



# Brighter Choice

**CHARTER ELEMENTARY SCHOOLS**

*for Boys & Girls*

## **Brighter Choice Charter Schools Scholar and Parent Handbook 2018-19**

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***“The Choices We Make Determine The  
Opportunities We Have in Life!”***

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Please note that the policies and procedures expressed in this Handbook are subject to review, improvement and change.

# **I. Mission Statement**

The Mission of the *Brighter Choice Charter Schools* is to ensure that BCCS scholars have the same opportunities for future success as scholars attending the best public schools in the region. There are three significant components to achieving this mission:

- Exemplary instruction that prepares scholars to think critically, problem-solve effectively, and to become engaged and responsible learners successfully prepared for middle school, high school, and college (BCCS-B)
- Exemplary instruction that ensures competency and mastery in reading, writing, and mathematics (BCCS-G)
- Focus on the development of social, behavioral, and organizational skills necessary for future school success (BCCS-B, BCCS-G)
- An education beyond the basics that includes performing arts, visual arts, science, and history (BCCS-B, BCCS-G)

# **II. Distinctive Features of the *Brighter Choice Charter Schools***

Upon acceptance to the *Brighter Choice Charter Schools*, our families commit themselves to a unique and exceptional program, and at registration, accept the policies of the school as listed here as well as in other school publications.

## **Engaging Academic Program**

BCCS's educational program will be aligned to the Common Core State Standards, using a thematic approach to learning. The educational program will be designed to inspire and motivate learning, engage teachers and scholars in new levels of focus and effort, and create a place where scholars take ownership of their own learning. Through a thematic approach to learning, scholars will learn to work collaboratively and develop their problem solving and thinking skills while achieving academic excellence.

## **Integrated Studies**

Integrated study will form the instructional core of learning and teaching at BCCS. Connecting together reading, writing, science, social studies, and, where appropriate, math under thematic units will motivate BCCS to learn and want to learn. All thematic units will follow the Understanding by Design Framework, where effective curriculum is planned backward from long-term desired results through a three-stage design process (Desired Results, Evidence, and Learning Plan).

## **More time on task**

In keeping with the mission of BCCS, a longer school day and school year will help scholars achieve mastery of concepts in an academically rigorous curriculum.

## **Data Driven Instructions**

In order to achieve the school's mission of preparing scholars to think critically, problem-solve effectively, and to become engaged and responsible learners, BCCS will create and maintain a school culture where data analysis is viewed as an essential piece of the teaching and learning process. Formative, interim, and summative assessments will be used to increase instructional effectiveness, adjust individual scholar learning goals, and provide meaningful feedback to teachers.

## **High Impact Professional Development for Educators**

BCCS considers teacher quality and performance as important factors to scholars' competency and mastery in reading, writing and mathematics. Building the capacity of teachers to deliver quality instruction will begin

prior to the start of the academic year and will continue throughout the school year with targeted professional development experiences.

### **Focus on Character Development and Problem Solving Skills**

BCCS will adhere to high expectations for scholar conduct and will teach and reinforce strategies to increase scholar motivation, focus, cooperation, and collaboration. A curriculum for character development surrounding our core values will be used to grow and develop our scholars' social and behavioral skills. Scholars will be engaged in tasks and activities that would allow them to problem solve whether or not actions are appropriate or inappropriate to different situations.

### **Parent and Community Partnerships**

Scholar achievement is strengthened by parent and community involvement. BCCS will connect parents and caregivers with their scholar's education by means of frequent calls home, progress reports, a school newsletter and website. Scholars and families will benefit from our strong school partnerships with family service agencies and community organizations that aid with challenging or on-going problematic scholar behaviors.

## **III. Registration**

Any family wishing to enroll their scholar at our school must complete all registration/re-registration documents prior to the beginning of each school year or at any time the school requests the documentation.

Registration documentation includes, but is not necessarily limited to  
Birth Certificate for the scholar  
Parent ID  
Proof of Residency (POR) Documentation  
Health/Immunization records

Registration documentation is important because it enables the school to:  
Contact the scholar's family in case of an emergency  
Communicate with the scholar's family regarding important school information  
Receive funding from the district where the scholar lives

For these, and other reasons the *Brighter Choice Charter Schools* have implemented the following policy:

Two Proofs of Residence (POR) documents, acceptable to the district in which the scholar resides, must be submitted to the *Brighter Choice Charter Schools* when:

- Completing initial registration forms
- Completing re-registration forms for returning scholars
- Any time that a scholar's family changes their address

POR documentation must be dated within 30 days of the registration/re-registration date, or within 30 days of a change of address.

Failure to provide the proofs of residency when requested may result in forfeiture of your scholar's placement at the *Brighter Choice Charter Schools*.

**NOTE: Parent/guardians of scholars requesting evaluations or referrals to the Committee on Special Education may need to produce current (within 30 days) proof of residency documents to accompany the referral.**

## **IV. Attendance**

In order for scholars to meet our rigorous academic goal, they must attend school regularly. Attendance is an adult responsibility and aids with providing children with the education they deserve. Families that are not prepared to meet these rigorous demands should reconsider their child's placement at the *Brighter Choice Charter Schools*.

We expect scholars to be in school every day except for emergencies. It is important for families to schedule appointments for off school hours. In addition, if a scholar does have an appointment that just cannot be missed, it is much better for the scholar to come for part of the day rather than miss the entire day.

If, despite your best efforts, your child will not be in school on a particular day, it is important for you to call the office before 9:00 am at 694-8200 (Boy's School), 694-4100 (Girl's School) to let the school know. We expect families that choose *Brighter Choice Charter Schools* to be supportive of our extended school year and to plan vacations for times when school is not in session.

- Acceptable absences include a serious illness, vomiting, diarrhea, high fever, emergency medical appointment or a death in the family.
- Unacceptable absences include a vacation, an excuse of just not feeling right, oversleeping, routine medical appointments that can be scheduled after school and suspensions.

The schools have procedures in place to address persistent and/or unacceptable absences. These procedures include:

- Verbal warning from the Parent Coordinator.
- Letter from the Parent Coordinator.
- Meeting with the Parent Coordinator and/or Principal.
- Referral to Child Protective Services (CPS) for educational neglect.
- Risk for retention (scholar repeats their grade).

### **Late Arrival**

BCCS expects scholars to arrive between **7:20AM (BCCS-B)/ 7:25AM (BCCS-G) and 7:50AM** to eat a healthy school-provided breakfast before the start of academics. Scholars arriving after 8:00 AM will not be served breakfast and must check-in at the main office to receive their late pass. Late arrivals are tracked and repeated offenders will meet with the Parent Coordinator and/or Principal as critical academic time will be missed. Excessive late arrivals could result in a referral to Child Protective Services for educational neglect.

## **V. School Uniform**

Scholars who arrive to school are required to be in full uniform in order to enter class. If a scholar is out of uniform, parents have the option of bringing the required uniform garments to school so the scholar is able to

attend class. If the family is unable to bring in the required uniform garments, we reserve the right to request that the child be picked up and taken home for the remainder of the day. Under no circumstances will a scholar be allowed into a classroom without a full uniform.

We will allow a scholar to borrow a school uniform for the day, provided we have a spare uniform in stock of the appropriate size. In the event that a scholar has an accident while at school, we will provide a spare uniform, if one is available. We do ask that all borrowed uniforms be returned in a timely manner.

Please review the table of the *Brighter Choice Charter School's* uniform requirements:

<b>Brighter Choice Charter School for Boys Uniform Requirements</b>
<ul style="list-style-type: none"><li>• Grey uniform pants or grey uniform shorts (no substitutes such as cargo pants or shorts)</li><li>• Navy-blue collared shirt with <i>Brighter Choice Charter Schools</i> logo (long or short sleeved)</li><li>• Black Belt</li><li>• Black, navy blue, white, or grey soft sole shoes or sneakers. (all other colors will not be in compliance with our uniform policy)</li><li>• We require scholars' shirts to be tucked in and uniforms to be cleaned regularly</li></ul>
<b>Brighter Choice Charter School for Girls Uniform Requirements</b>
<ul style="list-style-type: none"><li>• Blue plaid jumper with the Brighter Choice Charter School for Girls logo (shorts can be worn under the jumper as long the shorts do not come below the hemline of the dress). During the winter months (November-March) you may choose to send your scholar to school in a navy blue uniform pant.</li><li>• White collared blouse or white turtleneck</li><li>• Navy blue, white or black tights or socks</li><li>• Solid navy blue or black soft sole shoes (This can be a flat, Mary-Jane style shoes or sneaker but it <b>MUST</b> be all navy or black and safe to do physical activity in.)</li><li>• Navy blue sweater (optional)</li></ul>

Uniform accessories can be purchased at Lodge's, Faith Creative Names, or where your family shops for clothes. We require scholars' uniforms to be cleaned regularly.

## **VI. Operations**

### **Home/School Communication**

Communication between parents and the School is important to our scholars' success. If you would like to contact a teacher, please call the front office at the number listed on cover page of this handbook.

In addition, we encourage parents to contact teachers via their school e-mail addresses. E-mail can be an effective way to communicate quickly with teachers when you have questions. Teachers will respond at their available times.

Each day, scholars will be sent home with a folder. In the folder, you will find: 1) your scholar's daily conduct sheet, 2) the homework for that evening; 3) any completed work that teachers would like to send home; 4) any notes or messages the teacher would like you to review and 5) any papers or items from the main office. You should review your scholar's folder each night and sign both their conduct sheets and homework assignments (Boy's School).

### **Parent Coordinator**

The *Brighter Choice Charter Schools* employ full time parent coordinators. Our parent coordinators are well informed about all aspects of the school and are the first person parents go to for answers about the school. Parent coordinators will schedule access to other faculty, when needed.

### **Parental Involvement**

From the time of enrollment through graduation, parents are provided opportunities and are continuously encouraged to be involved with their child's education at *Brighter Choice Charter Schools*.

Parents are supported by the school's administrative team with the academic, social and emotional development of their scholars. In addition, BCCS will have annual events, for the following topics:

- Back to School Events featuring: Title I & II Information, Parent Handbook Highlights, Curriculum Review
- Parent Academic Conferences

### **The *Brighter Choice Charter Schools* Newsletter**

Each scholar and family will receive a copy of our seasonal newsletter, which contains lots of important information and is a great tool that supports parents with strategies to better assist their scholar.

### **Title I Written Complaint and Appeals Procedures**

As required by Title IX, General Provisions of the Elementary and Secondary Education Act (ESEA), the New York State Education Department (NYSED) has adopted the procedures for receiving and resolving complaints and for reviewing appeals from decisions of local educational agencies (LEAs). Complaints concerning violations of ESEA Title I, Parts A, C, and D, or of the General Education Provisions Act; or of Section 100.2(ee) Academic Intervention Services of the Regulations of the Commissioner are covered by these procedures. *Please see Attachment I for details.*

### **The Board of Trustees**

Parent or guardian representatives from *Brighter Choice Charter Schools* will serve as members of the Board of Trustees, providing direct support to the school's governing body, as more fully set forth in *Brighter Choice Charter Schools By-Laws*.

## ***Brighter Choice Charter Schools Open Door Policy***

In order to help us maintain a healthy school environment we ask all parent observers to adhere to the following guidelines,

- Call in advance, 24 hours, to schedule a set time to observe.
- Check-in through the Main Office.
- Put all cellular devices on silent.
- Reserve any comments or suggestions until a time is scheduled to discuss observations with a teacher and/or administrator.
- Interact only with their child unless otherwise directed by the teacher.
- Leave all discipline to the teacher.
- Blend into the regular routine to help children remain focused even though someone interesting and exciting is in their classroom!

If a parent is coming to support/check in with their scholar, an appointment is not required. The scholar will be called out of class in the least disruptive way to meet with the parent.

### **School Security**

To ensure the safety of our scholars and staff, public access doors of the school building are locked at all times. Visitors must ring the bell at the main door of the building (North Lake entrance Boy's School, Central Avenue entrance Girl's School) where the front desk will "buzz" them in. Once a visitor has entered, s/he must stop at the main office to state her/his business. If a visitor wants to go to a child's classroom or meet with personnel, a sign-in pass from the front desk staff is required. Once the visitor has completed her/his visit, the visitor must return the pass to the main office and sign out. The visitor is then observed, via video surveillance, exiting the building.

*Brighter Choice Charter Schools* practice safety measures throughout the school year through fire and emergency drills. In the event there is a threat to the school environment, there is a protocol for addressing various emergency occurrences, including the contacting of local law enforcement.

### **Field Trips**

Each grade level will have one to two instructional field trips throughout the school's year to provide scholars with a rich and varying educational experience.

Scholars consistently meeting *Brighter Choice Charter School's* behavioral expectations are allowed to attend field trips. We have the responsibility to ensure all of our scholars are safe on field trips; therefore, we are unwilling to allow any scholars who have displayed patterns of negative behavior on a field trip. We reserve the right to request that a child remain home when they are unable to attend field trips that span an entire school day.

Scholars who are eligible to attend must return the necessary signed permissions forms by stated deadlines to ensure attendance. This will allow us to make sure we have organized enough chaperones, lunches, transportation, etc.

Please note that all scholars are required to wear their full uniforms for field trips unless otherwise specifically stated in the permission slip. Also, parents may be required to pay a small contribution towards field trips.

### **Homework**

Homework is not optional at *Brighter Choice Charter Schools*. If a scholar does not complete a homework assignment, we take this very seriously. All missing, incorrect or incomplete homework assignments must be made-up by our scholars. If we determine that poor homework habits are developing, we will make every effort to contact parents to discuss the implications of this and offer solutions to support the scholar and the family in meeting our expectations concerning homework. If parents and scholars are unresponsive to our efforts, then other consequences will be added as determined by the school.

### **Beginning of our Day**

The schools open (Elk St and Central Ave entrances) at 7:25 AM and scholars are expected to arrive by 7:50 AM to eat a healthy school-provided breakfast before the start of academics. Academics will begin at 8:00 AM, after morning announcements. Scholars arriving after 8:00 AM must use the main entrance (North Lake and Central Ave) and check-in at the office to receive their late pass. Late arrivals are tracked and repeated offenders will be addressed according to the school's Late Arrival Policy.

### **Ending the Day**

Our expectation is that parents of "non-bus riders" will pick up their child promptly at the conclusion of each academic day. The specific time to pick up "non-bus riders" is between 3:30pm– 4:00pm. It is important that parents respect this policy since the school does not have adequate resources to provide appropriate after school supervision for our scholars after 4:00pm. At 4:15pm, we consider scholars to be the responsibility of their parents or guardians.

To support our School's safety procedures, we require that all scholars be picked up at designated location in the school. Scholars will only be released to parents, guardians or other adults identified on the scholar's authorization pick-up form. If your scholar will not be riding the bus a note or phone call prior to 3:00pm must be made.

### **Release of Scholars**

New York State Education Law states that we may release a scholar to someone other than the scholar's parent in the event of an emergency. This can only happen "if the identity of the person requesting the release is verified against a list of names provided by the scholar's parent or person in parental relation at the time of the child's enrollment in the school. If someone whose name is not on the list attempts to obtain the release of a scholar, that scholar may not be released, except in the case of any emergency as determined in the sole discretion of the principal or his or her designee."

Furthermore, "a school can release a scholar to someone whose name is not on a list previously provided by the scholar's parent or person in parental relation only in case of an emergency. No situation will be deemed an emergency until the principal or his or her designee verifies the facts of the situation, contacts the scholar's

parent or person in parental relation, and the scholar's parent or person in parental relation agrees to the release. This procedure, however, does not apply to the release of a scholar under the protective custody of the Social Services Law and the Family Court Act (§ 3210(1) (c)).”

Finally, “a scholar may not be released to a non-custodial parent if the district has been provided with a certified copy of a legally binding instrument, such as a court order or decree of divorce, separation, or custody that indicates the non-custodial parent does not have the right to obtain such release (§ 3210(1)(c)).”

## **Weather Days**

The School may be closed at any time due to inclement or dangerous weather, or due to a local condition. Owing to the fact that school busses do not run whenever the Albany School District closes, if Albany City Schools are closed, the *Brighter Choice Charter Schools* will be closed as well. In the event that the *Brighter Choice Charter Schools* close for any reason, including, for example, utility problems, the local media news stations will broadcast the information.

## **Allergies and Medical Concerns**

Scholar safety is one of the top priorities at *Brighter Choice Charter School*. Every effort is made to accommodate all scholars with medical conditions and with life threatening allergies. Parents are required to have updated medical forms for any scholar declaring a medical condition or allergy.

Medical forms must be signed by a Doctor, Physician Assistant, Nurse Practitioner, or state-recognized equivalent. Medical forms must have physician's name, phone number, and stamp. Medical forms must be updated yearly or any time medical treatment, condition or severity changes.

Certain conditions may require the School nurse to communicate with the physician. This will only occur when the nurse feels that additional information will help to reduce any confusion or limit issues for scholar safety. If further clarification is needed, the School nurse will contact parent in the timeliest manner possible.

*Brighter Choice Charter Schools* makes every attempt to accommodate all food allergies including lactose, and gluten. The School never knowingly serves nuts or pork. We cannot guarantee that that accidental exposure may occur.

Scholars must be educated about their allergies and be encouraged to participate in making food choices that take the allergy into account. Any accidental ingestion or reaction should be reported to the teachers, monitors, and School nurse immediately.

Nurses must have unexpired medicine and Epi-Pens for any scholar that requires it. The School is not responsible for integrity of medicine brought in by the parent. Any scholar receiving an Epi-Pen injection during an emergency will be transported by ambulance to an available hospital.

*Brighter Choice Charter Schools* cannot accommodate individual food preferences unless it is a documented medical allergy. No preferences will be honored, but scholars have a choice in declining food they do not want to eat.

## Breakfast, Lunch and Snack Program

It is our policy to provide a hot healthy free breakfast and lunch to all our scholars. In order to insure this happens we need all parents to fill out all paperwork required by the state. These forms are required for every scholar attending *Brighter Choice Charter Schools*. Meals are paid through the National School Lunch and School Breakfast Program, a federally subsidized program. All forms are confidential and Brighter Choice does not use your information for any other reason but to obtain meal subsidies for the scholars.

All meals served at *Brighter Choice Charter Schools* meet and often exceed child nutrition standards. We ask parents to encourage scholars to participate daily and to choose a variety of the fresh fruit and vegetables offered daily.

**\*Note: For parents, who wish to send their child to school with a lunch or snack, please remember that *Brighter Choice Charter Schools* remain pork- free and peanut-free school.** If your child brings a nut product to school, it will be discarded in order to keep the school safe for our nut allergy scholars. Breakfast or lunch brought from home containing peanuts will be discarded and a school meal will be provided free of charge.

## Outside Food and Event Celebration Food

*Brighter Choice Charter Schools* have adopted healthy snack initiative. Snacks provided by *Brighter Choice Charter Schools* meet strict nutritional requirements. Therefore, any snack or treat brought from home for snack or birthday celebration must meet these same guidelines. Below is a list of acceptable items families may send with their scholar for snack or birthday celebration.

### Unacceptable Snacks

- Honey buns
- Chocolate chip cookies (or any other cookies other than oatmeal raisin)
- Water is the best choice, however 100% juice only
- Absolutely no candy (this includes candy items in lunchables lunch)
- Cheese Puffs
- No fast food (McDonalds, Dunkin Donuts, Burger King etc.) No nuts, or nut containing products OR nut substitute products.
- No trans-fat added pop corn
- No ice cream
- No salty/cheesy snacks (chips, cheese puffs, onion rings, etc.)
- No sugary drinks (ice tea, soda, etc.)
- No cake/cupcakes
- No chocolate covered snacks (unless 100 calorie pack size)

### Acceptable Snacks

- Water
- Crackers: wheat/goldfish/cheese crackers/pretzels/bread sticks
- Fruits: apples, peeled oranges, bananas, grapes
- Dried fruit: raisins, apricots, cranberries
- Saltines and slices of cheese
- Cheese sticks
- Yogurt
- Low calorie cereal bars such as Nutri grain/Special K bars
- Low calorie, low sugar Granola bars (no nut varieties)
- 100% no sugar added fruit juice (**Honest weight Apple and Apple & Eve juice boxes**)
- Low calorie oatmeal cookies

Please review the nutrition facts or chart that's usually located on the back of snack packages or boxes. Pay attention to the servings for sugar and the calories count. All scholars' snacks should **total** no more than the following amounts...

- **Sugar:** 25 grams
- **Calories:** 200

Please send in no more than 2 snack items with scholars. These can include a drink and a snack item. The key thing to remember is that **the total sugar for both items cannot be more than sugar and calorie amount identified above.**

Snacks must be easy for your scholar to prepare and eat. ***Please remember any snacks brought to school must be healthy; this includes snacks brought to celebrate birthdays. Cupcakes and sugar treats will not be allowed into our classrooms.***

## **Transportation**

Scholars living greater than 1.5 miles from the school are eligible to receive transportation from the Albany City School District if applications are submitted to the district on or before the April 1<sup>st</sup> deadline. Scholars living less than 1.5 miles from school are eligible to receive transportation from *Brighter Choice Charter Schools* if space is available. All Kindergarten bus riders must be met by a responsible adult at time of drop-off or the scholar will be considered undeliverable and returned to the school. All other scholars will be dropped at their assigned destination with or without an adult present. All buses will do their best to stay true to the schedules provided by the bus company. However, there are incidents that occasionally occur that prevent buses from arriving to their destinations at their assigned times. The general rule that applies to all buses serving *Brighter Choice Charter Schools* is for parents to expect to receive their scholars from the bus 10 minutes before to 10 minutes after their assigned times. If your scholar's bus is later than 10 minutes, please contact the school for the status of the departure of this bus. Please note that riding the bus is a privilege. Behavior by scholars, parents or guardians that jeopardizes the safety of others will result in a suspension of bus privileges.

## **Phone Numbers and Pick-up of Scholars**

Each family must be diligent in providing to the School a list of current and working phone numbers – including cellular phones – for when the school needs to contact the scholar's parents and guardians. Each family must also provide to *Brighter Choice Charter Schools* a list of adults authorized to pick up scholars. No scholar will be released from school to an adult who lacks proper photo identification and who is not on record with the Office Manager as an authorized person to pick-up a child.

In addition, it is a fact that some families will ask the school to prevent biological parents from picking up or having contact with a scholar. *Brighter Choice Charter Schools* will honor such requests with great care when presented with an Order of Protection or other legal documentation, which is in effect and comes from proper judicial authorities.

## **Broadcast Voice and Text Messaging**

In an effort to provide our families immediate messages in the event of school closure, early dismissal, program cancellations, etc., *Brighter Choice Charter Schools* has implemented a broadcast voice and text messaging system. Messages will be sent to the phone and/or cell numbers provided on the registration forms.

## **Child Protective Services (CPS)**

*Brighter Choice Charter School* will comply with all CPS investigations. A school administrator will be present during all interviews conducted by CPS.

## **VII. Academic Programs**

### ***Brighter Choice Charter School's* Balanced Literacy Framework**

To experience future academic success and college opportunities, our scholars must have strong literacy skills. Our intensive literacy program provides all BCCS K–5 scholars with the necessary literacy components and appropriate instructional routines to achieve success in all areas of literacy, meet the demands of the new Common Core standards, and are on the path to college.

#### **Core Knowledge Language Arts (K-2)**

The Core Knowledge Language Arts program is based on decades of cognitive science research revealing that reading has two layers. The first layer is decoding skills, which are addressed in the Skills Strand of the CKLA program. The second layer is oral language, vocabulary, and background knowledge sufficient to understand what is decoded. These are covered in the Listening & Learning strand. Together, these two strands open a lifetime of reading for all children.

#### **Engage NY Common Core Expeditionary Learning Modules (3-5)**

The Engage NY Common Core Expeditionary Learning Modules allows scholars in the third through fifth grade to continue to learn about fundamental elements of literature that will allow them to appreciate the rich quality and complexity of materials they read. Scholars are able to create multiple-paragraph compositions and use traditional structure for conveying information. The curriculum allows for systematic opportunities to use the vocabulary introduced in reading and writing. Scholars are taught to listen and follow instructions as well as engage in deliberate classroom discussions through turn and talks and whole group.

#### **Guided Reading**

Guided Reading allows us to individualize literacy instruction based on our scholars' individual needs. The *Approaching, On Grade Level and Beyond* groups meet with the teacher to ensure their access to appropriate instruction and suitable levels of text. Guided reading groups explore texts drawn from both a custom Scholastic leveled text bookroom.

#### **EngageNY Math Modules**

The Math Modules are a curriculum designed specifically for the Common Core State Standards. They integrate rigorous classroom reasoning and reflection through extensive problem sets, and high expectations of mastery. Educators can help scholars achieve deep conceptual knowledge through ample questioning and practice.

Our programs are chosen after careful consideration and research. All of our major programs are supported by research and are extensively used at similar schools across the country.

#### **Assessment**

Frequent assessment is a central component of our program. We use the data from our assessments as frequently as possible to meet the learning needs of each scholar. Teachers assess each day's learning to identify scholars who need additional tutoring or if the day's topic needs to be re-taught to the whole class. Teachers use the assessments provided by our curriculum programs and their own assessments to track scholars' progress. Lastly, we have created assessments that measure NYS Common Core standards and that mirror the annual exams all

New York public school scholars take in English Language Arts (ELA) and Math. We administer two to three of these interim assessments in grades 3-5 throughout the school year.

### **Response to Intervention (RTI)**

RTI is an intervention model to address academic or behavioral concerns of a scholar. It has three layers or *tiers*. All scholars receive *Tier 1* support, which is high quality, evidence-based classroom instruction. Scholar progress is monitored at least three times a year. Scholars who are struggling will also receive *Tier 2* instruction. This is research-based, small group instruction provided by the classroom teacher in addition to the general classroom instruction. If scholars are still struggling, they may be provided daily, research-based small group instruction at *Tier 3*. Scholars who do not respond to Tier 3 instruction may be evaluated for special education services. As part of this model, parents or teachers may request a meeting to discuss concerns about their scholar's academic progress. If you would like to schedule a meeting, please speak to your child's teacher or the parent coordinator.

### **Student Support Team (SST)**

The SST is a child-centered team and its members include our principal, vice principal, social worker, parent coordinator, and Dean of Students, working with teachers and parents to problem-solve the needs of any scholar who might have behavioral concerns that interfere with the scholar's performance in school. The team has the responsibility to review the concerns, brainstorm solutions, make recommendations and create an intervention plan that is monitored and reviewed. The intervention plans may include tutoring, reading intervention, crisis intervention, special education, behavior plans, and other special services of either a temporary or a permanent nature.

## **VIII. School-Wide Behavior Management**

### **BOYS Overview**

#### **Scholar PICS Point System**

Every BRIGHTER CHOICE CHARTER SCHOOL for Boys classroom utilizes our PICS Point System. The system is simple, educationally driven, privilege-based, *and* positive. The system was created to promote positive behaviors in the classroom and throughout the scholars' day.

The PICS Point System is a token system that provides points for the behaviors or academic tasks that we want to reinforce daily with our scholars. Points are assigned to those preferred replacement behaviors and rewarded on an ongoing basis. The Brighter Choice Teaching Matrix for Behaviors highlights the academic, social, and emotional behaviors we want to teach and reinforce with our scholars. Each of these behaviors are tagged to one of our scholar values; Perseverance, Integrity, Citizenship, and Scholarship (PICS).

Every Brighter Choice scholar begins his day with the opportunity to earn up to 14-16 points a day. Each day of the week focuses on one of our scholar values.

Scholars whose actions show the scholar value for that day, according to the Teaching Matrix for Behaviors, can earn up to 2 points in each of their classes. **Points are given out at the end of each class.** Points are assigned in the following ways;

- 0 pts.=struggled to show and meet expectations for that value;
- 1 pt.= made positive efforts to show and meet expectations for that value;
- 2 pts.= met behavior expectations for that value

“Ticket Friday” occurs every week where scholars are allowed to add up their total points for the week and receive tickets for their positive efforts. Tickets are distributed in the following ways;

- **63+ points**= 10 tickets
- **52-62 points** = 8 tickets
- **41-51 points**= 5 tickets

- **40 points**= 2 tickets

Each scholar is then allowed to write their first and last name, along with grade on each ticket and make a decision about which of the 3 mystery prize boxes in their classrooms they would like to place their tickets in. A school admin will be collecting the names out of the boxes, K-5, and keeping them for the end of month drawing.

Mystery prize 1, 2, and 3 winners will be selected and announced on the morning announcement at the end of each month. 5 names for mystery prize 1, 2, and 3 will be drawn. Also, all scholars who earn 52 plus tickets each week for that month will receive a special PICS risk ban. All names that make it into the mystery boxes will be placed in a final bag at the end of the school's year. Three names will be drawn for a major prize!

If a scholar **purposely** interrupts the learning environment during the school day, he will not earn any points for that day's value. **Points will not be taken away**, however points will not be given/ added if scholar does not earn them by meeting expectations for the scholar value of that day.

Each week scholar will be sent home with his **Weekly Scholar PICS Sheet** that informs his parent/guardian about how many points their scholar has earned throughout the school's day and information about the type of choices he made;

**Total 8 points and below:** I did not strive with making positive PICS choices

**Total 9-13 points:** I strived to make some good PICS choices, but wasn't consistent

**Total 13-15 points:** I strived to meet PICS expectations throughout the day

**Total 16 points:** I strived to be a stellar example of PICS and was successful

### **Behavior Management Process**

If a scholar purposely interrupts the learning environment, his teacher will utilize three taxonomy techniques to redirect scholar back onto the path of success. The use of the taxonomy techniques offers 3 opportunities for scholars to make choices in their best interest. We are not in the business of giving chances, however we are in the business of teaching, and this sometimes require us to be patient with the techniques that we use with our scholars.

If after 3 taxonomy techniques have been **effectively** utilized and the behavior continues, the teacher will send scholar to an in-class recovery (time-out) space. This is an identified space in the classroom.

- Scholars always have the opportunity to demonstrate scholarly behavior and earn points. For instance, if a scholar was sent to the recovery space and returns showing a good faith effort to meet expectations associated to the scholar value, he can still earn all or some of his points for that class period.

If the scholar had an opportunity to go to the recovery area, but the learning environment is still **significantly disturbed**, the teacher will again utilize 3 taxonomy techniques along with tier 1 intervention strategies. If distracting/unwanted behaviors continue, scholar will be removed from class and sent to the Inspiration Room.

The scholar will be given an opportunity to decide whether he wants to remain in school while in the Inspiration Room. If the disruptive behavior continues, the scholar will face other consequences determined by our Inspiration Room Process. The goal of Inspiration Room Staff is to transition scholar back to the classroom.

When a scholar re-enters the classroom he will be greeted with positively framed language and given a bite size action that he can successfully accomplish. As soon as he does it, teacher will use precise praise to acknowledge his efforts. **However, scholar will not earn any points at the end of class if he was unable to make positive choices and was sent to the Inspiration Room.**

The following are common misbehaviors that warrant scholars being sent to the Inspiration Room. Continuous engagement in these behaviors also warrants out of school suspension(s) as determined by our Inspiration Room process:

- Hitting, shoving and slapping scholar or staff
- Leaving class without permission
- Disrespect towards the teacher
- Name calling
- Misuse of scholar/school property
- Not meeting expectations/blatant defiance
- Distracting behaviors/horseplay that impedes the learning environment
- Disruptive back talking
- Inappropriate touching
- Inappropriate drawing
- Intentionally not following directions
- Running away from staff
- Stealing

- Inappropriate items (toy guns, weapons etc.)
- Suicidal ideation/self-harm
- Misuse of school property
- Unsuccessful recovery (from recovery area)
  - Constantly getting out of seat
  - Standing on furniture
  - Crawling around on floor
  - Emotional outburst

Classroom management techniques and strategies are continually developed and assessed throughout the school's year. Classrooms are observed regularly by the Principal, Assistant Principal and Instructional Coaches in an effort to assist teachers with any problems they may be experiencing as it relates to classroom management.

### **The Inspiration Room – Inspiration Room School-Wide Discipline Process**

The Brighter Choice Charter School for Boys is committed to ensuring that all scholars' who enter our building receive the highest quality education without unnecessary interruptions or disruptions. Teachers utilize a motivational approach, to give all scholars opportunities to correct their misbehavior.

Our PICS Point System and Behavior Management System is meant to protect our learning environment while also teaching scholars how to meet the expectations of our school. If a scholar still chooses to disregard school expectations then your scholar will be sent to the Inspiration Room so that our teachers can teach and our scholars can learn without further distractions.

The Inspiration Room gives scholars the opportunity to calm down, as well as a chance to be heard. Our goal is to encourage scholars through discussions, mediations and re-teaching behaviors to be successful to turn their day around. With that said, it is important that scholars understand by going to the Inspiration Room the scholar must put in genuine effort towards the process and know that a failure to do so will result in being suspended from school.

If a scholar is sent to the Inspiration Room the following actions will take place in a six week period:

#### ***1<sup>st</sup> Visit: Discussion w/ Scholar (1<sup>st</sup> Visit)***

- IR Staff Actions:
  - Give the scholar time to calm down.
  - Allow the scholar to tell their version of the incident.
  - Read the incident report to the scholar.
  - Discuss the incident with the scholar and how they could have handled it in an appropriate way.
  - Equip the scholar with tools/strategies to be successful moving forward.
  - When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.

#### **2nd Visit: Discussion w/ Scholar (2nd Warning)**

- IR Staff Actions:
  - Give the scholar time to calm down.
  - Allow the scholar to tell their version of the incident.
  - Read the incident report to the scholar.
  - Discuss the incident with the scholar and how they could have handled it in the appropriate way.
  - Equip the scholar with tools/strategies to be successful moving forward.
  - When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.

#### **3<sup>rd</sup> Visit: IR Phone Call to Parent/Guardian (Parent Warning)**

- IR Staff Actions:

- Give the scholar time to calm down.
- Allow the scholar to tell their version of the incident.
- Read the incident report to the scholar.
- Talk with the scholar(s) regarding the incident and how they could have handled it in the appropriate way.
- Equip the scholar with tools/strategies to be successful moving forward.
- When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.
- **The IR Staff will make parents/guardians aware via phone call of the scholars visit to the IR and should scholar visit the IR again they can expect a Behavior Concern Letter to go home with scholar.**
  - **This letter will address the IR Staff concerns regarding behavior.**
  - **Attached to the letter will be the supporting documentation of incidents.**

#### **4<sup>th</sup> Visit: IR Staff Phone Call/Behavior Concern Letter Sent Home (4<sup>rd</sup> Visit)**

- IR Staff Actions:
  - The scholar will be given time to calm down.
  - The scholar will complete the Behavior Reflection packet.
  - The scholar will have the opportunity to tell their version of the incident.
  - The IR Staff will read the incident report to the scholar.
  - The IR Staff and the scholar will discuss the incident and come up with different ways they could have handled it in the appropriate way.
  - The IR Staff will equip the scholar with tools/strategies to be successful for the day.
  - When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.
  - **The IR Staff will make parents/guardians aware via phone call of the scholars visit to the IR and to expect a Behavior Concern Letter to go home with scholar.**
    - **This letter will address the IR Staff concerns regarding behavior.**
    - **Attached to the letter will be the supporting documentation of incidents.**

#### **5<sup>th</sup> Visit: SST Scholar Observations (5<sup>th</sup> Visit)**

- IR Staff Actions:
  - The scholar will be given time to calm down.
  - The scholar will have the opportunity to tell their version of the incident.
  - The IR Staff will read the incident report to the scholar.
  - Discuss the incident with the scholar and how they could have handled it in the appropriate way.
  - The IR Staff will equip the scholar with tools/strategies to be successful for the day.
  - When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.
- **The SST Team** will conduct multiple observations of the scholar.

- Observations will occur at the peak time of the previous incidents.
- Information gathered and recommendations will be shared with teachers.
- A determination will be made by the SST Team whether to remain a tier one scholar or move forward with tier two accommodations.

#### **6<sup>th</sup> Visit: Schedule Parent Meeting w/ IR Staff (6<sup>th</sup> Visit)**

- IR Staff Actions:
  - The scholar will be given time to calm down.
  - The scholar will have the opportunity to tell their version of the incident.
  - The IR Staff will read the incident report to the scholar.
  - Discuss the incident with the scholar and how they could have handled it in the appropriate way.
  - The IR Staff will equip the scholar with tools/strategies to be successful for the day.
  - When the scholar shows the IR staff they are ready to return to class by meeting IR expectations, the IR Staff will complete a transition back to class form with the scholar and send scholar back to class.
- The IR Staff will contact the parent/guardian of the scholar and schedule a parent meeting that present data from incident reports, teacher's input/data, as well as, SST Team observations.

#### **7<sup>th</sup> Visit: Issued Out-of- School Suspension (7<sup>th</sup> Visit)**

- The scholar will be given time to calm down.
- The scholar will have the opportunity to tell their version of the incident.
- The IR Staff will read the incident report to the scholar.
- Discuss the incident with the scholar and how they could have handled it in the appropriate way.
- The IR Staff will contact parent to pick up scholar for the remainder of the day. If parent is unable to pick up scholar, scholar will remain in the IR and issued a full day out of school suspension the following day.

#### **Important Notes:**

- If the scholar is sent to the Inspiration Room three times in one day, they will be sent home for the day.
- If the parent/guardian is unable to pick-up the scholar within an hour, we will keep the scholar in the Inspiration Room for the remainder of the day and they will be issued an out of school suspension for the following day (this decision will be based upon the scholars ability to meet expectations in the Inspiration Room)
  - If the scholar does not meet the expectations of the Inspiration Room the parent/guardian will be ask to pick him up immediately)
- The Inspiration Room Process will restart every six weeks and start again from the beginning throughout the school year.
  - Unless the scholar is moved to Tier Two by the SST Team.
- Scholars that are on Tier II of the Response to Intervention Behavior Chart will be handled uniquely on a case by case basis and accountability will be modified by the SST Team.

\*Out of school suspensions will not apply to Kindergarten scholars until the beginning of January\*

#### **Suspension**

Although we take all misbehavior seriously, listed below are a few infractions for which we have a zero tolerance policy. Engagement in these behaviors may result in an immediate infraction.

- Any physical violence or threat of physical violence against scholars or faculty
- Disrespect or defiance
- Vandalism
- Stealing
- Physical assault
- Bringing weapons to School
- Other serious infractions such as vandalism, stealing, profanity etc

Legally, BCCS has the right to suspend scholars. Students and parents have certain rights to meetings and/or hearings as set forth in the Discipline Code below.

We expect parents to respect BCCS suspension decisions. Furthermore, BCCS is not legally obligated to accept responsibility for a scholar that has been suspended and is not supposed to be in School during any such suspension.

The 1<sup>st</sup> time a suspended scholar is sent to School when they are supposed to be serving a suspension, the School may:

- 1) Increase the length of the suspension by one (1) day and
- 2) Inform the parents in writing that if the suspended child is sent to School again while under suspension, the school may inform Child Protective Services.

The 2<sup>nd</sup> time a suspended child is sent to School while under suspension, CPS will be notified.

If the situation arises where a suspended child is sent to school for a 3<sup>rd</sup> time, the child will be placed into the custody of the Albany Police Department.

### **PINS (Persons in Need of Supervision) Petitions**

PINS Petitions are referrals to Probation/Family Court when students under the age of 18 are “habitually truant, engage in conduct which makes them ‘ungovernable or habitually disobedient and beyond lawful control of the school’ ...” Per New York State Law, the School is permitted to initiate said petition if a scholar’s behavior falls under this definition; however, the School will take this position only after all school-based and outside (human resources agencies) intervention measures have been exhausted with the scholar and his family. The Intervention Specialist, School Culture Coordinator, Social Worker and Principal will be responsible for determining a scholar’s eligibility for this program. The School Culture Coordinator will also serve as the representative of contact for the probation department, child welfare, family court and the police department, who are active agents in the PINS process.

### **Use of Safety-Holds**

The staff at *Brighter Choice Charter Schools* will always use minimally invasive approaches to address persistent misbehavior and disruptions to our program. In the event a scholar poses an imminent threat to the safety of himself, his schoolmates, or faculty, we may administer a safety hold. Safety holds will only be utilized after less intrusive alternatives (i.e. problem solving, diversions, active listening, and other verbal interventions) have failed or been deemed inappropriate to prevent student violence, self-injurious behavior, and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. All safety holds will be limited to the use of such reasonable force as is necessary to protect a student or another member of the school

community from assault or imminent, serious physical harm. To read our Safety Hold Policy in its entirety, please see “Attachment VIII.”

### **Bus Behavior**

We expect all scholars who ride the bus daily to respect the drivers and conduct themselves in a manner that allows the driver to safely operate the bus.

When a scholar is written up for unsafe or disrespectful behavior on the bus, we will enforce our bus conduct policy without negotiation.

We will encourage bus drivers to write conduct referrals for the following infractions:

- Disrespect/defiance toward a bus driver or monitor
- Destroying bus company property or the property of other scholars
- Any hitting, kicking, punching of bus monitors, drivers or scholars
- Any dangerous behavior that creates an unsafe bus ride for our scholars (ex: throwing objects, spitting, standing while the bus is in motion or getting off the bus without permission, etc.)

Please refer to the table below for a list of bus referral consequences.

<b>Number of referrals</b>	<b>Length of bus suspension</b>
1-5 referrals	Warning Letter
5-10 referrals	1 day
10-15 referrals	2 day
15-20 referrals	1 week
20 referrals	Suspension of bus riding privileges for the remainder of the year

**\* Please note that we will not coordinate or assist with the transportation of scholars who have been permanently removed from the bus. Parents/Guardians of scholars who are suspended from the bus are responsible for transporting their child to and from school.**

## **Parental Behavior**

The same behavioral expectations we have for our scholars, holds true for our families. No situation will ever warrant the use of profanity, physical and/or verbal threats, intimidation, or such acts that compromise the security of persons on the school premises, on contracted transportation, or outside of school on school-sponsored events.

Should any of the aforementioned transgressions be demonstrated by parents, family members, or their associates, the following consequences will be considered:

- Parent or Guardian is formally banned from the school property of *Brighter Choice Charter Schools*;
- Parent/Guardian is formally asked to leave premises with limited access to building on future visits;
- Parent/Guardian is restricted to picking up child(ren) from bus stop within a certain distance;
- Parent/Guardian is restricted from volunteering at School or being chaperones on school trips;
- Parent/Guardian is formally banned from participating in any School sponsored events

## **GIRLS Overview**

A Brighter Choice Scholar is a scholar who, demonstrates **citizenship**, operates with **integrity**, takes pride in **scholarship**, exudes **perseverance** when things become difficult and demonstrates the shared responsibility for all members of the school community through **sisterhood**. Scholars who demonstrate the values of a Brighter Choice Scholar will be invited to our “Scholar Celebrations.”

## **Preseason**

We spend a substantial amount of time at the beginning of the school year focusing our scholars’ attention on rules, procedures and expectations. We call this portion of our year “Preseason”. During this time we will teach, practice and re-teach all of the structural, organizational, and behavioral components of our program. We believe scholars need to know what we expect of them to be successful at Brighter Choice Charter School for Girls.

## **Scholar Motivation System**

Every Brighter Choice Charter School for Girls classroom utilizes our Scholar Motivation System. The system is simple, educationally driven, incentive-based, and positive. Every scholar begins her day on Meeting the BCCSG Expectations (pink) which means every scholar begins their day with a clean slate. When scholars consistently follow directions, complete their work, and behave in a way that allows all scholars to learn, their names remain in the Meeting Expectations (pink) section of the management system. Parents can monitor their child’s behavioral progress by reviewing their “Daily Behavior Report” that is provided daily in their folders. Each scholar who has remained on Meeting Expectations or Meeting BCCS-G Expectations has the following privileges:

- Recess
- Field Trip Participation
- Mystery Box
- Opportunity to participate in our “Scholar Celebrations” which occur every Friday
- Can brag to their parents, I exceeded expectations “!!” or “*I consistently met expectations !*”



If a scholar demonstrates exemplary work habits or behavior they may be moved to ‘Exemplary Effort.’ Scholars who make it to this level have exceeded expectations and earn a purple ticket. Purple tickets are placed in grade level bins and every Thursday one purple ticket from each grade level is chosen. Each winner earns a certificate, a dress down day, and wears a crown the following week.

If a scholar interrupts the learning environment during the school day she is issued a maximum of two checks and then, her name is moved from ‘Meeting the BCCSG Expectation’ to ‘Building Habits for Success’ of the management system. If the behavior continues, the teacher will move the scholar’s name over another level to ‘Stop See Your Best Self.’ When a scholar reaches the ‘Building Habits for Success,’ an in-class recovery (time out) occurs.

Scholars always have the opportunity to demonstrate scholarly behavior and have their names moved from ‘Building Habits for Success.’ For instance, if a scholar has called out three times (received 2 checks and a color change), but begins to follow expectations, the teacher can move the scholar’s name back to pink. We realize that our girls will make some mistakes; therefore, we are persistently positive in our use of positive and encouraging language. We let our scholars know that “it’s never too late to turn around their day.”

If a scholar reaches the ‘Stop. See Your Best Self’ level, she will be removed from class and sent to the Inspiration Room. At this point, the teacher has provided several positive techniques and the learning environment has been significantly disturbed. The scholar will be given an opportunity to decide whether she wants to remain in school while in the Inspiration Room. If the disruptive behavior continues, the scholar will be sent home for the remainder of the day.

Any behavior that disturbs the learning environment will result in a scholar having her name moved. The following common misbehaviors usually occur and disrupt the learning environment:

- Not sitting appropriately in the classroom
- Calling out
- Talking back or being defiant
- Not completing class work or projects

- Talking during instruction
- Not following directions
- Stay in assigned area (classroom, cafeteria, playground, etc)

Any scholar who has her name moved immediately to Stop See Your Best Self (grey) on our Scholar Motivation System may be suspended from school for a determined number of days. The following behaviors usually constitute a scholar's name being moved to 'Stop. See Your Best Self' immediately:

- Throwing Objects
- Kicking, punching, or destroying furniture
- Any aggression or violence toward another scholar or faculty member
- Severe defiance and abusive or vulgar language
- Bullying
- Walking away from adults
- Walking out of or away from classrooms, playground, cafeteria, and Administrative Offices

Classroom management techniques and strategies are continually developed and assessed throughout the school year. Classrooms are observed regularly by the Principal and Assistant Principal in an effort to assist teachers with any problems they may be experiencing as it relates to classroom management. One-on-one meetings are scheduled with teachers, and during Professional Development days, trainings are conducted where teachers are rendered tools to better their approach in the classroom.

### **The Inspiration Room**

Our Inspiration Room is designed to accommodate scholars who need a change of setting to calm down and receive counseling/encouragement from faculty in order to return to class. Every scholar who is sent to the Inspiration Room is "counseled". In addition, said scholar must practice two replacement behaviors for the inappropriate behavior that led to her removal from class.

### **Suspension**

Although we take all misbehavior seriously, listed below are a few infractions for which we have a zero tolerance policy. Engagement in these behaviors may result in an immediate infraction.

- Any physical violence or threat of physical violence against scholars or faculty
- Disrespect or defiance
- Vandalism
- Stealing
- Physical assault
- Other serious infractions including but not limited to: vandalism, stealing, profanity.
- Walking away from adults
- Walking out of or away from classrooms, playground, cafeteria, and Administrative Offices

Legally BCCSG has the right to suspend scholars. As a parent, you have the right to request a hearing with the principal and interview any individual(s) who may have accused your child of the offense for which he/she was suspended.

We expect parents to respect BCCSG suspension decisions. Furthermore, BCCSG is not legally obligated to accept responsibility for a scholar that has been suspended.

The first time a suspended scholar is sent to school when they are supposed to be serving a suspension, the school will increase length of suspension by one day, and inform family in writing that if the suspended child is sent to school again while under suspension, the school will inform Child Protective Services.

The second time a suspended child is sent to school while under suspension, CPS will be notified.

If the situation arises where a suspended child is sent to school for a 3<sup>rd</sup> time, the child will be placed into the custody of the Albany Police Department.

### **PINS (Persons in Need of Supervision) Petitions**

PINS Petitions are referrals to Probation/Family Court when students under the age of 18 are “habitually truant, engage in conduct which makes them ‘ungovernable or habitually disobedient and beyond lawful control of the school’ ...” Per New York State Law, we are sanctioned to initiate said petition if a scholar’s behavior falls under this definition; however, the school will take this position only after all school-based and outside (human resources agencies) intervention measures have been exhausted with the scholar and his family. The Student Success Team will be responsible for determining a scholar’s eligibility for this program. The Student Success Team will assign a member who will serve as the representative of contact for the probation department, child welfare, family court and the police department, who are active agents in the PINS process.

### **Use of Safety-Hold**

The staff at Brighter Choice will always use minimally invasive approaches to address persistent misbehavior and disruptions to our program. In the event a scholar poses an imminent threat to the safety of himself, his schoolmates, or faculty, we may administer a safety hold. Safety holds will only be utilized after less intrusive alternatives (i.e. problem solving, diversions, active listening, and other verbal interventions) have failed or been deemed inappropriate to prevent student violence, self-injurious behavior, and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. All safety holds will be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious physical harm. “To read our Safety Hold Policy in its entirety, please see Attachment VIII.”

### **Bus Behavior**

We expect all scholars who ride the bus daily to respect the driver and conduct themselves in a manner that allows the driver to safely operate the bus.

When a scholar is written up for unsafe or disrespectful behavior on the bus, we will enforce our bus conduct policy without negotiation.

We will encourage bus drivers to write conduct referrals for the following infractions:

- Disrespect/defiance toward a bus driver or monitor (Ex. When asked to sit down and fasten their seatbelt, a scholar yells, “*Shut up stupid, I don’t have to listen to you.*”

- Destroying bus company property or the property of other scholars
- Any hitting, kicking, punching of bus monitors, drivers or scholars
- Any dangerous behavior that creates an unsafe bus ride for our scholars (Ex. throwing objects, spitting, standing while the bus is in motion or getting off the bus without permission, etc.)

Please refer to the table below for a list of bus referral consequences.

Number of referrals	Length of bus suspension
1 <sup>st</sup> referral	Warning Letter
2 <sup>nd</sup> referral	1 day
3 <sup>rd</sup> referral	2 days
4 <sup>th</sup> referral	1 week
5 <sup>th</sup> Referral	Suspension of bus riding privileges for the remainder of the year

**\* Please note that we will not coordinate or assist with the transportation of scholars who have been permanently removed from the bus. Parents/Guardians of scholars who are suspended from the bus are responsible for transporting their child to and from school.**

### Parental Behavior

The same behavioral expectations we have for our scholars, holds true for our families. No situation will ever warrant the use of profanity, physical and/or verbal threats, intimidation, or such acts that compromise the security of persons on the school premises, on contracted transportation, or outside of school on school-sponsored events.

Should any of the aforementioned transgressions be demonstrated by parents, family members, or their associates, the following consequences will be considered:

- Parent or Guardian is formally banned from the school property of Brighter Choice;
- Parent/Guardian is formally asked to leave premises with limited access to building on future visits;
- Parent/Guardian is restricted to picking up child(ren) from bus stop within a certain distance;
- Parent/Guardian is restricted from volunteering at school or being chaperones on school trips;
- Parent/Guardian is formally banned from participating in any school sponsored events

# IX. Scholar Discipline Policy/Code of Conduct

## SCHOLAR DISCIPLINARY CODE

This Discipline Code (Code of Conduct) sets forth the School's policy regarding how scholars are expected to behave when participating in school activities, on and off school grounds—to include school buses and how the school will respond when scholars fail to behave in accordance with these rules. Contributions to this Code's development came from students, teachers, administrators, teachers, our families, and community organization members.

In all disciplinary matters, scholars will be given notice and will have the opportunity of due process to present their version of the facts and circumstances leading to the imposition of disciplinary sanctions by the staff. Depending on the severity of the infraction, disciplinary responses include suspension (short or long term), detention, exclusion from extracurricular activities, and expulsion. Where appropriate, school officials also will contact law enforcement agencies.

This Code of Conduct is reviewed at least once a year. Should there be any amendments, adoptions, and/or modifications to the Code of Conduct, those changes are forwarded to the BCCS Board of Trustees for their review and approval.

### A. DEFINITIONS

For purposes of this Code:

*"Short-term suspension"* shall refer to the removal of a scholar from School for disciplinary reasons for a period of five (5) or fewer days;

*"Long-term suspension"* shall refer to the removal of a scholar from School for disciplinary reasons for a period of more than five (5) days; and

*"Expulsion"* shall refer to the permanent removal of a scholar from School for disciplinary reasons.

### Procedures for Short Term Suspensions

The principal or designee may impose a short-term suspension. Before imposing a short-term suspension, the principal shall verbally inform the scholar of the suspension, the reason or reasons for it, and whether it will be served in school or out of school. The scholar shall be given an opportunity to deny or explain the charges.

The principal or designee also shall immediately notify the parent(s) or guardian(s) in writing that the scholar has been suspended from school. 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 and by email, where a current email address is on file. 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 offer the opportunity for an immediate informal conference with whoever has imposed the suspension. The notification and informal conference shall be in the dominant language used by the parent(s) or guardian(s).

As with any complaint or grievance and in accordance with the BCCS Complaint Policy (attached hereto as Attachment VIII), parents/guardians may submit concerns with the principal's decision to impose a short-term suspension in writing to the BCCS Board of Trustees.

### **Disciplinary Infractions**

- Attempting to assault any scholar or staff member.
- Vandalism.
- Endangering the physical safety of another by the use of force or threats of force, which reasonably places the victim in fear of imminent bodily injury.
- Engaging in conduct which disrupts school or classroom activity or endangering or threatening to endanger the health, safety, welfare, or morals of others, whether or not such behavior occurs on the School's property.
- Failing to complete assignments, carry out directions, or comply with disciplinary sanctions.
- Using obscene or abusive language or gestures.
- Wearing inappropriate, insufficient, or disruptive clothing or attire, and/or violate the scholar dress code.
- Committing any other act which school officials reasonably conclude warrants a disciplinary response.

### **B. LONG-TERM SUSPENSIONS**

A scholar who is determined to have committed any of the infractions listed below shall be subject minimally to a long-term suspension.

### **Disciplinary Infractions**

- Possessing, using, attempting to use, or transferring any firearm, knife, razor blade, explosive, mace, teargas, or other dangerous object of no reasonable, legal use to the scholar at School.
- Assaulting any other scholar or staff member.
- Possessing, using, or attempting to use or distribute alcohol, drugs or drug paraphernalia.
- Committing any act which school officials reasonably conclude warrants a long-term suspension.

In addition, a scholar who commits any of the acts listed in Part II, which would ordinarily result in a short-term suspension, may instead or in addition, be subject to a long-term suspension at the principal's discretion, which could be a minimum suspension of 5 days, or, depending on the individual case, could be subject to expulsion.

### **Firearm Violations**

Federal and New York law require the expulsion from school for a period of not less than one year (and in the case of a charter school, an out-right expulsion without the right to return) 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 Principal 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 following are included within this definition: (a) Any device, instrument, material, or substance that is used for or is readily capable of causing death or serious bodily injury. Knives with a blade of two and half inches or more in length fall within this definition; (b) Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (c) the frame or receiver of any weapon described above; (d) Any firearm muffler or

firearm silencer; (e) Any destructible device, which is defined as any explosive, incendiary, or poison gas, such as a bomb, grenade, rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or other similar device.

The Principal 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.

### **Procedures for Long-Term Suspensions**

The principal may impose a long-term suspension. Such a suspension may be imposed only after the scholar has been found in violation of code of conduct at a formal suspension hearing. In extreme circumstances, the principal may expel the scholar from school. Upon determining that a scholar's action warrants a possible long-term suspension, the principal shall verbally inform the scholar that he is being suspended and is being considered for a long-term suspension (or expulsion) and state the reasons for such actions.

The principal also shall immediately notify the scholar'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 and by email, where a current email address is on file. 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 scholar has the right to be represented by counsel, question witnesses, and present evidence.

If the suspension proceeding has been initiated by the principal, the principal shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the principal may accept or reject all or part of it. The principal's decision after the formal hearing to impose a long-term suspension or expulsion may be appealed first to the BCCS Board of Trustees and next to the chartering entity and then the New York State Education Department's Board of Regents in accordance with the School's Complaint Policy and the Charter Schools Act.

### **Behavioral Contract**

School may design written agreements with scholars subject to punishment under this Code to identify target behaviors, define expectations, and describe consequences, provided that the affected scholar and his parent(s) or guardian(s) are informed that the decision to enter into such a contract is voluntary.

### **Loss of School Privileges**

After notice to the scholar and parent(s) or guardian(s), a scholar may be suspended from participation in any or all extracurricular activities. The scholar and parent(s) or guardian(s) shall be given an opportunity to meet informally with the principal or teacher involved. If possible, the principal or teacher involved shall hold any requested meeting prior to imposing the suspension from participation in extracurricular activities.

## **C. PROVISION OF INSTRUCTION DURING REMOVAL**

The 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 within the School's School District 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.

#### **D. DISCIPLINARY PROCEDURES FOR SCHOLARS WITH DISABILITIES**

Scholars with disabilities have the same rights and responsibilities as other scholars, and may be disciplined for the same behavioral offenses. In the event that this policy is inconsistent with federal law, regulations, or guidance, however, such federal law, regulations, or guidance shall govern. Discipline of a scholar identified as having a disability will be in accordance with the following:

1. Scholars for whom the Individualized Educational Plan ("IEP") includes specific disciplinary guidelines will be disciplined in accordance with those guidelines. If the disciplinary guidelines appear not to be effective or if there is concern for the health and safety of the scholar or others if those guidelines are followed with respect to a specific infraction, the matter will be immediately referred to the local school district's Committee on Special Education ("CSE") for consideration of a change in the guidelines.
2. Scholars for whom the IEP does not include specific disciplinary guidelines may be disciplined in accordance with standard school policy relating to each infraction. The school district's CSE shall be notified immediately of any suspension or removal from classes, and the school shall work with the CSE to arrange appropriate alternate instruction.
  - a. If there is any reason to believe that the infraction is a result of the scholar's disability, the scholar will immediately be referred to the school district's CSE. If a connection is found, no penalty may be imposed, and the school will work with the CSE to consider a possible program modification.
  - b. If a scholar identified as having a disability is suspended during the course of the school year for a total of eight days, such scholar will immediately be referred to the district's CSE for reconsideration of the scholar's educational placement. Such a scholar shall not be suspended for a total of more than 10 days during the school year without the specific involvement of the district's CSE prior to the 11th day of suspension or removal, because such suspensions or removals may be considered to be a change in placement.
  - c. In considering the placement of scholars referred because of disciplinary problems, the district's CSE is expected to follow its ordinary policies with respect to parental notification and involvement.

3. In order to keep the resident district's CSE appropriately informed of any disciplinary actions taken, the school will notify the resident district CSE whenever a procedural safeguards notice is issued pursuant to 34 CFR §300.523.
4. The school shall work with the district to ensure that the district's CSE meets within 10 school days, or if possible immediately upon notification of any of the following, for the purpose of considering a change in placement for the scholar involved:
  - a. The commission of an infraction by a scholar with a disability who has previously been suspended for the maximum allowable number of days.
  - b. The commission of any infraction which is a result of the scholar's disability.
  - c. The commission of any infraction by a disabled scholar, regardless of whether the scholar has previously been suspended during the school year if, had such infraction been committed by a non-disabled scholar, the principal would seek to impose a suspension or removal in excess of five days.
5. The school shall immediately notify the resident district's CSE whenever it suspends or removes a scholar for more than 10 school days in a year or commences a removal that constitutes a change in placement so that the district' CSE may meet to establish a behavioral intervention plan or modify such a plan or its implementation. The school shall work with the resident district's CSE to ensure that each scholar's behavioral modification plan is fully implemented.

### **Protection for Children Not Yet Eligible for Special Education and Related Services**

The charter school will adhere to the requirements of 34 CFR §300.527. In accordance with such section, scholars who have not yet been determined to be eligible for special education and related services and who have engaged in behavior that violated the charter school's discipline code may assert any of the protections provided in Part 300 of Title 34 of the Code of Federal Regulations if the school had knowledge that the scholar was a scholar with a disability before the behavior that precipitates the disciplinary action occurred.

### **Provision of Services During Removal**

The charter school will adhere to the requirements of 34 CFR §300.121 to ensure that its scholars with disabilities have the right to a free appropriate public education. The charter school also will abide by the requirements for compulsory education as provided in §2854(1) (a) and §2854(1)(b) of Article 56 of the New York State Education Law. The charter school does not need to provide services to a removed child during the first 10 school days of his or her removal in a school year, so long as services are not provided to a child without a disability who has been similarly removed.

During any subsequent removal for up to 10 school days, 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, make the service determination.

During any long-term removal for behavior, that is not a manifestation of the child's disability, services must 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 are made by the district's CSE.

The principal shall have final authority to suspend or remove a scholar with disabilities or suspected of having disabilities. The principal also shall maintain all necessary records regarding the number of days a scholar with a disability has been suspended or removed for disciplinary reasons.

## **CSE Meetings**

Meetings of the district's CSE 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 10 school days in a school year; and (2) when commencing a removal which constitutes a change in placement.

Subsequently, if other removals occur which do not constitute a change in placement, the school will work with the district's CSE to review the child's assessment plan and its implementation to determine if modifications are necessary. If one or more members of the district's CSE believe that modifications are needed, then the district's 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 scholar, then (1) not later than the date on which the decision to take such action is made, the parents of the scholar 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 10 school days after the date on which such decision is made, the district's CSE 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 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 scholars 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 during the pendency of the hearing.

If a parent requests a hearing or an appeal regarding a disciplinary action relating to weapons or drugs to challenge the interim alternative educational setting or the manifestation determination, 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 charter school agree otherwise.

# **X. Maintenance of Public Order on School Property**

The following rules shall govern the conduct of scholars, teachers, staff, licensees, friends and other invitees, parents, guardians, relatives, and other persons, whether or not their presence is authorized, on all property or facilities operated under the auspices of the charter school.

These rules and penalties are not to be considered exclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal, State or local law, rule, regulation or ordinance, or the imposition of a fine or penalty provided for therein. Additionally, these rules and regulations should not be construed to limit, but rather exist in conjunction with any other codes of conduct established for the school, such as a disciplinary code and/or a bill of scholar rights and responsibilities.

## **A. Prohibited Conduct**

No person, either singly or in concert, shall:

1. Willfully cause physical injury to any other person, or threaten to use force which would result in such injury.
2. Willfully damage or destroy school property, nor remove or use such property without authorization.
3. Without permission, expressed or implied, enter into any private office or classroom of an administrative officer, teacher, or staff member.
4. Without authorization, remain in any building or facility after it is normally closed, nor without permission enter any building or facility prior to its normal opening.
5. Refuse to leave any building or facility after being required to do so by the principal or an authorized administrative officer or his or her designee.
6. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his or her views, unless such disruption is necessary to maintain order of the educational process.
7. Possess on school property any rifle, shotgun, pistol, revolver, knife, chain, club or other weapon, whether or not the person has a license to possess such weapon. Further, it is the duty of the principal to inform the police of the presence or use of any such weapon or implements used as weapons on school property.
8. Commit acts which threaten the safety and welfare of persons on school property.
9. Violate any federal or State statute or regulation, local ordinance or school policy.
10. Possess, use or distribute alcohol, drugs or drug paraphernalia.
11. Harass or coerce any person.
12. Refuse or fail to comply with a lawful order or direction of a school official in the performance of his or her duty.
13. Distribute or post on school property any written material, pamphlets or posters without the prior approval of the principal.

#### **B. Penalties and Enforcement**

Penalties for violations of these rules include, but are not limited to:

- The withdrawal of authorization to remain upon school property;
- Ejection;
- Arrest;
- For scholars, suspension or other disciplinary action; and

- For school employees, dismissal or other disciplinary action.

Staff members are required to report known violations of these rules to the Principal and to make reasonable efforts to stop the prohibited conduct. Agents of the School, including the guidance counselors and/or social workers, are held just as liable. Counseling and family outreach serve as reasonable efforts to intervene when conduct and/or the rationale behind the conduct is questionable. The Principal is responsible for the disbursement and enforcement of these rules.

## **XI. Scholar Rights and Responsibilities**

### **A. Participation in School Activities**

All scholars have the following rights:

1. To have the opportunity to take part in all school activities on an equal basis regardless of race, sex, national origin, creed, or disability.
2. To address the school on the same terms as any citizen.

Similarly, all scholars are bound by the same rules for exclusion from school activities and public address.

### **B. Records**

The Family Education Rights and Privacy Act of 1974 (FERPA) requires a school to protect a scholar's privacy. The school will not disclose any information from the scholar's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law. The parent(s) or guardian(s) of a scholar under 18 years of age, or a scholar 18 years of age or older, is entitled to access to the scholar's school records by submitting a written request to the principal. Further information concerning the disclosure of scholar information and limitations on such disclosure may be found in FERPA. All families are informed of their rights under FERPA at least three times throughout the school year via our Parent Orientation Night, The Brighter Choice Times (school newsletter) and correspondence via letter.

### **C. Freedom of Expression**

1. Scholars are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinions, however, shall not interfere with the freedom of others to express them, and written expression of opinion must be signed by the author. Any form of expression that involves libel, slander, the use of obscenity, or personal attacks, or that otherwise disrupts the educational process, is prohibited. All forms of expression also must be in compliance with the Scholar Disciplinary Code and the school dress code, violations of which are punishable as stated in the Disciplinary Code.
2. Scholar participation in the publication of school sponsored scholar newsletters, yearbooks, literary magazines and similar publications is encouraged as a learning and educational experience. These publications, if any, shall be supervised by qualified faculty advisors and shall strive to meet high standards of journalism. In order to maintain consistency with the school's basic educational mission, the content of such publications is controlled by school authorities. No person shall distribute any printed or written materials on school property without the prior permission of the principal. The principal may regulate the content of materials to be distributed on school property to the extent necessary to avoid material and substantial interference with the requirements of appropriate discipline in the operation of the school. The principal may also regulate the time, place, manner and duration of such distribution.

#### **D. Search and Seizure**

1. A scholar and/or the scholar's belongings may be searched by a school official if the official has a reasonable suspicion to believe that a search of that scholar will result in evidence that the scholar violated the law or a school rule. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from the scholar by school authorities.
2. Scholar lockers and desks remain the property of the school, though the school is not responsible for books, clothing, or valuables left in lockers or desks. A scholar shall not place or keep in a locker or desk any article or material which is of a non-school nature and may cause or tend to cause the disruption of the mission of the school.
3. The following rules shall apply to the search of school property assigned to a specific scholar and the seizure of illegal items found therein:
  - a. School authorities will make an individual search of a scholar's locker or desk only when there is reasonable suspicion to believe that a scholar is in the possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process.
  - b. Searches shall be conducted under the authorization of the school principal or his/her designee.
  - c. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from scholar lockers or desks by school authorities.

#### **E. Off-Campus Events**

Scholars at school-sponsored, off-campus events shall be governed by all the guidelines of the school and are subject to the authority of school officials. Failure to obey the lawful instructions of school officials shall result in a loss of eligibility to attend school sponsored off-campus events and may result in additional disciplinary measures in accordance with the Scholar Disciplinary Code.

## **XII. Attachments**

### **ATTACHMENT I**

#### **No Child Left Behind**

#### **Written Complaint and Appeal Procedures**

#### **For Title I, Parts A, C, and D Or Section 100.2(ee) of Commissioner's Regulations Regarding Academic Intervention Services**

As required by Title IX, General Provisions of the Elementary and Secondary Education Act (ESEA), the New York State Education Department (NYSED) has adopted the following procedures for receiving and resolving complaints and for reviewing appeals from decisions of local educational agencies (LEAs). Complaints concerning violations of ESEA Title I, Parts A, C, and D, or of the General Education Provisions Act; or of Section 100.2(ee) Academic Intervention Services of the Regulations of the Commissioner are covered by these procedures.

LEAs must disseminate free of charge, adequate information about the State Complaint and Appeal Procedures to parents of students, and appropriate private school officials or representatives. [General Provisions Regulations, 34 CFR Sections 299.10-299.12]

#### **Procedures for Filing Complaints/Appeals with a LEA:**

##### **Who may submit a complaint?**

Any public or nonpublic school parent or teacher, other interested person, or agency may file a complaint.

##### **What must a complaint contain?**

All complaints must:

- be written;
- be signed by the person or agency representative filing the complaint;
- specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern;
- contain information/evidence supporting the complaint; and
- state the nature of the corrective action desired.

##### **What must an appeal from a LEA's response contain?**

An appeal must contain:

- a copy of the original signed complaint (see I-B);
- a copy of the LEA's response to the original complaint or a statement that the LEA failed to respond in 30 business days.

In New York City or rest of State outside of New York City, a copy of the LEA and the Department of Education's response to the original complaint or a statement that the Department of Education failed to respond within 30 business days; and a statement identifying those parts of the LEA's response which the party wishes to appeal.

### **Where should a complaint/appeal to the LEA be sent?**

Complaints/appeals regarding the LEA's administration and implementation of its ESEA Title I Grant or Academic Intervention Services for students identified under Commissioner's Regulations Part 100 should be sent first to the School Superintendent of the LEA against whom the complaint is made. The LEA has a 30 business day period in which to resolve a complaint.

In New York City, Title I complaints should be sent first to the District and Regional Superintendents. If the local community school district fails to resolve the complaint within 30 business days, or fails to resolve the issue to the satisfaction of the complainant, the complaint should be sent to the New York City Department of Education, Office of School Improvement, Division of Teaching and Learning, 52 Chambers Street, Room 213, New York, NY 10007. The New York City Department of Education has a 30 business day period in which to resolve the complaint.

For rest of State outside of New York City, Title I complaints should be first sent to the Superintendent of the LEA. If the local LEA fails to resolve the complaint within 30 business days, or fails to resolve the issue to the satisfaction of the complainant, the complaint should be sent to the Title I School and Community Services Office, Room 365 EBA, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

### **Procedures for Filing Complaints/Appeals with the New York State Education Department**

The State Education Department will review complaints when the complaint pertains to:

- the State's administration of the ESEA Title I Basic Grant, Migrant Education, or Neglected or Delinquent Program;
- an appeal from the decision of an LEA regarding an action by the LEA.

Complaints that do not meet any of the above criteria, including complaints concerning the LEA's administration of its Title I Program, will be referred for possible resolution to the LEA against whom the complaint is made.

### **What timelines pertain to the State Education Department's review of complaints/appeals from an LEA action?**

Within 60 business days of the receipt of the complaint/appeal, Department staff will complete an on-site review (if necessary) and/or records examination and will notify all parties of its findings. An extension of the 60-day complaint resolution period is permitted under CFR Part 299.11 (b), for exceptional circumstances.

### **Where shall complaints or appeals to the State Education Department be sent?**

Complaints/appeals regarding Title I for New York City local school districts/schools should be sent to:

New York State Education Department  
Office of School Improvement and Community Services (NYC)  
55 Hanson Place, Room 584  
Brooklyn, NY 11217

Complaints/appeals regarding Title I for LEAs outside of New York City local school districts/schools should be sent to:

New York State Education Department  
Title I School & Community Services Office  
Room 365 EBA  
89 Washington Avenue  
Albany, NY 12234

**How long does a public or nonpublic teacher, parent, or agency have to file an appeal from a decision of a LEA or the New York City Department of Education?**

An appeal must be requested and postmarked within 20 business days of receipt of the LEA's response to the original complaint.

**Who shall conduct the review of complaints or appeals?**

The Title I representative in the State Education Department office who is assigned as the program manager for the LEA against which the complaint is made and other Department staff as may be appropriate shall conduct the review of complaints or appeals.

**What shall the State Education Department's response to the complaint contain?**

The Department's response shall contain:

- the names of persons interviewed;
- the records or other evidence examined;
- relevant dates/times/locations/events;
- summary of findings; and
- nature of corrective action to be taken including applicable timelines.

**How will State Education Department staff monitor the timely and appropriate implementation of the corrective actions called for in the complaint/appeal resolution?**

Failure of the LEA to take corrective action within the time period stipulated in the complaint resolution shall be cause to withhold all, or a portion of, the ESEA Title I allocation to the LEA.

**Does the State Education Department maintain a record of all complaints/appeals?**

Yes. Copies of correspondence, related documents, investigative reports, and summary reports involved in the complaint/appeal resolution will be maintained by the State Education Department for five years. Records will be made available to interested parties in accordance with the provisions of the New York State Freedom of Information Law (Public Officers Law Sections 84-89).

**What shall constitute exceptional circumstances for extending the 60- day limit for State Education Department review of complaints and appeals for relief from an LEA action?**

The State Education Department has determined that exceptional circumstances may include, but need not be limited to, such occurrences as:

- illness of involved parties;
- cancellation of scheduled on-site reviews due to unscheduled school closings;
- the need for extended review activities beyond those specified in the written notification; and/or
- any other mutual agreement to changes in review scope or activity.

When exceptional circumstances are identified, the revised date for the completion of the complaint review will be provided in writing to all parties involved in the complaint or appeal. All parties to the complaint have the right to initiate a request for an extension beyond the 60 business day complaint resolution period based on exceptional circumstances. All such requests must be presented to the State Education Department.

**Procedures for Adjudicating Appeals from the Decision of the State Education Department**

**May a person/agency dissatisfied with the State Education Department's complaint resolution file an appeal?**

Yes, parties dissatisfied with the State Education Department's complaint resolution may file an appeal directly with the United States Department of Education at:

United States Department of Education  
Compensatory Education Programs  
400 Maryland Avenue, S.W.  
Room 3W230, FOB #6  
Washington, D.C. 20202-6132

## Attachment II

### Notification of Rights under FERPA

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

(1) The right to inspect and review the scholar's education records within 45 days of the day the *Brighter Choice Charter School* receives a request for access. Parents or eligible scholars should submit to **Parent Coordinator, Main Office, room 124D, 116 North Lake Ave., Albany, NY 12206 (Boy's School), Parent Coordinator, Main Office, room 105A, 250 Central Ave., Albany, NY 12206 (Girl's School)** a written request that identifies the record(s) they wish to inspect. **The Parent Coordinator** will make arrangements for access and notify the parent or eligible scholar of the time and place where the records may be inspected. *Brighter Choice Charter Schools* will **not** make copies available to parents **for free, a charge of \$0.25 per page will be required.**

(2) The right to request the amendment of the scholar's education records that the parent or eligible scholar believes is inaccurate or misleading. Parents or eligible scholars may ask *Brighter Choice Charter Schools* to amend a record that they believe is inaccurate or misleading. They should write the **Operations Manager 250 Central Ave., Albany NY 12206**, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If *Brighter Choice Charter Schools* decide not to amend the record as requested by the parent or eligible scholar, *Brighter Choice* will notify the parent or eligible scholar 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 scholar when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the scholar'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 scholar 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 in order to fulfill his or her professional responsibility. Upon request, *Brighter Choice Charter Schools* will disclose education records without consent to officials of another school district in which a scholar seeks or intends to enroll. [NOTE: FERPA requires a school to make a reasonable attempt to notify the parent or eligible scholar of the records request unless it states in its annual notification that it intends to forward records on request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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 20202-4605

## **Attachment III**

# **FERPA Procedures for Storage/Handling of Scholar Files and Opt-Out Procedure**

All scholar files are contained in a locked file cabinet located in the main office. Said files are under the guardianship of the Office Manager and Parent Coordinator, who have sole access to the files.

Contact either aforementioned representative for documents for retrieval of FERPA files.

At the start of each academic year, parents are asked to sign the following documents either granting or denying services:

- Photo/Media Release Form: *covers photo opportunities, news coverage and interviews, and or usage of personal images for various school and local media.*
- Scholar Academic/Art Work Release Form: *covers the display or posting of scholar academic work and art.*

## Attachment IV

### **Informal Complaint:**

Any individual or group may bring an informal complaint regarding faculty, staff, and/or administrator, a school procedure, etc. to the attention of the principal. Upon review and investigation of the allegations and/or concerns, the principal will provide, in writing, to the complainant, the following:

- (a) a final decision and/or subsequent action; and
- (b) the right to appeal to the principal.

### **Formal Complaint**

Any individual or group may bring a formal written complaint regarding an alleged violation of the school's charter, the IDEA (Individuals with Disabilities Act), the Charter Schools Act, New York State Law, or any other provision of law or the school's charter relating to the management or operation of the charter school to the principal, as the Brighter Choice Charter Schools Board of Trustees designee. If the complaint is against the principal, the complainant should direct the complaint to the Board of Trustees of Brighter Choice Charter Elementary School.

The contact information for Brighter Choice Charter Schools is as follows:

**Karen Mclean, Principal**  
**Brighter Choice Charter School for**  
**Boys 116 North Lake Avenue**  
**Albany NY 12206**  
**Email address: [kmclean@brighterchoice.org](mailto:kmclean@brighterchoice.org)**

**Kristina Ford, Principal**  
**Brighter Choice Charter School for**  
**Girls 250 Central Avenue**  
**Albany NY 12206**  
**Email address: [kford@brighterchoice.org](mailto:kford@brighterchoice.org)**

**Martha Snyder, Board Chair**  
**Brighter Choice Charter School for**  
**Boys 116 North Lake Avenue**  
**Albany NY 12206**  
**Email address: [BOT@brighterchoice.org](mailto:BOT@brighterchoice.org)**

Within one week, the complainant will be provided with the following in writing:

- (a) findings and any subsequent action resulting from the investigation of the complaint;
- and

(b) your right to appeal any decision or action to the Board of Regents if the complaint involves a violation of law or our charter; and

## Attachment V

### Policy & Procedures for Compliance with Freedom of Information Law

Requests for public information must be in writing and submitted to the *Brighter Choice Charter Schools'* Director of Finance and Operations. Upon the receipt of a request for school records and information, the request will be responded to in the following manner:

- Within five business days of receipt of a written request, *Brighter Choice Charter Schools* will, depending on the requested information available at *Brighter Choice Charter Schools* during normal business hours to the person requesting it, deny the request in writing, or provide a written acknowledgement of receipt of the request that supplies an approximate date for when the request will be granted or denied.

If *Brighter Choice Charter Schools* determines to grant access to the requested information, and if circumstances prevent disclosure to the person making the request within twenty (20) days of the acknowledgment of receipt of the request, *Brighter Choice Charter Schools* shall state in writing both the reason for the delay and a date certain, within a reasonable period of time, depending on the circumstances, when the request will be granted in whole or in part. Failure to conform to the provisions detailed above shall constitute a denial of the request for information.

If the person requesting information is denied access to a record, he or she may, within 30 days, appeal such denial to the Secretary of the Board of Trustees. Upon timely receipt of such an appeal, *Brighter Choice Charter Schools* will, within 10 business days of the receipt of the appeal, fully explain, in writing, the reasons for further denial or provide access to the record (s) sought. *Brighter Choice Charter Schools* will also forward a copy of the appeal, as well as its ultimate determination, to the New York State Committee on Open Government.

In the event an appeal for records is denied, the person requesting the information may bring a proceeding for review of such denial in pursuant to Article 78 of the Civil Practice Law and Rules. *Brighter Choice Charter Schools* may deny access to requested records for one or more of the following grounds:

- Such records are specifically exempted from disclosure by state or federal statute;
- Such access would constitute an unwarranted invasion of personal privacy;
- Such records, if disclosed, would impair present or imminent contract awards or collective bargaining negotiations;
- Such records are trade secrets or are submitted to the School by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of such enterprise;
- Such records are compiled for law enforcement purposes and which, if disclosed, would meet the conditions set forth in Public Officers Law § 87 (2)(3);
- Such records, if disclosed, would endanger the life or safety of any person;
- Such records are computer access codes;
- Such records are inter-agency or intra-agency materials that are not statistical or factual tabulations of data, instructions to staff that affect the public, or a final policy or external audits.
- Examination questions or answers

Additionally, *Brighter Choice Charter Schools* shall maintain:

- A record of the final vote of each trustee in every proceeding in which the trustees vote;
- A record setting forth the name, public office address title and salary of every employee of the education corporation; and
- A reasonably detailed current list, by subject matter, of all records in the Education Corporation's custody or possession.

Note: *Brighter Choice* will charge \$0.25 per page for each page requested to be copied.

# Attachment VI

## POLICY & PROCEDURES FOR COMPLIANCE WITH OPEN MEETINGS LAW

Meetings of the *Brighter Choice Charter Schools*' board of trustees, including committee meetings, shall be open to the general public.

### Public Notice

1. A calendar of all board meeting dates will be posted at the charter school at all times.
2. The school will provide notice of the time and place of any board meeting that is *scheduled at least one week in advance* to the news media and shall conspicuously post such notice in one or more public locations at least 72 hours in advance of the scheduled meeting.
3. The school will provide notice of the time and place of any board meeting that is *scheduled less than one week in advance* to the news media (to the extent practicable) and shall conspicuously post such notice in one or more public locations at a reasonable time in advance of the scheduled meeting. To the extent possible, the school will publicly post notices of board of trustees meetings immediately after each meeting date is determined.
4. Trustees may participate in board meetings in person or by videoconferencing. The board of trustees shall provide an opportunity for the public to attend at any site where a member participates. If videoconferencing is to be used, then the public notice must say so, identify the locations from which members will participate, and state that the public has a right to attend at any of these locations.

### Minutes of Meetings

1. The secretary of the board of trustees will take minutes at all open sessions. All minutes will contain the date of the meeting, a summary of all motions, proposals, resolutions and any other matter formally voted upon as well as a record of how each board member voted.
2. Minutes from open meetings will be made available to the public within two weeks of the meeting date. Minutes will be available at the school.

### Executive Sessions

The charter school shall conduct all executive sessions as part of an open meeting; they are not considered separate meetings per se. An executive session may be called via motion and majority vote by the board of trustees to enter an executive session. The motion must specifically identify the general area or areas of the subjects to be considered. All board members may participate in executive sessions, and the board may authorize others to attend as well. An executive session shall only be conducted by the board of trustees for one or more of the following matters:

1. Matters which will imperil the public safety if disclosed;
2. Any matter which may disclose the identity of a law enforcement agent or informer;
3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. Discussions regarding proposed, pending or current litigation;
5. When such law applies to charter school employees, collective negotiations that are within the scope of Article 14 of the Civil Service Law;
6. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;

7. The preparation, grading or administration of examinations; and
8. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value.

In no case shall public funds be appropriated during an executive session.

### **Exemptions**

The following matters are exempted from the Open Meetings Law and therefore need not be discussed at open meetings:

1. Judicial or quasi-judicial proceedings (for example, suspension hearings and employee grievance hearings); and
2. Any matter made confidential by state or federal law (for example discussions regarding a particular scholar's records or children with handicapping conditions in violation of the federal Family Educational Rights and Privacy Act).

### **Enforcement**

Any individual wishing to assert a violation of the New York State Open Meetings Law has standing to bring a proceeding in accordance with Article 78 of the Civil Practice Law and Rules and/or action for declaratory or injunctive relief.

## Attachment VII

### Guidelines for Administering Safety Holds

The purpose of this policy is to ensure that safety holds, which we will define as the use of bodily force to limit a child's freedom of movement, are used as infrequently as possible, that they are used in the best interests of the child, and, where it has been essential to apply, that everything possible is done to prevent injury and maintain the child's sense of dignity. School personnel will only administer a safety hold when it is needed to protect a scholar and/or a member of the school community from imminent, serious, physical harm. When a safety hold needs to be administered, school personnel will seek to prevent or minimize any harm to the scholar as a result of the use of the safety hold.

#### Determining When to Use a Safety Hold

Safety holds will only be utilized after less intrusive alternatives (i.e. problem solving, diversions, active listening, and other verbal interventions) have failed or been deemed inappropriate to prevent student violence, self-injurious behavior, and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. All safety holds will be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious physical harm.

#### Prohibitions on Use of a Safety Hold

The use of a safety hold as a means of punishment or as a response to the destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm is expressly prohibited.

#### Proper Administration of a Safety Hold

Only trained personnel will administer safety holds. Whenever possible, the administration of a safety hold will be witnessed by at least one adult who does not participate in the safety hold. When administering a safety hold, school personnel will only use the amount of force necessary to protect the scholar or others from physical injury. No safety hold will be administered in such a way that a student is prevented from breathing or speaking. During the administration of a safety hold, school personnel will continuously monitor the physical status of the scholar. A safety hold will immediately be released upon a determination by the school personnel administering the safety hold that the scholar is no longer a risk of causing imminent physical harm to himself or others. **If at any time during a safety hold a scholar demonstrates significant physical distress, the scholar shall be released from the safety hold immediately, and school staff will take steps to seek medical assistance.**

#### Follow-up Procedures

The scholar will be assessed by nursing staff for signs of injury following a safety hold. School personnel will review the safety hold with the scholar to address the behavior that precipitated the safety hold. The principal will review the incident with the staff who administered the safety hold to discuss whether proper safety hold procedures were followed.

#### Reporting Requirements

The staff member who administered the safety hold must inform the principal or his designee of the safety hold as soon as possible and no later than the close of the school day in which the safety hold was administered.

The principal or his designee will inform the scholar's parent or guardian of any safety hold as soon as possible and no later than the close of the school day in which the safety hold was administered. All safety holds will be documented in an incident report no later than the next working day after the safety hold was administered.