

## 27. DISCIPLINE:

All GUGCS students are expected to follow school rules and expectations. We have supports in place for students who may have difficulty following expectations and we layer interventions to help students take responsibility for their own actions; however, there are logical consequences for students who are unable to follow school rules and expectations. At GUGCS we align our disciplinary procedures to the Responsive Classroom program. Responsive Classroom focuses on building relationships and working with students to teach strategies for self-regulation. One purpose of discipline is to enable students to learn to change by examining their attitudes and actions. The interventions in place are layered to help students take responsibility for their own actions.

### Classroom Management

*Take a Break* – Each classroom has a designated place for students to regroup and fix their behavior so they can successfully rejoin the class activity or assignment. Take a Break is an appropriate first step for students who are calling out, off task, disruptive, unable to follow directions, or simply need a few moments of quiet to regain focus.

*Buddy Classroom* – If “Take a Break” is not a successful solution, students are asked to Take a Break in another “buddy” classroom. Sometimes a change of setting is all a student needs to get back on track. Other times it is helpful for a student to complete his or her work in another classroom. Each teacher has established a relationship with a buddy teacher and students are taught how to enter a buddy classroom, where to sit once they have arrived, and how long to stay. A Buddy Classroom is an appropriate step for students who are repeatedly calling out, off task, disruptive, unable to follow directions, etc., and/or Take a Break did not work.

*Logical Consequences* – Operating within our Responsive Classroom framework, GUGCS believes that consequences for children should be logical and tied to the action. Classroom teachers are able to provide logical consequences within the classroom setting at their own discretion for more minor behavior infractions. Logical consequences for actions may include students being asked to clean a mess they made, fix something they broke, write an apology note to a classmate or teacher, etc.

*Problem Solving Conferences* - Students who are struggling with meeting behavioral expectations in the classroom setting may be asked to engage in a problem solving conference with their classroom teacher. The focus of the problem solving conference is to identify the problem behaviors and come up with mutually agreed upon ways for both the teacher and the student to work to fix the problem.



*Student Culture Skill Building and Conflict Mediation Sessions* - Students who are engaging in repetitive disruptive behaviors, who are experiencing conflicts with their peers that are leading to contentious situations, or who may be in need of learning new skills to improve behavior may be required to attend a student culture skill building or conflict mediation session with our Deans of Students. These practices are part of our logical consequences model and seek to help our students understand the impact of their actions and ways they can change behavior to be more successful in the school setting. The purpose of these sessions is to help students support each other and educate students on strategies to use to make positive changes.

**Pink Slip Referrals** If classroom management strategies are unsuccessful in helping a student fix behavior, or a student is unsafe, a Pink Slip may be warranted. Teachers complete a pink slip by checking off the behavior or incident that occurred, and sending the student with the pink slip to meet with the Deans of Students. Students will be asked to complete a reflection sheet and answer questions such as, “What happened?” and “How were you feeling at the time?” Developmentally appropriate reflection sheets have been created for upper- grade and lower-grade students.

- Once a student has received a pink slip, the behavior concern is considered to be more serious. In addition to completing a reflection sheet, the student’s teachers and Dean of Students will contact the student’s parents and a parent meeting may be set-up to discuss the student’s actions and logical consequence. If a child receives 3 or more Pink Slips in the course of a school year the Dean of Students will consult with Counseling Department and supportive staff to develop and implement appropriate behavioral interventions and supports for the student in the classroom. Deans & teachers work to develop comprehensive positive behavior supports for each individual student that is tailored around that student’s needs and may include any or all of the following: positive check-ins with staff members, developing sensory or exercise breaks, providing in-classroom accommodations, conducting a functional behavioral assessment and individualized behavior intervention plan, and/or recommending outside or in school additional evaluations or counseling services.
- Depending on the severity or frequency of the Pink Slips, students may have reflection time either during recess or before dismissal, may be excluded from special events or activities, receive short term removal from the classroom, or may receive in-school or short term suspensions or out-of-school or long term suspensions

Throughout any of these infractions, we believe family school communication is essential to the success of the child. Throughout the year families may request a conference call or meeting with the Dean of Students or other GUGCS staff and administrators. Families who wish to meet with teachers or administrators must schedule an appointment 24 hours ahead of time. Teachers and administrators are NOT available to meet with families during the instructional day unless a scheduled appointment has been made. Please note that at any time if your child is acting in a manner that is unsafe to himself/herself and those around him you may be called to pick up your child due to safety concerns. In serious instances, if you are unable to pick up your child in a timely manner and we are concerned about his/her safety we will contact medical personnel and/or law enforcement. Our goal is always to keep children safe and learning to the best of their ability.

## **GUGCS Discipline Code**

GUGCS clearly states school rules in all classrooms and expects all students to follow rules. We will issue disciplinary consequences related to student conduct and behavior that breaks our school rules while on school property, traveling to or in attendance at a school-sponsored or school-related event or activity, whether on or off campus. GUGCS may also enforce disciplinary consequences for certain other conduct that breaks our school’s rules that relates to, affects, or shares a nexus with the school, its students or its employees, regardless of when or where the conduct occurs, including conduct that occurs online or via social media.

### **a. Code of Conduct/Discipline Policy**

The GUGCS code of conduct/discipline policy provides due process while allowing GUGCS to take necessary actions in the best interests of the student body. Discipline will not be imposed without an investigation and an opportunity for the student to

provide his/her position. In more severe circumstances where a long-term suspension or expulsion is sought, students are entitled to a more substantial hearing with more extensive due process protections.

**Student Disciplinary Code:** Admitted students and families are given clear expectations and understandings of the rules for how students are to conduct themselves in school, while participating in school activities, and traveling to and from school. A list of non-negotiable rules is posted in all classrooms, as well as reviewed by the classroom teacher whenever they deem it necessary.

Failure to comply with the rules will result in disciplinary action. In all disciplinary matters students have the right to present their version of the relevant facts and circumstances. Based on the severity of the violation, disciplinary actions range from an extended reflection period to exclusion from extracurricular activities, to short and long term suspensions and, in the most extreme circumstances, expulsion. Law enforcement agencies may be contacted when needed to preserve safety. Disciplinary actions for students with disabilities will be handled in a manner consistent with applicable special education law.

Discipline	Implementation
Short-Term Removal	Determined by Dean of Students and School Leaders; a student may be removed from classroom environment for a period of up to two hours.
Short-Term Suspension	Determined by the Executive Director, School Leaders, and Dean of Students; a student may be removed from school for a period of up to 10 days.
Long-Term Suspension	Determined by the Executive Director, School Leaders, and Dean of Students; a student may be removed from school for a period of more than 10 days. For suspensions longer than 10 days, the School will convene a hearing and make a suspension recommendation to a Hearing Officer. Hearing officers are determined by our School Leader and are required to be individuals that are not involved directly with the student.
Expulsion	Determined by the Executive Director, School Leaders, Dean of Students, and the Board of Trustees; a student may be removed from the school permanently. When seeking expulsion, the School will convene a hearing and make a recommendation to a Hearing Officer. Hearing officers are determined by our School Leader and are required to be individuals that are not involved directly with the student.

#### Extracurricular Activities

Students that participate in extracurricular activities must follow relevant school rules and behavioral expectations. They are required to wear their uniforms, do their school/homework, and obey the disciplinary code at all times. If a student has

behaved inappropriately and should be excluded from a team or activity, a teacher or staff member may suggest this to their program supervisor and exclusion or non-exclusion will be determined. Families will be notified if their child is at risk of being excluded from a team or an activity and/or when exclusion has been deemed appropriate due to the student's behavior.

#### Gun Free Schools Act

Under the federal Gun Free Schools Act, suspension of a student is mandatory if the student brings a firearm to school, for a period of at least one year. The Executive Director may modify the length of the suspension or expulsion on a case-by-case basis.

#### Tiers of Misconduct

Tier 1 Behaviors that are more minor in nature but detract from the learning of students and negatively impact the classroom community.	Tier 2 Behaviors that are more serious in nature that violate the school's code of conduct or create a disrespectful environment and warrant a pink slip.	Tier 3 Serious behaviors that endanger the safety of others or the student and demonstrate disrespect for staff, students, and/or school community.	Tier 4 Behaviors that are extreme in nature and create a serious threat to the safety of students or others in the school.
<p>Examples:</p> <p>Verbally disruptive.</p> <p>Unwillingness to follow directions.</p> <p>Refusal to participate or complete work.</p> <p>Unsteady body in the classroom.</p> <p>Verbally hurt a classmate's feelings or intentionally said something unkind to others.</p> <p>Any other negative behaviors that a classroom teachers feels distracts from the learning</p>	<p>Examples:</p> <p>Threatened or was verbally aggressive towards another person.</p> <p>Repeated unwillingness to follow directions that has not been corrected after in classroom consequences have been applied.</p> <p>Cheated on quizzes/tests/projects.</p> <p>In unassigned area without permission.</p> <p>Physically harmed another as a result of being unsafe.</p>	<p>Examples:</p> <p>Intentionally physically harming others.</p> <p>Stole or knowingly used stolen property.</p> <p>Left assigned room without permission.</p> <p>Using inappropriate or offensive language towards a teacher or a peer.</p> <p>Vandalizing school property causing minor damage.</p> <p>Engaging in behavior</p>	<p>Examples:</p> <p>Attempting to run out of the building, running around the school, or running away from adults without stopping.</p> <p>Physically assaulting staff members or threatening to assault staff members.</p> <p>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</p>

<p>environment.</p>	<p>Repeated behaviors listed in Tier 1.</p> <p>Any other negative behaviors that a staff member believes violates the school's code of conduct or create a disrespectful environment.</p>	<p>that is considered bullying or harassing towards other students.</p> <p>Refusal to be in the classroom</p> <p>Steal, attempt to steal, or possess property known by the student to be stolen</p> <p>Trespass on school property</p> <p>Abuse school property or equipment</p> <p>Engage in acts of sexual harassment, including but not limited to physical contact or offensive sexual comments</p> <p>Repeated behaviors listed in Tier 1 &amp; Tier 2.</p> <p>Any other negative behaviors that a staff member feels endangers the safety of others or the student and demonstrates disrespect for staff, students, and/or school community.</p>	<p>Possessing tobacco, electronic cigarettes, or alcohol.</p> <p>Making a false bomb threat or pulling a false emergency alarm</p> <p>Possessing, using, attempting to use, or transferring any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to a student at school.</p> <p>Commit or attempt to commit arson on school property</p> <p>Possess, sell, distribute or use any alcoholic beverage, controlled substance, imitation, or marijuana on school property or at a school-sponsored event</p> <p>Vandalize school property causing major damage</p> <p>Repeated behaviors listed in Tier 1, 2, or 3.</p> <p>Any other negative behaviors that a staff member feels create a serious threat to the safety or students.</p>
---------------------	---	--	--

Consequences			
Take a break.	Pink slip referral and automatic visit to Dean of Students Office.	Automatic pink slip referral.	Automatic pink slip referral.
Buddy Break.		Time spent out of classroom setting.	Time spent out of classroom setting.
Logical Consequences in the classroom	Logical Consequence as deemed appropriate.	In School or Out of School Suspension.	Out of School Suspension.
Loss of privilege of class trip or activity	Time spent out of the classroom setting.	Loss of privilege or repair as warranted.	Immediate pick up by parent.
Parent phone call or meeting request.	Parent phone call or meeting request.		Expulsion.
Problem Solving Conference.			

\*Logical consequences are determined on a case-by-case basis, and all listed consequences may not apply.

#### *Due Process for Suspensions and Expulsions:*

If at any time a student commits any infraction that may warrant an in school or out of school suspension, the student has the right to present their version of relevant facts and circumstances. Parents will be notified by phone or email that their child has committed a behavioral infraction that warrants a suspension and an informal conference will be set up to discuss the suspension. Parents will receive written notification of any infractions leading to a suspension at their informal conference, or via certified mail. The informal conference should occur in person, but can occur via phone if families are unable to come in for a meeting. However, if the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the informal conference shall take place as soon as possible after the suspension is reasonably practicable. Parents may not be represented by legal counsel at this conference. Parents will have the opportunity to discuss the relevant facts pertaining to the suspension, and present your child's defense to the allegations leading to the suspension.

Students who have been suspended for more than ten consecutive days or who are subject to expulsion have a right to a formal hearing and GUGCS will provide the student and parent/legal guardian with written notice of the disciplinary infraction that warrants the suspension or expulsion. At the formal hearing, you and your child may be represented by legal counsel, may offer evidence and challenge evidence submitted by the school, and may present witnesses and cross-examine witnesses against your child. Parents whose first language is other than English may request that a translator be present.

The hearing officer may place reasonable restrictions on the conduct of the hearing, including the length of presentations. At the end of the hearing, the hearing officer may issue a decision immediately or may wait until a later date to communicate a decision. The hearing officer shall send written communication of the decision to the parent or guardian of the student. A record of the hearing will be maintained by GUGCS.

Parents or legal guardians have the right to appeal suspension and expulsion decisions. If you wish to appeal, you must do so within five business days of the hearing or decision in writing to Matthew Greenberg, Executive Director at [greenberg@gugcs.org](mailto:greenberg@gugcs.org). The Executive Director will notify the Board of Trustees and arrange for the Board of Trustees to hear the complaints of the appealing party at the next available board meeting. The Executive Director shall notify the appealing party of the location, date, and time of the hearing before Board of Trustees. In accordance with Education Law §28554, the decision of the Board may be appealed to the school's authorizer, the New York City Department of Education.

*Provisions to Implement Alternative Instruction Options:*

Students removed for a period of ten days or fewer will receive all classroom assignments and a schedule by to which to complete missed assignments and/or tests during the time of the suspension. GUGCS will provide additional alternative education instruction for a minimum of two hours for each school day during the out-of-school suspension. Instruction for each student shall be sufficient to enable the student to make adequate academic progress. Students removed for a period of more than ten (10) days will be provided with instruction by one or more of the following individuals in consultation with the student's teacher(s): teacher aides, individuals within a contracted facility. Instruction will take place in one of the following locations: the student's home, a contracted facility (school district in the location of the student), or a room that is used by GUGCS as a suspension room. All provisions of services during removal will be determined on a case-by-case basis, and will consider the needs of the suspended child.

*Provisions for Students with Disabilities:*

Growing Up Green Charter School complies with all applicable laws that pertain to students with disabilities, including the federal Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). The Dean of Students, School Leader and Executive Director have the authority to suspend or remove a student as a disciplinary action.

*Rights that apply to students with a disability:*

School personnel may, for not more than 10 school days either consecutively or cumulatively in an academic year, suspend a child with a disability under IDEA who violates a code of student conduct. Consistent with applicable law, such a suspension will be carried out without regard to the student's disability.

Before a student may be suspended for more than 10 school days either consecutively or cumulatively in an academic year, he or she must be referred to the CSE of the district of residence for a manifestation determination review (MDR). If the CSE determines that the behavior that violated the student code of conduct was not a manifestation of the child's disability, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under Services.

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see Manifestation determination, below) and the disciplinary change of placement would exceed 10 school days consecutively or cumulatively, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under Services.

*Services*

The education service requirements for students with disabilities during the first 10 days of suspension in a school year are the same as they are for nondisabled students.

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

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

*Manifestation Determination*

Within 10 school days of any decision to seek suspension of a student with a disability who has already been suspended for 10



school days consecutively or cumulatively within an academic year because of a violation of the code of student conduct, the CSE with input from the school and the parent, must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or
2. If the conduct in question was the direct result of the school district's failure to implement the child's IEP.

If the CSE determines that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability.

If CSE determines that the conduct in question was the direct result of the school district's failure to implement the IEP, the school must take immediate action to remedy those deficiencies.

#### *Determination that behavior was a manifestation of the child's disability*

If the CSE determines that the conduct was a manifestation of the child's disability, the school must either:

1. conduct a functional behavioral assessment, unless the school had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

#### *Special Circumstances*

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an IAES (determined by the child's CSE) for up to 45 school days, if the child:

1. carries a weapon to school or has a weapon at school, on school premises, on transportation to or from school, or at a school function under the jurisdiction of the school;
2. knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on transportation to or from school, on school premises, or at a school function under the jurisdiction of the school; or
3. has inflicted serious bodily injury upon another person while at school, on transportation to or from school, on school premises, or at a school function under the jurisdiction of the school.

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability under Section 504 who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the School would take disciplinary action against non disabled students. The due process procedures afforded under Section 504 do not apply to disciplinary action for the use or possession of illegal drugs or alcohol. However, a student who is eligible for special education under the IDEA should have a manifestation determination review conducted to address any use or possession of illegal drugs or alcohol if such conduct could result in a change of placement.

## 28. SEARCHES/INSPECTIONS

A student and/or the student's belongings may be searched by a school official if the official has a reasonable suspicion to believe that a search of that student will result in evidence that the student 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 student by school authorities.

Student 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 student 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.





*Description of Misconduct:* An accurate record of allegedly objectionable behavior is necessary to resolve a complaint of sexual harassment. All allegations of sexual harassment must be reduced to writing by either the complainant or the recipient of the complaint.

*Timeline for Reporting a Complaint:* – Prompt reporting of complaints is strongly encouraged. While there is no time limit for filing a formal complaint with the school, the accurate resolution of sexual harassment complaints will be expedited by the timely filing of claims. Further, a complainant should be aware that applicable statutes of limitations do constrain the time for instituting outside legal action.

*Complaint Investigation:* Growing Up Green Charter School will promptly investigate all allegations of sexual harassment in as confidential and sensitive a manner as possible and shall make every reasonable effort, consistent with the best interests of all parties concerned, to complete the investigation within thirty (30) days of receipt of the formal complaint. Regardless of whether a formal complaint is filed, or action is requested, the school will conduct a prompt, impartial, and thorough investigation to determine what happened and will take appropriate steps to resolve the situation.

The student submitting a complaint of sexual harassment and the alleged harasser shall be notified of the results of the investigation. Any administrator, teacher, employee, agent, or student of the District found to have engaged in sexual harassment of any student shall be subject to appropriate disciplinary action, up to and including discharge from employment for employees and agents, and up to and including suspension from school for students in accordance with New York State Education Law.

It may be necessary for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges harassment by another student, the school may keep those students separated until the investigation is complete. If a teacher is the alleged harasser, it may be appropriate for the student to transfer to another class.

*Retaliation:* Growing Up Green Charter School will not retaliate against any student who files a sexual harassment complaint in good faith. Retaliation is a serious violation of this policy and should be reported immediately. Any employee, agent, or student of the district found to have retaliated against a student for good faith reporting of sexual harassment will be subject to appropriate disciplinary action, up to and including suspension for students in accordance with New York State Education Law.

This policy shall constitute the grievance procedures required by Title IX of the Education Amendments of 1972 for complaints of gender discrimination within educational institutions receiving federal financial assistance.

### **Dignity for All Students Act Policy**

Growing Up Green Charter School and its Board of Trustees (“Board”) are committed to providing a safe and productive learning environment within the charter school. In accordance with New York State’s “Dignity for All Students Act” (DASA) the School is committed to promptly addressing incidents of harassment and/or discrimination of students that impede students’ ability to learn. This includes bullying, taunting or intimidation in all their myriad forms.

### **Harassment**

Harassment may include any behavior which threatens or intimidates another person, or which creates a hostile or offensive educational or social environment for students. Thus, harassment between students, between adults, from adult to student, or from student to adult cannot be tolerated.

Harassment is a form of discrimination and can take many forms. It may be, but is not limited to:

- Words, signs, gestures, offensive jokes, cartoons, pictures, posters, or digital media

- Postings or comments made online or on social media
- Email, jokes or statements, electronic downloads or files
- Pranks
- Psychological or physical intimidation
- Physical assaults, contact, or violence

Harassment is not necessarily sexual in nature; it may be based on an individual's physical appearance or personal characteristics. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. It may include displaying or circulating written material such as notes, photographs, cartoons, digital media, and/or articles of a harassing or offensive nature. Confirmed incidents of harassment, are considered violations of school policy and are subject to disciplinary action.

### **Bullying**

As part of our School's commitment to creating a safe environment, every student must respect the rights of others and ensure a school free from bullying in all its forms.

Bullying is unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated over time. Bullying is a physical, verbal, or other intimidating act that causes physical or emotional harm to an individual or group. Online or cyber bullying is defined as any intentional electronic written or graphic act or series of acts by an individual directed at others, that is severe, persistent, or pervasive. Acts of bullying may have effects such as:

- Encouraging others to engage in bullying
- Instilling fear in the person being bullied
- Disparaging an individual's character
- Interfering with a student's education
- Creating a threatening school environment
- Disrupting school operations
- Taking, defacing, damaging, or destroying property

All acts of bullying are prohibited. (See Tiers of Misconduct, above. Bullying is at a minimum a Tier 3 violation)

### *Students' Rights*

No student shall be subjected to harassment by employees or students on School property or at a School function. Nor shall any student be subjected to discrimination based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, by School employees or students on School property or at a School function.

In addition, the School reserves the right to discipline students, consistent with our Code of Conduct, who engage in harassment of students off School property under circumstances where such off-campus conduct 1) affects the educative process; 2) actually endangers the health and safety of School students within the educational system; or 3) is reasonably believed to pose a danger to the health and safety of our students. This includes written and/or verbal harassment which materially and substantially disrupts the work and discipline of the School and/or which School officials reasonably forecast as being likely to materially and substantially disrupt the work and discipline of the School.

### *Dignity Act Coordinator*



The school has a designated Dignity Act Coordinator (DAC). The DAC is trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. The DAC will be accessible to students and other employees for consultation and advice.

#### *Reporting and Investigating*

Personnel at all levels are responsible for reporting harassment of which they have been made aware to their immediate supervisor. Any student who believes that s/he is being subjected to harassment, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report the harassment to any staff member or to the DAC. A staff member who witnesses harassment or who receives a report of harassment shall inform the DAC. The DAC, or their designee, shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the School to investigate allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of allegations of harassment have not suffered retaliation.

Material incidents of discrimination and harassment on School grounds or at a School function will be reported to the State Education Department as required by law.

#### *No Retaliation*

Growing Up Green Charter School and its Board prohibit any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. All complainants and those who participate in the investigation of a complaint in conformity with state law and School policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

#### **Disparaging or Offensive Language**

At Growing Up Green we strive to create a learning environment for all students to feel safe, supported, and heard. We value having a community that builds each other up and includes everyone. In alignment with our vision for this type of community we feel it is essential to educate students on what language is deemed inappropriate for the school environment and will not be tolerated by school staff. We have become aware of students using language that we feel is offensive, derogatory, or hurtful. We acknowledge that sometimes students have used such language in a way that they did not intend for it to have a harmful impact on others but we feel it is our job as educators to make certain we help them understand that when they do use such language it can have a negative impact on those around them whether they are aware or not. In an effort to be clear about which language we will not tolerate in school and which language may warrant disciplinary action we have created the following list so students and families are aware. Please note that we will teach these expectations to students and if some of the language is used for instructional purposes we will make sure to let students know it can be used for discussion in the learning environment but will not be tolerated when used directed towards another student in a joking or serious manner.

#### **Disparaging or Offensive Language includes but is not limited to:**

- Any language that is disparaging of others sexual identity;
- Any language that is disparaging of those with learning disabilities;
- Any language that is disparaging of gender, or sexually discriminatory;
- Any language that is meant to be racially, ethnically, or religiously discriminatory;
- Any gestures that are sexually explicitly or disparaging of another's culture, race, ethnicity, gender, disability, or sexual identity.

2. Mental or psychological problems of the student or the student's family.
3. Sexual behavior or attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of individuals with whom the student has a close family relationship.
6. Relationships privileged under law, such as relationships with lawyers, physicians and ministers.
7. Religious practices, affiliations, or beliefs of the student or parents.
8. Income, except when the information is required by law and will be used to determine the student's eligibility to participate in a special program or to receive financial assistance under such a program.

### "Opting Out" of Surveys and Activities

Parents have a right to receive notice of and deny permission for their child's participation in:

1. Any survey concerning the private information listed above, regardless of funding.
2. School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing or selling that information.
3. Any non-emergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the School in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law.

### 33. STATEMENT OF NON-DISCRIMINATION

Growing Up Green Charter School shall not discriminate against or limit the admission of any student on any unlawful basis, including on the basis of ethnicity, gender, gender identity, disability, intellectual ability, measures of achievement or aptitude, athletic ability, race, creed, national origin, religion or ancestry. A school may not require any action by a student or family (such as an admissions test, interview, essay, attendance at an information session, etc.) in order for an applicant to either receive or submit an application for admission to the school.

In accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. The following staff members have been designated to coordinate compliance with these requirements:

Title IX Coordinator, for concerns regarding discrimination on the basis of sex: Matthew Greenberg, Executive Director/347-642-4306; [greenberg@gugcs.org](mailto:greenberg@gugcs.org)

Section 504 Coordinator, for concerns regarding discrimination on the basis of a disability:

Kersten Russell, Director of Support Services, GUG 1; [russell@gugcs.org](mailto:russell@gugcs.org)

Shaunte Robinson, Director of Support Services GUG 2; [srobinson@gugcs.org](mailto:srobinson@gugcs.org)

### 34. VIOLATION OF LAW OR CHARTER COMPLAINT

Pursuant to Education Law §2855(4), any individual or group may file a 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 Matthew Greenberg, the Executive Director, as the designee for the Growing Up Green Charter School Board of Trustees. If the complaint is against or involves



Executive Director, the complaint shall be made directly to the Board of Trustees of the School.

When families reach out with concerns, the school makes every effort to resolve these concerns at the school level. Families are first asked to meet in person with School Leaders. GUG prides itself on an open door policy that allows families access to School Leaders, who are often best equipped to handle the majority of family concern. If that meeting does not resolve the concern, additional meetings may be held with the Executive Director.

If families are not satisfied with the outcomes of these meetings, they are directed to file a formal complaint with the Board of Trustees. Families are asked to put their concerns in writing, addressed to the Co-Board Chair, Kathryn Klingenstein and emailed to [klingenstein@gugcs.org](mailto:klingenstein@gugcs.org).

The Board then reviews the complaint, speaks with relevant members of staff, and drafts a written response to the families on behalf of the board. GUG then implements any remedial actions recommended by the Board's response.

If, after making a complaint to the Board, a family believes that the Board of Trustees has not adequately addressed the complaint, or if, after a reasonable period of time, the Board of Trustees or its designee do not respond to the complaint, the family may then bring their complaint to Growing Up Green's authorizer.

For Growing Up Green 1, the authorizer is the NYC Department of Education.

For Growing Up Green 2, the authorizer is the NYS Board of Regents.

All complaints brought to the Board of Regents/Commissioner concerning charter schools must be submitted in writing to the State Education Department's Charter School Office, either via mail at: Charter School Office, NYS Education Department, 89 Washington Avenue, Albany, NY 12234, or via email to: [charterschools@nysed.gov](mailto:charterschools@nysed.gov). The subject line of the email should read: Complaint: [Name of School].

The contents of the letter/email should include:

- A detailed statement of the complaint including the provision of the School's charter or law that you allege has been violated.
- What, if any, response you received from the School's board of trustees (and the School's Charter Entity in the case of schools not authorized by the Board of Regents).
- Copies of all relevant correspondence between you and the School and you and the Charter Entity if applicable. (You should maintain copies of all correspondence and materials for your own files.)
- What specific action or relief you are seeking.
- Contact information for you – name, address, email address, telephone number.

THE CONTENTS OF THIS DOCUMENT MAY BE UPDATED PERIODICALLY. UPDATED VERSIONS OF THIS DOCUMENT WILL BE AVAILABLE ON THE SCHOOL'S WEBSITE, [WWW.GUGCS.ORG](http://WWW.GUGCS.ORG)

