major damage;
- Commit any act which could constitute a crime or is a more egregious infraction described under "short-term suspension", which school officials reasonably conclude warrants a long-term suspension.

A student who commits any of the acts previously described as causes for short term-suspension may, instead or in addition, be subject to a long-term suspension at the school's discretion only if the student has committed the act at least three times in the academic year.

Refer to the section below about your rights regarding this course of action.

SEE APPENDIX B FOR CODE OF CONDUCT CHART

Procedures and Due Process

Short Term Suspension

The school may impose a short-term suspension, and shall follow due process procedures consistent with federal case law pursuant to *Goss v. Lopez* (419 U.S. 565). Before imposing a short term suspension, or other, less serious discipline, the school shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student, a chance to present the student's version of events shall also be provided.

Before imposing a short-term suspension, the school shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice of the decision to impose suspension shall be provided by personal delivery or express mail delivery within 24 hours at the last known address (es) of the parents or guardians. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the school leader. Such notice and informal conference shall be in the dominant language or mode of communication used by the parents or guardian. The parents or guardian of the student and the student shall have the opportunity to present the student's version of the incident and to ask questions of the complaining witnesses. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon as possible after the suspension as is reasonably practicable.

The school's decision to impose a short-term suspension may be challenged by the parent(s) or guardian in accordance with the charter school's complaint process.

Long Term Suspension

The school may impose a long-term suspension. Such a suspension may be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the school may expel the student from school. Upon determining that a student's action warrants a possible long-term suspension, the school shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state the reasons for such actions. The school also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone if the school has been

provided with a contact telephone number for the parent(s) or guardian(s). Such notice shall provide a description of the incident or incidents which resulted in the suspension and shall indicate that a formal hearing will be held on the matter which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence.

If the Executive Director initiates the suspension proceeding, he or she shall personally hear and determine the proceeding or may, in his discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the school may accept or reject all or part of it. The school's decision to impose a long-term suspension or expulsion may be challenged by the parent or guardian in accordance with the charter school's complaint process.

Firearm Violations

Federal and New York law require the expulsion from school for a period of not less than one year of a student who is determined to have brought a firearm to the school, or to have possessed a firearm at school, except that the school may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended). "Weapon," as used in this law means a "firearm," as defined by 18 USC § 921, and includes firearms and explosives. (New York Education Law §3214 effectuates this federal law.) The school shall refer a student under the age of sixteen who has been determined to have brought a weapon or firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42). The school shall refer any pupil sixteen years of age or older or a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

Provision of Instruction during Removal

The charter school will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the school's general curriculum. For a student who has been suspended, alternative instruction will be provided to the extent required by applicable law. For a student who has been expelled, alternative instruction will be provided in like manner as a suspended student until the student enrolls in another school for a reasonable period thereafter or until the end of the school year.

Alternative instruction will be provided to students suspended or expelled in a way that best suits the needs of the student. Instruction for such students shall be sufficient to enable the student to make adequate academic progress, and shall provide them the opportunity to complete the assignments, learn the curriculum and participate in assessments. Instruction will take place in one of the following locations: the child's home, a contracted facility (e.g., in the school district of location), or a suspension room or other room at the school. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring. Instruction will be provided by one or more of the following individuals who shall be certified or qualified in accordance with § 2854(3)(a-1) of the Education Law and the federal *No Child Left Behind* Act: the student's

teacher(s), aides or trained volunteers, individuals within a contracted facility, and/or a tutor hired for this purpose.

Student Records

The charter school will maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Disciplinary Policy for Students with Disabilities

In addition to the discipline procedures applicable to all students, Amani shall implement the following disciplinary policy procedures with respect students with disabilities. [A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.527(b)—that a disability exists may request to be disciplined in accordance with these provisions.] Amani shall comply with sections 300.519- 300.529 of the Code of Federal Regulations (CFR) and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

If a student violates Amani's Code of Conduct and is being considered for a suspension or removal, the school must ensure the following due process protections are provided to the student and to the student's parent(s) in addition to those set forth in the regular education discipline code. For suspensions of five school days or less, the student's parent(s) or guardian must be provided with a written notice, and a follow up telephone call if possible, within 24 hours of the incident leading up to the suspension which describes the basis for the suspension and explains that the parent or guardian has the right to request an informal conference with the appropriate staff to discuss the incident and question any complaining witness against the student. For suspensions in excess of five consecutive school days, the student's parent(s) or guardian must be provided with a written notice which indicates that the district proposes to suspend the student from school in excess of five consecutive school days, describes the basis for the proposed suspension, explains that the student has an opportunity for a fair hearing conducted by the or designated officer of the director at which the student will have a right to question any witnesses accusing him/her of committing the misconduct charge and to present witnesses on his/her behalf. Where possible, notification must also be provided by telephone. In addition, the school must provide alternative education to the student during the suspension as set forth below, including any special services required by the Individualized Education Program (IEP) prepared by the students' Committee on Special Education (CSE) of their district of residence. Final determination on a suspension or removal of a student, following due process, shall be made by the school.

Amani shall maintain written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students for whom the IEP includes a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health

and safety of the student or others if the BIP is followed with respect to the infraction, the matter will be immediately referred to the CSE of the student's district of residence for consideration of a change in the guidelines.

If a student identified as having a disability is suspended during the course of the school year for total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of suspension, because such suspensions may be considered to be a change in placement. In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

Amani shall work with the district to ensure that the CSE of the student's district of residence meets within 7 days of notification of any of the following: (1) The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days; (2) The commission of any infraction resulting from the student's disability; (3) The commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the School Leader would seek to impose a suspension in excess of 5 days.

Also, Amani will ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to:

- 1) Convene a CSE meeting within 10 school days to make a manifestation determination.
- 2) Convene a CSE meeting within 10 business days to develop a plan to conduct a functional behavioral assessment or review an existing functional behavioral assessment or behavioral intervention plan.
- 3) Provide the student's parent with a copy of their procedural due process rights.
- 4) Work closely with the CSE of the students' district of residence in determining education services or the interim alternative educational setting consistent with the FAPE requirements.

Provision of Services During Removal

Those students removed for a period fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. Amani also shall provide additional alternative instruction with the reasonable promptness and by appropriate means to assist the student, so that the student is given full

opportunity to complete assignments and master curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

Tutors will be recruited in coordination with the School's ongoing teacher recruitment initiatives. Amani will look for teachers and/or persons with equivalent experience (e.g. Teach for America) who have experience working with elementary age students, preferably in an urban school. Amani will seek applicants for the tutor positions through advertising, participation in teacher job fairs and/or using employment agencies. Tutors will be paid on a per-diem basis, and they will be supervised by the students' respective classroom teachers, under the management of the school.

During any subsequent removal that, combined with previous removals equals ten or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any removal for drug or weapon offenses [pursuant to 34 CFR §300.520(a)(2)] services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service determinations will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate and mandated by 34 CFR §300.520(a) (2).

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination.

CSE Meetings

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, to review such plan are required when: (1) the child is first removed from his or her current placement for more than ten school days in a school year; and (2) when commencing a removal which constitutes a change in placement. The student's special education teacher (or coordinator) and the general classroom teacher will attend all meetings regarding the student initiated by the CSE from the student's home district.

Subsequently, if other removals occur which do not constitute a change in placement, the School will work with the CSE of the student's district of residence to review the child's assessment plan and its implementation to determine if modifications are necessary. If one or more members of the CSE of the student's district of residence believe that modifications are needed, then the CSE is expected to meet to modify the plan and/or its implementation.

Due Process

If discipline which would constitute a change in placement is contemplated for any student, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) immediately, if possible, but in no

case later than ten school days after the date on which such decision is made, the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

If, upon review, it is determined that the child's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a child without a disability, except as provided in 34 CFR §300.121(d), which relates to the provision of services to students with disabilities during periods of removal.

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent and the School agree otherwise.

